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GOVERNMENT NOTICES

DEPARTMENT OF AGRICULTURAL ECONOMICS AND MARKETING

No. R. 2668

19 December 1986

MARKETING ACT, 1968 (ACT 59 OF 1968)

REGULATIONS RELATING TO THE FURNISHING OF
SECURITY BY DISTRIBUTORS, MILK PROCESSORS
AND EXEMPTED PRODUCERS TO THE DAIRY
BOARD.—AMENDMENT

The Minister of Agricultural Economics has under section 89 of the Marketing Act, 1968 (Act 59 of 1968), made the regulations in the Schedule.

SCHEDULE

Definitions

1. In this Schedule "the Regulations" means the regulations published by Government Notice R. 1253 of 25 June 1982 (as corrected by Government Notice R. 1448 of 9 July 1982), as amended by the regulations published by Government Notice R. 1501 of 5 July 1985.

Amendment of regulation 5 of the Regulations

2. Regulation 5 of the Regulations is hereby amended by the substitution for subregulation (1) of the following subregulation:

"5. (1) The amount of the security to be furnished by a distributor or milk processor whose receiving premises are situated within a controlled area who has purchased fresh milk from a producer, exempted producer or the Board during the quarter preceding the quarter in which the Board requires or revises in terms of subregulation (2) such security, shall be either an amount of R500 or an amount equal to one hundred and fifty per cent of the value of the highest monthly purchases of fresh milk by such distributor or milk processor during the said preceding quarter, whichever is the larger amount."

GOEWERMENSKENNISGEWINGS

DEPARTEMENT VAN LANDBOU- EKONOMIE EN -BEMARKING

No. R. 2668

19 Desember 1986

BEMARKINGSWET, 1968 (WET 59 VAN 1968)

REGULASIES BETREFFENDE DIE VERSTREKKING
VAN SEKURITEIT DEUR DISTRIBUEERders,
MELKPROSESSEERders EN VRYGESTELDE PRO-
DUSENTE AAN DIE SUIWELRAAD.—WYSIGING

Die Minister van Landbou-ekonomie het kragtens artikel 89 van die Bemarkingswet, 1968 (Wet 59 van 1968), die regulasies in die Bylae uitgevaardig.

BYLAE

Woordomskrywing

1. In hierdie Bylae beteken "die Regulasies" die regulasies gepubliseer by Goewermentskennisgewing R. 1253 van 25 Junie 1982 (soos verbeter by Goewermentskennisgewing R. 1448 van 9 Julie 1982), soos gewysig deur die regulasies gepubliseer by Goewermentskennisgewing R. 1501 van 5 Julie 1985.

Wysiging van regulasie 5 van die Regulasies

2. Regulasie 5 van die Regulasies word hierby gewysig deur subregulasie (1) deur die volgende subregulasie te vervang:

"5. (1) Die bedrag van die sekuriteit wat verstrekk moet word deur 'n distribueerder of melkprosesseerder wie se ontvangspersone binne 'n beheerde gebied geleë is wat varsmelk van 'n produsent, vrygestelde produsent of die Raad aangekoop het gedurende die kwartaal wat die kwartaal vooraangaan waarin die Raad sodanige sekuriteit vereis of kragtens subregulasie (2) hersien, is of 'n bedrag van R500 of 'n bedrag gelyk aan eenhonderd en vyftig persent van die waarde van die hoogste maandelikse aankope van varsmelk deur daardie distribueerder of melkprosesseerder gedurende bedoelde vooraangaande kwartaal, na gelang van wat ter bedrag die grootste is."

No. R. 2675

19 December 1986

MARKETING ACT, 1968 (ACT 59 OF 1968)

DECIDUOUS FRUIT SCHEME.—LEVIES AND SPECIAL LEVIES—AMENDMENT

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

- (a) the Deciduous Fruit Board referred to in section 6 of the Deciduous Fruit Scheme published by Proclamation R. 220 of 1979, as amended, has under sections 31 and 32 of the said Scheme further amended the Schedule to Government Notice R. 2629 of 22 November 1985, as amended by Government Notices R. 1168 of 13 June 1986 and R. 1556 of 25 July 1986, to the extent set out in the Schedule; and
- (b) the said amendments have been approved by me and shall come into operation on the date of publication hereof.

J. J. G. WENTZEL,
Minister of Agriculture.

SCHEDULE

The Schedule to Government Notice R. 2629 of 22 November 1985, as amended by Government Notices R. 1168 of 13 June 1986 and R. 1556 of 25 July 1986, is hereby further amended—

- (a) by the substitution for subclause (2) of clause 3 of the following subclause:
 - “(2) Notwithstanding the provisions of subclause (1), the levy and special levy referred to in that subclause shall not apply to—
 - (a) freestone peaches, nectarines, plums, prunes and grapes produced in the Magisterial Districts of George, Humansdorp, Joubertina, Knysna and Uniondale; and
 - (b) plums, prunes and grapes sold post-seasonally by a person for his own account in terms of a permit issued by the Board for this purpose.”;
- (b) by the substitution for subclause (2) of clause 4 of the following subclause:
 - “(2) Notwithstanding the provisions of subclause (1) (b), the levy and special levy referred to in that subclause shall not apply to deciduous fruit that—
 - (a) is thus sold after having been purchased from the Board or a person who sold those deciduous fruit on authority of a permit referred to in section 49 of the Scheme; and
 - (b) is sold as contemplated in the said subclause if—
 - (i) it is apples, apricots or pears; or
 - (ii) it is freestone peaches, nectarines, plums, prunes and grapes produced in the Magisterial Districts of George, Humansdorp, Joubertina, Knysna and Uniondale.”; and

No. R. 2675

19 Desember 1986

BEMARKINGSWET, 1968 (WET 59 VAN 1968)

SAGTEVRUGTESKEMA.—HEFFINGS EN SPESIALE HEFFINGS—WYSIGING

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

- (a) die Sagtevrugteraad bedoel in artikel 6 van die Sagtevrugteskema gepubliseer by Proklamasie R. 220 van 1979, soos gewysig, kragtens artikels 31 en 32 van genoemde Skema die Bylae by Goewermmentskennisgewing R. 2629 van 22 November 1985, soos gewysig by Goewermmentskennisgewings R. 1168 van 13 Junie 1986 en R. 1556 van 25 Julie 1986, verder gewysig het in die mate in die Bylae uiteengesit; en
- (b) genoemde wysigings deur my goedgekeur is en op die datum van publikasie hiervan in werking tree.

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

BYLAE

Die Bylae by Goewermmentskennisgewing R. 2629 van 22 November 1985, soos gewysig by Goewermmentskennisgewings R. 1168 van 13 Junie 1986 en R. 1556 van 25 Julie 1986, word hierby verder gewysig—

- (a) deur subklousule (2) van klousule 3 deur die volgende subklousule te vervang:
 - “(2) Ondanks die bepalinge van subklousule (1) is die heffing en spesiale heffing in daardie subklousule bedoel, nie van toepassing nie op—
 - (a) lospitperskes, nektariens, pruime, pruimedante en duiwe wat in die landdrosdistrikte George, Humansdorp, Joubertina, Knysna en Uniondale geproduseer is; en
 - (b) pruime, pruimedante en duiwe wat naseisoen ingevolge 'n permit, vir die doel deur die Raad uitgereik, deur iemand vir sy eie rekening verkoop word.”;
- (b) deur subklousule (2) van klousule 4 deur die volgende subklousule te vervang:
 - “(2) Ondanks die bepalinge van subklousule (1) (b) is die heffing en spesiale heffing in daardie subklousule bedoel, nie van toepassing nie op sagtevrugte wat—
 - (a) aldus verkoop word nadat dit gekoop is van die Raad of iemand wat daardie sagtevrugte op gesag van 'n permit in artikel 49 van die Skema bedoel, verkoop het; en
 - (b) verkoop word soos in genoemde subklousule beoog, indien dit—
 - (i) appels, appelkose of pere is; of
 - (ii) lospitperskes, nektariens; pruime, pruimedante en duiwe is wat in die landdrosdistrikte George, Humansdorp, Joubertina, Knysna en Uniondale geproduseer is.”;

(c) by the substitution for Tables 1, 2, 3 and 4 thereto of Tables 1, 2, 3 and 4 hereto:

(c) deur Tabelle 1, 2, 3 en 4 daarby deur Tabelle 1, 2, 3 en 4 hierby te vervang:

“TABLE 1/TABEL 1

LEVIES AND SPECIAL LEVIES ON DECIDUOUS FRUIT INTENDED FOR EXPORT BY THE BOARD/HEFFINGS EN SPESIALE HEFFINGS OP SAGTEVRUGTE BESTEM VIR UITVOER DEUR DIE RAAD

[Clause 2/Klousule 2]

Kind of deciduous fruit/Soort sagtevrugte	Type of container (or equivalent)/Tipe houer (of ekwivalent)	Levy per container/Heffing per houer	Special levy per container/Spesiale heffing per houer
1	2	3	4
1. Apricots/Appelkose	4,75 kg carton/4,75-kg karton.....	48,9c	28,5c
2. Apples/Appels	Carton/Karton	84,6c	78,1c
3. Grapes/Druie	Carton/Karton	52,5c	35,2c
4. Nectarines/Nektariens	Single layer carton/Enkellaagkarton.....	45,1c	22,1c
5. Peaches/Perskes	Single layer carton/Enkellaagkarton.....	45,1c	22,1c
6. Plums/Pruime	5,25 kg carton/5,25-kg karton.....	47,8c	36,1c
7. Prunes/Pruimedante	5,25 kg carton/5,25-kg karton.....	47,8c	36,1c
8. Pears/Pere	(a) 7,5 kg carton/7,5-kg karton.....	54,9c	35,1c
	(b) 15 kg carton/15-kg karton.....	75,4c	67,8c

TABLE 2/TABEL 2

LEVIES AND SPECIAL LEVIES ON DECIDUOUS FRUIT PRODUCED IN THE CONTROLLED PRODUCTION AREA AND SOLD BY THE BOARD IN THE MARKETING AREA OR OVERBORDER TERRITORIES/HEFFINGS EN SPESIALE HEFFINGS OP SAGTEVRUGTE IN DIE BEHEERDE PRODUKSIEGEBIED GEPRODUSEER EN DEUR DIE RAAD IN DIE BEMARKINGSGEBIED OF BUITEGRENSGEBIEDE VERKOOP

[Clause 3/Klousule 3]

Kind of deciduous fruit/Soort sagtevrugte	Type of container (or equivalent)/Tipe houer (of ekwivalent)	Levy per container/Heffing per houer	Special levy per container/Spesiale heffing per houer
1	2	3	4
1. Grapes/Druie	5 kg carton/5-kg karton.....	28,7c	19,0c
2. Nectarines/Nektariens	Single layer carton/Enkellaagkarton.....	20,6c	12,6c
3. Peaches/Perskes	Single layer carton/Enkellaagkarton.....	20,6c	12,6c
4. Plums/Pruime	(a) 5,25 kg cartons/5,25-kg karton	27,5c	22,9c
	(b) 7 kg carton/7-kg karton.....	27,5c	22,9c
5. Prunes/Pruimedante	5 kg carton/5-kg karton.....	27,5c	22,9c

TABLE 3/TABEL 3

LEVIES AND SPECIAL LEVIES ON DECIDUOUS FRUIT SOLD OR EXPORTED IN TERMS OF PERMITS ISSUED BY BOARD/HEFFINGS EN SPESIALE HEFFINGS OP SAGTEVRUGTE INGEVOLGE PERMITTE DEUR RAAD UITGEREIK, UITGEVOER OF VERKOOP

[Clause 4/Klousule 4]

Kind of deciduous fruit/Soort sagtevrugte	Unit or type of container/Eenheid of tipe houer	Levy per unit or container/Heffing per eenheid of houer	Special levy per unit or container/Spesiale heffing per eenheid of houer
1	2	3	4
1. Apricots/Appelkose	Single or multi-layer tray or carton/Enkel- of meerlaagkissie of -karton	9,4c	—
2. Apples/Appels	(a) Units up to and including 10 kg/Eenhede tot en met 10 kg.....	9,4c	1,5c
	(b) Units above 10 kg/Eenhede bo 10 kg.....	9,4c	3,2c
3. Grapes/Druie	Tray or carton/Kissie of karton.....	9,4c	—
4. Nectarines/Nektariens	Single-layer tray or carton/Enkellaagkissie of karton	9,4c	—
5. Pears/Pere	(a) Units up to and including 10 kg/Eenhede tot en met 10 kg.....	9,4c	9,5c
	(b) Units above 10 kg/Eenhede bo 10 kg.....	9,4c	18,0c
6. Peaches/Perskes	Single-layer tray or carton/Enkellaagkissie of karton	9,4c	—
7. Plums/Pruime	(a) Single-layer or carton/Enkellaagkissie of karton	9,4c	—
	(b) Multi-layer tray or carton/Meerlaagkissie of karton.....	9,4c	—
8. Prunes/Pruimedante	Tray or carton/Kissie of karton.....	9,4c	—

TABLE 4/TABEL 4

SPECIAL LEVIES ON DECIDUOUS FRUIT SOLD FOR FRESH CONSUMPTION IN THE REPUBLIC/SPEIALE HEFFINGS OP SAGTEVRUGTE VIR VARSVERBRUIK IN DIE REPUBLIEK VERKOOP

[Clause 5/Klousule 5]

Kind of deciduous fruit/ Soort sagtevrugte	Unit or type of container/Eenheid of tipe houer	Special levy per unit or container/Speiale heffing per eenheid of houer	
		In case of sale at or in area of National Fresh Produce Market/In geval van verkoop op of in gebied van 'n Nasionale Varsproduktemark	In case of sale at any place, including at or in area of National Fresh Produce Market/In geval van verkoop by enige plek, insluitend op of in gebied van 'n Nasionale Varsproduktemark
1	2	3	4
1. Apples/Appels.....	(a) Units up to and including 10 kg/Eenhede tot en met 10 kg.....	—	11,5c
	(b) Units above 10 kg/Eenhede bo 10 kg.....	—	23,2c
2. Grapes/Druie.....	Tray or carton/Kissie of karton.....	0,5c	—
3. Nectarines/Nektariens.....	Single or multi-layer tray or carton/Enkel- of meerslaagkissie of -karton.....	0,5c	—
4. Pears/Pere.....	(a) Units up to and including 10 kg/Eenhede tot en met 10 kg.....	—	9,5c
	(b) Units above 10 kg/Eenhede bo 10 kg.....	—	18,0c
5. Peaches/Perskes.....	Single or multi-layer tray or carton/Enkel- of meerslaagkissie of -karton.....	0,5c	—

No. R. 2676

19 December 1986

MARKETING ACT, 1968 (ACT 59 OF 1968)

REGULATIONS RELATING TO THE GRADING, PACKING AND MARKING OF PLUMS AND PRUNES INTENDED FOR SALE IN CERTAIN AREAS OF THE REPUBLIC OF SOUTH AFRICA.—AMENDMENT

The Minister of Agricultural Economics has under section 89 of the Marketing Act, 1968 (Act 59 of 1968), made the regulations in the Schedule.

SCHEDULE

Definitions

1. In this Schedule "the Regulations" means the regulations published by Government Notice R. 2120 of 27 October 1978, as amended by the regulations published by Government Notices R. 622 of 28 March 1980, R. 998 of 13 May 1983, R. 602 of 30 March 1984 and R. 2578 of 15 November 1985.

Amendment of regulation 5 of the Regulations

2. Regulations 5 of the Regulations is hereby amended by the substitution for paragraphs (f) and (s) of the table in subregulation (2) of the following paragraphs respectively:

No. R. 2676

19 Desember 1986

BEMARKINGSWET, 1968 (WET 59 VAN 1968)

REGULASIES MET BETREKKING TOT DIE GRADERING, VERPAKKING EN MERK VAN PRUIME EN PRUIMEDANTE BESTEM VIR VERKOOP IN SEKERE GEBIEDE VAN DIE REPUBLIEK VAN SUID-AFRIKA.—WYSIGING

Die Minister van Landbou-ekonomie het kragtens artikel 89 van die Bemarkingswet, 1968 (Wet 59 van 1968), die regulasies in die Bylae uitgevaardig.

BYLAE

Woordomskeywing

1. In hierdie Bylae beteken "die Regulasies" die regulasies gepubliseer by Goewermentskennisgewing R. 2120 van 27 Oktober 1978, soos gewysig deur die regulasies gepubliseer by Goewermentskennisgewings R. 622 van 28 Maart 1980, R. 998 van 13 Mei 1983, R. 602 van 30 Maart 1984 en R. 2578 van 15 November 1985.

Wysiging van regulasie 5 van die Regulasies

2. Regulasie 5 van die Regulasies word hierby gewysig deur paragrawe (f) en (s) van die tabel in subregulasie (2) onderskeidelik deur die volgende paragrawe te vervang:

Quality factor	Class 1	Class 2	Class 3	Lowest Class
"(f) Size groups for plums (diameter)		As for Class 1	As for Class 1	*
(i) Large.....	At least 50 mm			
(ii) Medium	Less than 50 mm but not less than 40 mm			
(iii) Small.....	Less than 40 mm but not less than the minimum-size prescribed for cultivar			
(s) Uniformity—				
(i) of size in the same container.....	Uniform: Provided that the fruit shall not differ more than 7 mm in diameter in the same container	As for Class 1	Reasonably uniform	*
(ii) of colour in the same container.....	Reasonably uniform	*	*	***

Gehalte faktor	Klas 1	Klas 2	Klas 3	Laagste Klas
"(f) Groottegroepe vir pruime (deursnee)		Soos vir Klas 1	Soos vir Klas 1	*
(i) Groot.....	Minstens 50 mm.....			
(ii) Medium	Minder as 50 mm maar nie minder nie as 40 mm			
(iii) Klein	Minder as 40 mm maar nie minder nie as die minimum grootte vir kultivar voorgeskryf			
(s) Eenvormigheid—				
(i) van grootte in dieselfde houer	Eenvormigheid: Met dien verstande dat vrugte hoogstens 7 mm in deursnee binne dieselfde houer mag verskil	Soos vir Klas 1	Redelik een-vormig	*
(ii) van kleur in dieselfde houer	Redelik eenvormig.....	*	*	*"

Amendment of regulation 6 of the Regulations

3. Regulation 6 of the Regulations is hereby amended by the insertion of the following paragraph after paragraph (e):

"(f) subject to the provisions of paragraph (e), be packed in any container which has been approved for the packing of plums and prunes for export."

Wysiging van regulasie 6 van die Regulasies

3. Regulasie 6 van die Regulasies word hierby gewysig deur die volgende paragraaf na paragraaf (e) in te voeg:

"(f) behoudens die bepalings van paragraaf (e), verpak word in enige houer wat vir die verpakking van pruime of pruimedante vir uitvoer goedgekeur is."

No. R. 2677

19 December 1986

MARKETING ACT, 1968 (ACT 59 OF 1968)
REGULATIONS RELATING TO THE GRADING, PACKING AND MARKING OF PEARS INTENDED FOR SALE IN CERTAIN AREAS OF THE REPUBLIC OF SOUTH AFRICA.—AMENDMENT

The Minister of Agricultural Economics has under section 89 of the Marketing Act, 1968 (Act 59 of 1968), made the regulations in the Schedule.

SCHEDULE**Definitions**

1. In this Schedule "the Regulations" means the regulations published by Government Notice R. 2177 of 3 November 1978, as amended by the regulations published by Government Notices R. 623 of 28 March 1980, R. 1001 of 13 May 1983 and R. 602 of 30 March 1984.

Amendment of regulation 1 of the Regulations

2. Regulations 1 of the Regulations is hereby amended—

(a) by the substitution for the definition of "bruise" of the following definition:

" 'bruise' means any bruise or bruises which—

(a) has as a result discolouration directly under the skin; or

(b) exceeds the maximum diameter or maximum area as specified in regulation 5 (2) (h);"; and

(b) by the substitution for the definition of "injury" of the following definition:

" 'injury' means any wound or puncture which has penetrated the skin of the pear and exposes the flesh, excluding such wounds or punctures which have healed completely or have become calloused;".

Amendment of regulation 5 of the Regulations

3. Regulation 5 of the Regulations is hereby amended by the substitution for paragraphs (e) and (h) of the table in subregulation (2) of the following paragraphs respectively:

Quality factor	Class 1	Class 2	Class 3	Lowest Class
"(e) Maturity per cultivar (average pressure in kg):	Maximum	As for Class 1	As for Class 1	*
Beurre Bosc.....	8,0			
Beurre Clairgeau	7,7			
Beurre Diel.....	7,7			

No. R. 2677

19 Desember 1986

BEMARKINGSWET, 1968 (WET 59 VAN 1968)
REGULASIES MET BETREKKING TOT DIE GRADE-RING, VERPAKKING EN MERK VAN PERE BESTEM VIR VERKOOP IN SEKERE GEBIEDE VAN DIE REPUBLIEK VAN SUID-AFRIKA.—WYSIGING

Die Minister van Landbou-ekonomie het kragtens artikel 89 van die Bemarkingswet, 1968 (Wet 59 van 1968), die regulasies in die Bylae uitgevaardig.

BYLAE**Woordomskrywing**

1. In hierdie Bylae beteken "die Regulasies" die regulasies gepubliseer by Goewermentskennisgewing R. 2177 van 3 November 1978, soos gewysig deur die regulasies gepubliseer by Goewermentskennisgewings R. 623 van 28 Maart 1980, R. 1001 van 13 Mei 1983 en R. 602 van 30 Maart 1984.

Wysiging van regulasie 1 van die Regulasies

2. Regulasie 1 van die Regulasies word hierby gewysig—

(a) deur die omskrywing van "besering" deur die volgende omskrywing te vervang:

" 'besering' enige wond of prik wat die skil van die peer deurboor en die vlees blootstel, uitgesonderd sulke wonde of prikke wat volkome genees of vereelt geraak het;"; en—

(b) deur die omskrywing van "kneusplek" deur die volgende omskrywing te vervang:

" 'kneusplek' enige kneusplek wat—

(a) verkleuring direk onder die skil tot gevolg het; of

(b) die maksimum deursnee of maksimum oppervlakte soos in regulasie 5 (2) (h) gespesifiseer, oorskry;".

Wysiging van regulasie 5 van die Regulasies

3. Regulasie 5 van die Regulasies word hierby gewysig deur paragrafe (e) en (h) van die tabel in subregulasie (2) onderskeidelik deur die volgende paragrafe te vervang:

Quality factor	Class 1	Class 2	Class 3	Lowest Class
Beurre Hardy	6,4			
Beurre Superfin	7,7			
Clapp's Favourite	8,7			
Corona	7,7			
Doyenne du Comice	6,4			
Forelle	7,7			
Glou Morceau	8,1			
Josephine	6,4			
Keiffer	8,0			
Louise Bonne	6,4			
Packham's Triumph	8,0			
William's Bon Chrétien	10,5			
Winter Nelis	8,6			
Other cultivars	8,6			
(h) Bruises:				
(i) Maximum diameter	17 mm	20 mm	25 mm	*
(ii) Maximum area	300 mm ²	400 mm ²	500 mm ²	***

Gehaltefaktor	Klas 1	Klas 2	Klas 3	Laagste Klas
“(e) Rypheid per cultivar (gemiddelde druk in kg):	<i>Maksimum</i>	Soos vir Klas 1	Soos vir Klas 1	*
Beurre Bosc	8,0			
Beurre Clairgeau	7,7			
Beurre Diel	7,7			
Beurre Hardy	6,4			
Beurre Superfin	7,7			
Clapp's Favourite	8,7			
Corona	7,7			
Doyenne du Comice	6,4			
Forelle	7,7			
Glou Morceau	8,1			
Josephine	6,4			
Keiffer	8,0			
Louise Bonne	6,4			
Packham's Triumph	8,0			
William's Bon Chrétien	10,5			
Winter Nelis	8,6			
Ander cultivars	8,6			
(h) Kneusplekke:				
(i) Maksimum deursnee	17 mm	20 mm	25 mm	*
(ii) Maksimum oppervlakte	300 mm ²	400 mm ²	500 mm ²	***

Amendment of regulation 6 of the Regulations

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

“(e) subject to the class of pears packed therein, consist of Type P1, P2, P3, P4, P5, P6 or Z containers or any container which has been approved for the packing of pears for export.”

Substitution of regulation 7 of the regulations

5. The following regulation is hereby substituted for regulation 7 of the Regulations:

“7. Subject to the provisions of regulations 6 and 8, the container factor and specifications for the respective types of containers are as follows:

Wysiging van regulasie 6 van die Regulasies

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

“(e) na gelang van die klas pere daarin verpak, bestaan uit Tipe P1-, P2-, P3-, P4-, P5-, P6- of Z-houers of enige houer wat vir die verpakking van pere vir uitvoer goedgekeur is.”

Vervanging van regulasie 7 van die Regulasies

5. Regulasie 7 van die Regulasies word hierby deur die volgende regulasie vervang:

“7. Behoudens die bepalings van regulasies 6 en 8 is die houerfaktor en spesifikasies vir die onderskeie tipes houers soos volg:

Container factor	Type of containers						
	Type P1	Type P2	Type P3	Type P4	Type P5	Type P6	
(1) Dimensions (inside measurement):							Dimensions optional:
(a) Length	375 mm	366 mm	375 mm	375 mm	450 mm	365 mm	Provided that the container shall have a net capacity that does not exceed 3 kg of pears
(b) Width	270 mm	285 mm	270 mm	270 mm	280 mm	273 mm	
(c) Depth	247 mm	150 mm	137 mm	87 mm	235 mm	230 mm	
				82 mm			
				76 mm			
				or 70 mm			

Container factor	Type of containers						
	Type P1	Type P2	Type P3	Type P4	Type P5	Type P6	Type Z
(2) Material	Double faced corrugated cardboard of B-flute with mass, strength, construction and ventilation that comply with acknowledged specifications	As for Type P1	As for Type P1	As for Type P1	As for Type P1	As for Type P1	Any suitable material
(3) Assembly of carton and lid	Properly gummed, stapled or selflocking	As for Type P1	As for Type P1	As for Type P1	As for Type P1	As for Type P1	Any suitable manner
(4) Closing of container after packing	Shall be supplied with a suitable, fully telescopic lid	Shall be supplied with a suitable, self-locking lid	As for Type P1	As for Type P1	As for Type P1	As for Type P1	Any suitable manner".

Houerfaktor	Tipe houters						
	Tipe P1	Tipe P2	Tipe P3	Tipe P4	Tipe P5	Tipe P6	Tipe Z
(1) Afmetings (binnemaat): (a) Lengte (b) Breedte (c) Diepte	375 mm 270 mm 247 mm	366 mm 285 mm 150 mm	375 mm 270 mm 137 mm	375 mm 270 mm 87 mm, 82 mm 76 mm of 70 mm	450 mm 280 mm 235 mm	365 mm 273 mm 230 mm	Afmetings opsioneel: Met dien verstande dat die houer 'n netto kapasiteit vir hoogstens 3 kg pere moet hê
(2) Materiaal	Dubbelvlakruffelkarton van B-groef met massa, sterkte, konstruksie en ventilasie wat aan erkende spesifikasies voldoen	Soos vir Tipe P1	Soos vir Tipe P1	Soos vir Tipe P1	Soos vir Tipe P1	Soos vir Tipe P1	Enige geskikte materiaal
(3) Montering van houer en deksel	Behoorlik gegom, gekram of selfsluitend	Soos vir Tipe P1	Soos vir Tipe P1	Soos vir Tipe P1	Soos vir Tipe P1	Soos vir Tipe P1	Enige geskikte wyse
(4) Toemaak van houer na verpakking	Moet van geskikte, ten volle teleskopiese deksel voorsien word	Moet van geskikte, selfsluitende deksel voorsien word	Soos vir Tipe P1	Soos vir Tipe P1	Soos vir Tipe P1	Soos vir Tipe P1	Enige geskikte wyse".

Substitution of regulation 8 of the Regulations

6. The following regulation is hereby substituted for regulation 8 of the Regulations:

"8. When Class 1, Class 2 or or Class 3 pears are packed in containers it shall be packed according to the following requirements:

Vervanging van regulasie 8 van die Regulasies

6. Regulasie 8 van die Regulasies word hierby deur die volgende regulasie vervang:

"8. Wanneer Klas 1-, Klas 2- of Klas 3-pere in houer verpak word moet dit volgens die volgende voorskrifte verpak word:

Packing factor	Type of containers						
	Type P1	Type P2	Type P3	Type P4	Type P5	Type P6	Type Z
(1) Method of packing:							
(a) Class 1	Diagonal	As for Type P1	As for Type P1	As for Type P1	In 8 × 1,5 kg Econo-pak bags	—	*
(b) Class 2 or Class 3	Diagonal	As for Type P1	As for Type P1	As for Type P1	In 8 × 1,5 kg Econo-pak bags	Tumble packed	*
(2) Wrapping paper:							
(a) Class 1	A wrapper of suitable machine glazed pure unbleached sulphite paper or bleached sulphate paper or similar wrapping material which is specially manufactured for this purpose	As for Type P1	As for Type P1	As for Type P1	Shall not be wrapped	—	*
(b) Class 2 or Class 3	As for Class 1	As for Type P1	As for Type P1	As for Type P1	Shall not be wrapped	Shall not be wrapped	*
(3) Size groups and minimum diameter for tumble packed Class 2 or Class 3 pears:							
(a) Extra large	—	—	—	—	—	More than 80 mm	*
(b) Large	—	—	—	—	—	More than 70 mm up to and including 80 mm	*
(c) Medium	—	—	—	—	—	More than 60 mm up to and including 70 mm	*
(d) Small	—	—	—	—	—	54 mm up to and including 60 mm: Provided that pears with a diameter of at least 50 mm up to less than 54 mm shall be packed as Class 3 small	*
(4) Minimum net mass	15,3kg	7,65 kg	7,65 kg	3,5 kg	12,0 kg	13,0 kg	*
(5) Pre-cooling	Pears which are packed in polyethylene bags, shall be cooled to -0,5°C before packing	As for Type P1	As for Type P1	As for Type P1	As for Type P1	As for Type P1	*
(6) General:							
(a) Cultivars	Pears of different cultivars shall not be packed together in the same container	As for Type P1	As for Type P1	As for Type P1	As for Type P1	As for Type P1	*

Packing factor	Type of containers						
	Type P1	Type P2	Type P3	Type P4	Type P5	Type P6	Type Z
(b) Fill of containers	(i) Shall be packed to capacity (ii) Pears shall be firmly packed in the container (iii) Pears at the top of the container shall be representative of the pears in the rest of the container	As for Type P1	As for Type P1	As for Type P1	As for Type P1	As for Type P1	*

* No specification
 — Not applicable."

Verpakkingsfaktor	Tipe houers						
	Tipe P1	Tipe P2	Tipe P3	Tipe P4	Tipe P5	Tipe P6	Tipe Z
(1) Verpakkingsmetode:							
(a) Klas 1	Diagonaal.....	Soos vir Tipe P1	Soos vir Tipe P1	Soos vir Tipe P1	In 8 × 1,5 kg Econo-pak-sakkies	—	*
(b) Klas 2 of Klas 3	Diagonaal.....	Soos vir Tipe P1	Soos vir Tipe P1	Soos vir Tipe P1	In 8 × 1,5 kg Econo-pak-sakkies	Tuimelverpak	*
(2) Toedraai-papier:							
(a) Klas 1	Omslag van geskikte masjinaalgeglasuurde suiwer ongebleikte sulfietpapier of gebleikte sulfaatpapier of soortgelyke toedraaimateriaal wat spesiaal vir hierdie doel vervaardig is	Soos vir Tipe P1	Soos vir Tipe P1	Soos vir Tipe P1	Moet nie toegedraai word nie	—	*
(b) Klas 2 of Klas 3	Soos vir Klas 1	Soos vir Tipe P1	Soos vir Tipe P1	Soos vir Tipe P1	Moet nie toegedraai word nie	Moet nie toegedraai word nie	*
(3) Groottegroepe en minimum deursnee vir tuimelverpakte Klas 2 of Klas 3 pere:							
(a) Ekstra groot	—	—	—	—	—	Meer as 80 mm	*
(b) Groot	—	—	—	—	—	Meer as 70 mm tot en met 80 mm	*
(c) Medium	—	—	—	—	—	Meer as 60 mm tot en met 70 mm	*

Verpakkingsfaktor	Tipe houers						
	Tipe P1	Tipe P2	Tipe P3	Tipe P4	Tipe P5	Tipe P6	Tipe Z
(d) Klein	—	—	—	—	—	54 mm tot en met 60 mm: Met dien verstande dat pere met 'n deursnee van minstens 50 mm tot minder as 54 mm as Klas 3 klein verpak moet word	*
(4) Minimum netto massa	15,3kg	7,65 kg	7,65 kg	3,5 kg	12,0 kg	13,0 kg	*
(5) Voorverkoe-ling	Pere wat in poliëtileen-sakke verpak is moet voor verpakking na $-0,5^{\circ}\text{C}$ verkoel word	Soos vir Tipe P1	Soos vir Tipe P1	Soos vir Tipe P1	Soos vir Tipe P1	Soos vir Tipe P1	*
(6) Algemeen:							
(a) Cultivars	Pere van verskillende cultivars mag nie saam in dieselfde houer verpak word nie	Soos vir Tipe P1	Soos vir Tipe P1	Soos vir Tipe P1	Soos vir Tipe P1	Soos vir Tipe P1	*
(b) Vul van houers	(i) Moet vol verpak wees (ii) Pere moet stewig in die houer verpak wees (iii) Pere bo in die houer moet verteenwoordigend van die res van die pere in die houer wees	Soos vir Tipe P1	Soos vir Tipe P1	Soos vir Tipe P1	Soos vir Tipe P1	Soos vir Tipe P1	*

* Geen spesifikasie
—Nie van toepassing nie."

Amendment of regulation 9 of the Regulations

7. Regulation 9 of the Regulations is hereby amended by the substitution for subregulation (7) of the following subregulation:

"(7) If Type Z containers are packed in a large container, every Type Z container shall be marked according to the requirements of regulation 9 (6) and the large container according to the requirements of regulation 9 (1), (2) and (3) as well as the number of Type Z containers it contains."

Commencement

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

Wysiging van regulasie 9 van die Regulasies

7. Regulasie 9 van die Regulasies word hierby gewysig deur subregulasie (7) deur die volgende subregulasie te vervang:

"(7) Indien Tipe Z-houers in 'n groot houer verpak word, moet elke Tipe Z-houer volgens die vereistes van regulasie 9 (6) en die groot houer volgens die vereistes van regulasie 9 (1), (2) en (3) gemerk wees asook met die aantal Tipe Z-houers wat dit bevat."

Inwerkingtreding

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

No. R. 2678

19 December 1986

MARKETING ACT, 1968 (ACT 59 OF 1968)

DECIDUOUS FRUIT SCHEME.—NOTICE OF PROPOSED AMENDMENT

The Minister of Agricultural Economics has provisionally approved under section 9 (1) as applied by section 15 (3), of the Marketing Act, 1968 (Act 59 of 1968), the amendment set out in the Schedule hereto of the Deciduous Fruit Scheme published by Proclamation R. 220 of 1979, as amended, and hereby invites, under section 9 (2) (b) of the said Act, persons who have an interest in deciduous fruit to lodge with him within four weeks as from the date of publication hereof, any objections to or representations concerning the said proposed amendments of the Deciduous Fruit Scheme.

The said objections or representations may be posted to the Director-General, Department of Agricultural Economics and Marketing, Private Bag X250, Pretoria, 0001.

SCHEDULE

Definitions

1. In this Schedule "the Scheme" means the Deciduous Fruit Scheme, published by Proclamation R. 220 of 1979, as amended.

Amendment of section 44

4. Section 44 of the Scheme is hereby amended by the substitution for paragraph (a) of subsection (4) of the following paragraph:

"(a) in relation to deciduous fruit which is intended for sale in the Republic, deciduous fruit, except apricots, produced in the controlled production area;"

Substitution of section 48

5. The following section is hereby substituted for section 48 of the Scheme:

"48. The Board may, with the approval of the Minister, prohibit any person from selling deciduous fruit, except apricots, unless he has acquired it from the Board, or from such persons as may be determined by the Board."

Amendment of section 49

6. Section 49 of the Scheme is hereby amended by the substitution for paragraph (a) of subsection (4) of the following paragraph:

"(a) in relation to deciduous fruit which is intended for sale in the Republic, deciduous fruit, except apricots, produced in the controlled production area;"

[Explanatory note:]

The effect of the proposed amendments will be, if the Minister of Agricultural Economics should approve it, that the Deciduous Fruit Board may prohibit the sale of apples produced in the controlled production area, in the Republic—

- (a) except to or through the said Board;
- (b) by any person, unless he has acquired it from the said Board or from such persons as may be determined by the Board; or
- (c) by any persons, except under the authority of a permit, the issue of which shall be in the discretion of the Board.]

No. R. 2678

19 Desember 1986

BEMARKINGSWET, 1968 (WET 59 VAN 1968)

SAGTEVRUGTESKEMA.—KENNISGEWING VAN VOORGENOME WYSIGING

Die Minister van Landbou-ekonomie het die wysigings in die Bylae hierby uiteengesit van die Sagtevrugteskema gepubliseer by Proklamasie R. 220 van 1979, soos gewysig, kragtens artikel 9 (1) soos toegepas by artikel 15 (3), van die Bemarkingswet, 1968 (Wet 59 van 1968), voorlopig goedgekeur en nodig hierby, kragtens artikel 9 (2) (b) van genoemde Wet, persone wat belang het by sagtevrugte uit om binne vier weke vanaf die datum van publikasie hiervan, besware teen of vertoë aangaande genoemde voorgename wysigings van die Sagtevrugteskema by hom in te dien.

Die genoemde besware of vertoë kan aan die Direkteur-generaal, Departement van Landbou-ekonomie en -bemarking, Privaatsak X250, Pretoria, 0001 gepos word.

BYLAE

Woordomskrywings

1. In hierdie Bylae beteken "die Skema" die Sagtevrugteskema, gepubliseer by Proklamasie R. 220 van 1979, soos gewysig.

Wysiging van artikel 44

4. Artikel 44 van die Skema word hierby gewysig deur paragraaf (a) van subartikel (4) deur die volgende paragraaf te vervang:

"(a) met betrekking tot sagtevrugte wat bestem is vir verkoop in die Republiek, sagtevrugte, uitgesonderd appelpose, wat in die beheerde produksiegebied geproduseer is;"

Vervanging van artikel 48

5. Artikel 48 van die Skema word hierby deur die volgende artikel vervang:

"48. Die Raad kan met die Minister se goedkeuring enigiemand verbied om sagtevrugte, uitgesonderd appelpose, te verkoop tensy hy dit verkry het van die Raad of van dié persone wat deur die Raad bepaal word."

Wysiging van artikel 49

6. Artikel 49 van die Skema word hierby gewysig deur paragraaf (a) van subartikel (4) deur die volgende paragraaf te vervang:

"(a) met betrekking tot sagtevrugte wat bestem is vir verkoop in die Republiek, sagtevrugte, uitgesonderd appelpose, wat in die beheerde produksiegebied geproduseer is;"

[Verduidelikende nota:]

Die uitwerking van die voorgename wysigings sal wees, indien die Minister van Landbou-ekonomie dit sou goedkeur, dat die Sagtevrugteraad die verkoop van appels wat in die beheerde produksiegebied geproduseer is, in die Republiek—

- (a) behalwe aan of deur bemiddeling van die genoemde Raad sal kan verbied;
- (b) deur enigiemand kan verbied tensy hy dit verkry het van genoemde Raad of van dié persone wat deur die Raad bepaal word; of
- (c) deur enigiemand kan verbied behalwe kragtens 'n permit wat na goeddunke deur die Raad uitgereik word.]

No. R. 2679

19 December 1986

MARKETING ACT, 1968 (ACT 59 OF 1968)

DRIED FRUIT SCHEME.—LEVY AND SPECIAL LEVY ON DRIED FRUIT

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

- the Dried Fruit Board referred to in section 3 of the Dried Fruit Scheme published by Proclamation R. 302 of 1962, as amended, has under sections 17 and 19 of the said Scheme imposed the levy and special levy set out in the Schedule;
- the said levy and special levy have been approved by me and shall come into operation on the date of publication hereof; and
- Government Notice R. 2751 of 13 December 1985 is repealed with effect from the said date of commencement.

J. J. G. WENTZEL,
Minister of Agriculture.

SCHEDULE

Definitions

1. Any word or expression in this Schedule to which a meaning has been assigned in the Scheme shall have that meaning and, unless the context otherwise indicates, "the Scheme" means the Dried Fruit Scheme published by Proclamation R. 302 of 1962, as amended.

Imposition of levy and special levy

2. A levy and a special levy are hereby imposed on dried fruit of the kinds specified in column 1 of the Table, that is sold by a producer thereof.

Amount of levy and special levy

3. The amount of the levy and special levy on dried fruit of a kind specified in column 1 of the Table shall respectively be as specified in columns 2 and 3 of the said Table opposite thereto.

No. R. 2679

19 Desember 1986

BEMARKINGSWET, 1968 (WET 59 VAN 1968)

DROËVRUGTESKEMA.—HEFFING EN SPESIALE HEFFING OP DROËVRUGTE

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

- die Droëvrugteraad bedoel in artikel 3 van die Droëvrugteskema gepubliseer by Proklamasie R. 302 van 1962, soos gewysig, kragtens artikels 17 en 19 van genoemde Skema die heffing en spesiale heffing in die Bylae uiteengesit, opgelê het;
- genoemde heffing en spesiale heffing deur my goedgekeur is en op die datum van publikasie hiervan in werking tree; en
- Goewermentskennisgewing R. 2751 van 13 Desember 1985 met ingang van genoemde datum van inwerkingtreding herroep word.

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

BYLAE

Woordomskrywing

1. In hierdie Bylae het enige woord of uitdrukking waarvan 'n betekenis in die Skema geheg is, daardie betekenis en, tensy uit die samehang anders blyk, beteken "die Skema" die Droëvrugteskema gepubliseer by Proklamasie R. 302 van 1962, soos gewysig.

Oplegging van heffing en spesiale heffing

2. 'n Heffing en 'n spesiale heffing word hierby opgelê op droëvrugte van die soorte in kolom 1 van die Tabel vermeld, wat deur 'n produsent daarvan verkoop word.

Bedrag van heffing en spesiale heffing

3. Die bedrag van die heffing en spesiale heffing op droëvrugte van 'n soort wat in kolom 1 van die Tabel vermeld word, is onderskeidelik soos in kolom 2 en 3 van genoemde Tabel daarteenoor vermeld.

TABLE/TABEL

LEVY AND SPECIAL LEVY ON DRIED FRUIT
HEFFING EN SPESIALE HEFFING OP DROËVRUGTE

Kind of dried fruit Soort droëvrugte	Levy Heffing	Special levy Spesiale heffing
1	2	3
	(per kg)	(per kg)
1. Currants/Korente.....	0,920c	11,100c
2. Raisins/Rosyntjies.....	0,920c	14,100c
3. Sultanas, bleached/Sultanas, geswael.....	0,920c	18,100c
4. Sultanas, unbleached/Sultanas, geloog.....	0,920c	18,100c
5. Thompson seedless raisins/Thompson pitlose rosyne.....	0,920c	18,100c
6. Prunes/Pruimedante.....	0,920c	6,100c
7. All other kinds of dried fruit/Alle ander soorte droëvrugte.....	0,920c	6,700c

No. R. 2680

19 December 1986

MARKETING ACT, 1968 (ACT 59 OF 1968)

CANNING FRUIT SCHEME.—PROHIBITION ON THE SALE OR PROCESSING OF CANNING FRUIT

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

- (a) the Canning Fruit Board referred to in section 6 of the Canning Fruit Scheme published by Proclamation R. 215 of 1970, as amended, has under sections 40, 41 and 42 of the said Scheme imposed the prohibitions set out in the Schedule; and
- (b) the said prohibitions have been approved by me and shall come into operation on the date of publication hereof.

J. J. G. WENTZEL,

Minister of Agricultural Economics.

SCHEDULE

Definitions

1. Any word or expression in this Schedule to which a meaning has been assigned in the Scheme shall have that meaning and, unless the context otherwise indicates—

“grade” means a grade into which canning fruit has to be graded in accordance with a basis determined by the Board;

“mixed fruit packs” means canned fruit consisting of pears and other fruit in the same container; and

“the Scheme” means the Canning Fruit Scheme published by Proclamation R. 215 of 1970, as amended.

Sale of canning fruit

2. No producer of canning fruit of a kind and variety or type specified in column 1 of Table 1, may sell to a canner any such canning fruit which he has produced, except the grades specified in column 2 of the said Table opposite thereto.

Seasonal agreements

3. (1) No person belonging to a class or group of persons specified in column 1 of Table 2 shall annually during the period specified in column 2 of the said Table opposite thereto, sell to a canner any canning fruit of a kind and, if applicable, a variety or type specified in column 3 of the said Table opposite thereto, otherwise than in accordance with a written agreement approved by the Board and annually entered into on or before the applicable date specified in column 4 of the said Table opposite thereto, or such later date as the Board may in special circumstances allow.

(2) Such agreement shall provide for the purchase and sale of the canning fruit concerned subject to the conditions determined by the Board with the approval of the Minister.

(3) A certified copy of such an agreement shall be submitted to the Board for approval on or before the applicable date specified in column 4 of Table 2.

(4) An agreement referred to in this clause shall include the following provisions:

- (a) The purchaser of the canning fruit which is the subject of such agreement shall on delivery determine the grade of the canning fruit concerned.
- (b) An exposition of the arrangements concluded by the parties to such agreement relating to—
 - (i) the time and place of delivery of the canning fruit concerned;

No. R. 2680

19 Desember 1986

BEMARKINGSWET, 1968 (WET 59 VAN 1968)

SKEMA VIR INMAAKVRUGTE.—VERBOD OP DIE VERKOOP OF VERWERKING VAN INMAAKVRUGTE

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

- (a) die Raad vir Inmaakvrugte bedoel in artikel 6 van die Skema vir Inmaakvrugte gepubliseer by Proklamasie R. 215 van 1970, soos gewysig, kragtens artikels 40, 41 en 42 van genoemde Skema die verbodsbepalings in die Bylae uiteengesit, opgelê het; en
- (b) genoemde verbodsbepalings deur my goedgekeur is en op die datum van publikasie hiervan in werking tree.

J. J. G. WENTZEL,

Minister van Landbou-ekonomie.

BYLAE

Woordomskrywing

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

“die Skema” die Skema vir Ingemaakte Vrugte gepubliseer by Proklamasie R. 215 van 1970, soos gewysig;

“gemengde vrugteverpakings” ingelegde vrugte wat uit pere en ander vrugte in dieselfde houër bestaan; en

“graad” 'n graad waarin inmaakvrugte gegradeer moet word ooreenkomstig 'n grondslag deur die Raad bepaal.

Verkoop van inmaakvrugte

2. Geen produsent van inmaakvrugte van 'n soort en variëteit of tipe in kolom 1 van Tabel 1 vermeld, mag enige sodanige inmaakvrugte wat hy geproduseer het, behalwe die grade in kolom 2 van genoemde Tabel daarteenoor vermeld, aan 'n inmaker verkoop nie.

Seisoensooreenkomste

3. (1) Geen persoon wat tot 'n klas of groep persone in kolom 1 van Tabel 2 vermeld, behoort, mag jaarliks gedurende die tydperk in kolom 2 van genoemde Tabel daarteenoor vermeld, enige inmaakvrugte van 'n soort en, indien van toepassing, 'n variëteit of tipe in kolom 3 van genoemde Tabel daarteenoor vermeld, aan 'n inmaker verkoop nie behalwe ooreenkomstig 'n skriftelike ooreenkoms deur die Raad goedgekeur en jaarliks aangegaan op of voor die toepaslike datum in kolom 4 van genoemde Tabel daarteenoor vermeld, of die latere datum wat die Raad onder spesiale omstandighede toelaat.

(2) So 'n ooreenkoms moet voorsiening maak vir die koop en verkoop van die betrokke inmaakvrugte op die voorwaardes wat die Raad met die Minister se goedkeuring bepaal het.

(3) 'n Gewaarmerkte afskrif van so 'n ooreenkoms moet voor of op die toepaslike datum in kolom 4 van Tabel 2 vermeld, aan die Raad voorgelê word vir goedkeuring.

(4) 'n Ooreenkoms waarna in hierdie klousule verwys word, moet die volgende bepalinge insluit:

- (a) Die koper van die inmaakvrugte wat die onderwerp van so 'n ooreenkoms is, moet by lewering die graad van die betrokke inmaakvrugte bepaal.
- (b) 'n Uiteensetting van die reëlins aangegaan deur die partye tot so 'n ooreenkoms betreffende—
 - (i) die tyd en plek van lewering van die betrokke inmaakvrugte;

- (ii) the provision of containers in which the canning fruit concerned will be delivered; and
- (iii) the date and place of payment of the purchase price.

(5) The provisions of subclauses (1), (2), (3) and (4) shall *mutatis mutandis* apply to the purchase of canning fruit by a canner from a person belonging to a class or group of persons specified in column 1 of Table 2.

Processing of canning fruit

4. Except under the authority of a permit which may be issued by the Board subject to the conditions (if any) determined by the Board, no canner shall—

- (a) process into canned fruit any canning fruit except those of the kinds and varieties or types specified in column 1 of Table 1, that are or the grades specified in column 2 of the said Table opposite thereto; and
- (b) process pears of the variety Clapp's Favourite for any purpose other than mixed fruit packs.

- (ii) die voorsiening van houers waarin die betrokke inmaakvrugte gelewer sal word; en
- (iii) die datum en plek van betaling van die koopsom.

(5) Die bepalinge van subklousules (1), (2), (3) en (4) is *mutatis mutandis* van toepassing op die koop van inmaakvrugte deur 'n inmaker van 'n persoon wat tot 'n klas of groep persone in kolom 1 van Tabel 2 vermeld, behoort.

Verwerking van inmaakvrugte

4. Behalwe kragtens 'n permit wat die Raad kan uitreik onderworpe aan die voorwaardes (as daar is) deur die Raad bepaal, mag geen inmaker—

- (a) enige inmaakvrugte behalwe dié van die soorte en variëteite of tipes in kolom 1 van Tabel 1 vermeld, wat van die grade is wat in kolom 2 van genoemde Tabel daarteenoor vermeld word, tot ingemaakte vrugte verwerk nie; en
- (b) enige pere van die variëteit Clapp's Favourite vir 'n ander doel as gemengde vrugteverpakings verwerk nie.

TABLE 1/TABEL 1

GRADES OF CANNING FRUIT THAT MAY BE SOLD AND PROCESSED
GRADE INMAAKVRUGTE WAT VERKOOP EN VERWERK MAG WORD

Kind and variety or type Soort en variëteit of tipe	Grade of canning fruit Graad inmaakvrugte
1	2
1. Apricots/Appelkose:	
(a) Bulida; Super Gold	Canning Grade/Inmaakgraad; Manufacturers' Grade/Vervaardigersgraad.
(b) Peek; Royal	Canning Grade/Inmaakgraad; Manufacturers' Grade/Vervaardigersgraad; Jam Grade/Konfytgraad.
2. Pears/Pere:	
(a) Bon Chrétien	Canning Grade/Inmaakgraad; Manufacturers' Grade/Vervaardigersgraad.
(b) Clapp's Favourite	Canning Grade/Inmaakgraad; Manufacturers' Grade/Vervaardigersgraad.
3. Peaches/Perskes:	
Clingstone/Taaipit	Canning Grade/Inmaakgraad; Manufacturers' Grade/Vervaardigersgraad.

TABLE 2/TABEL 2

PROVISIONS RELATING TO SEASONAL AGREEMENTS
BEPALINGS BETREFFENDE SEISOENSOOREENKOMSTE

Class or group of persons Klas of groep persone	Period of sale Verkoopstydperk	Kind and variety or type Soort en variëteit of tipe	Return date for agreements Keerdatum vir ooreenkomste
1	2	3	4
1. Producers/Produsente	30/11–31/1 15/12–30/4 15/12–31/5	Apricots/Appelkose	30/11 15/12 15/12
2. Persons dealing in the course of trade with canning fruit/Persone wat met inmaakvrugte as 'n besigheid handel	30/11–31/1 15/12–30/4 15/12–31/5	Apricots/Appelkose	30/11
		Peaches, clingstone/Perskes, taaipit	15/12
		Pears, Bon Chrétien/Pere, Bon Chrétien	15/12
3. Co-operatives/Koöperasies	15/12–31/5	Pears, Bon Chrétien/Pere, Bon Chrétien	15/12
4. Cannerymen/Inmakers	15/12–31/5	Pears, Bon Chrétien/Pere, Bon Chrétien	15/12

No. R. 2681

19 December 1986

MARKETING ACT, 1968 (ACT 59 OF 1968)

CANNING FRUIT SCHEME—LEVY AND SPECIAL
LEVY ON CANNING FRUIT

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

- (a) the Canning Fruit Board referred to in section 6 of the Canning Fruit Scheme published by Proclamation R. 215 of 1970, as amended, has under sections 28 and 29 of the said Scheme imposed the levy and special levy set out in the Schedule;
- (b) the said levy and special levy have been approved by me and shall come into operation on the date of publication hereof; and
- (c) the following Government Notices are hereby repealed with effect from the said date of commencement:
 - (i) R. 2322 of 7 December 1973.
 - (ii) R. 2802 of 23 December 1983.
 - (iii) R. 2486 of 16 November 1984
 - (iv) R. 2654 of 30 November 1984.
 - (v) R. 2754 of 13 December 1985.

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

SCHEDULE

Definitions

1. Any word or expression in this Schedule to which a meaning has been assigned in the Scheme shall have that meaning and, unless the context otherwise indicates—

“grade” means a grade into which canning fruit has to be graded in accordance with a basis determined by the Board; and

“the Scheme” means the Canning Fruit Scheme published by Proclamation R. 215 of 1970, as amended.

Imposition of levy and special levy

2. A levy and a special levy are hereby imposed on canning fruit of the kinds and varieties or types specified in column 1 of the Table, that are of a grade specified in column 2 of the said Table opposite thereto.

Amount of levy and special levy

3. The amount of the levy and special levy on canning fruit of a kind and variety or type and class respectively specified in columns 1 and 2 of the Table shall respectively be as specified in columns 3 and 4 of the said Table opposite thereto.

TABLE/TABEL

LEVY AND SPECIAL LEVY ON CANNING FRUIT
HEFFING EN SPESIALE HEFFING OP INMAAKVRUGTE

Kind and variety or type Soort en variëteit of tipe	Grade of canning fruit Graad inmaakvrugte	Levy Heffing	Special levy Spesiale heffing
1. Apricots/Appelkose:			
(a) Bulida; Super Gold	Canning grade/Inmaakgraad; Manufacturers' grade/Vervaardigersgraad	R2,30 per ton	R1,70 per ton
(b) Peeke; Royal	Canning grade/Inmaakgraad; Manufacturers' grade/Vervaardigersgraad; Jam grade/Konfytgraad	R2,30 per ton	R1,70 per ton
2. Pears/Pere:			
(a) Bon Chrétien.....	Canning grade/Inmaakgraad; Manufacturers' grade/Vervaardigersgraad	R2,30 per ton	R1,70 per ton
(b) Clapp's Favourite	Canning grade/Inmaakgraad; Manufacturers' grade/Vervaardigersgraad	R2,30 per ton	R1,70 per ton
3. Peaches/Perskes:			
Clingstone/Taaipt	Canning grade/Inmaakgraad; Manufacturers' grade/Vervaardigersgraad; Jam grade/Konfytgraad	R2,30 per ton	R1,70 per ton

No. R. 2681

19 Desember 1986

BEMARKINGSWET, 1968 (WET 59 VAN 1968)

SKEMA VIR INMAAKVRUGTE.—HEFFING EN
SPESIALE HEFFING OP INMAAKVRUGTE

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

- (a) die Raad vir Inmaakvrugte bedoel in artikel 6 van die Skema vir Inmaakvrugte gepubliseer by Proklamasie R. 215 van 1970, soos gewysig, kragtens artikels 28 en 29 van genoemde Skema die heffing en spesiale heffing in die Bylae uiteengesit, opgelê het;
- (b) genoemde heffing en spesiale heffing deur my goedgekeur is en op die datum van publikasie hiervan in werking tree; en
- (c) die volgende Goewermentskennisgewing met ingang van genoemde datum van inwerkingtreding herroep word:
 - (i) R. 2322 van 7 Desember 1973.
 - (ii) R. 2802 van 23 Desember 1983.
 - (iii) R. 2486 van 16 November 1984.
 - (iv) R. 2654 van 30 November 1984.
 - (v) R. 2754 van 13 Desember 1985.

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

BYLAE

Woordomskrywing

1. In hierdie Bylae het enige woord of uitdrukking waarvan 'n betekenis in die Skema geheg is, daardie betekenis, en, tensy uit die samehang anders blyk, beteken—

“die Skema” die Skema vir Inmaakvrugte gepubliseer by Proklamasie R. 215 van 1970, soos gewysig; en

“graad” 'n graad waarin inmaakvrugte gegradeer moet word ooreenkomstig 'n grondslag deur die Raad bepaal.

Oplegging van heffing en spesiale heffing

2. 'n Heffing en 'n spesiale heffing word hierby opgelê op inmaakvrugte van dié soorte en variëteite op tipes in kolom 1 van die Tabel vermeld, wat van 'n graad is wat in kolom 2 van genoemde Tabel daarteenoor vermeld word.

Bedrag van heffing en spesiale heffing

3. Die bedrag van die heffing en spesiale heffing op inmaakvrugte van 'n soort en variëteit of tipe en klas wat onderskeidelik in kolom 1 en 2 van die Tabel vermeld word, is onderskeidelik soos in kolom 3 en 4 van genoemde Tabel daarteenoor vermeld.

No. R. 2682

19 December 1986

MARKETING ACT, 1968 (ACT 59 OF 1968)

CANNING FRUIT SCHEME.—MINIMUM PRICES FOR CANNING FRUIT

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

- (a) the Canning Fruit Board referred to in section 6 of the Canning Fruit Scheme published by Proclamation R. 215 of 1970, as amended, has under section 39 of the said Scheme imposed the prohibition set out in the Schedule; and
- (b) the said prohibition has been approved by me and shall come into operation on the date of publication hereof.

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

SCHEDULE

Definitions

1. Any word or expression in this Schedule to which a meaning has been assigned in the Scheme shall have that meaning and, unless the context otherwise indicates—

“grade” means a grade into which canning fruit has to be graded in accordance with a basis determined by the Board; and

“the Scheme” means the Canning Fruit Scheme published by Proclamation R. 215 of 1970, as amended.

Minimum prices

2. (1) Subject to the provisions of subclause (2)—

- (a) no person shall sell or otherwise dispose to a canner any canning fruit of a kind and variety or type specified in column 1 of the Table; and
- (b) no canner shall acquire from any person such canning fruit,

at a price, delivered at the premises of the purchaser thereof, which is lower than the applicable price specified in columns 2, 3 or 4 of the said Table in respect of the grade of canning fruit concerned.

(2) A minimum price referred to in subclause (1) may in the case of apricots and peaches that are graded as being of Manufacturers' Grade—

- (a) be reduced by 2 per cent if the Brix reading of those apricots or peaches is between 11 ° and 11,9 °; and
- (b) be reduced by 4 per cent if the Brix reading of those apricots or peaches is between 9,5 ° and 10,9 °.

TABLE/TABEL

MINIMUM PRICES FOR CANNING FRUIT
MINIMUM PRYSE VIR INMAAKVRUGTE

Kind and variety or type Soort en variëteit of tipe	Canning Grade Inmaakgraad	Manufacturers' Grade Vervaardigersgraad	Jam Grade Konfytgraad
1	2	3	4
1. Apricots/Appelkose:			
(a) Bulida; Super	R252,00 per ton	R242,00 per ton	*
Gold	*	*	*
(b) Peeke; Royal			
2. Pears/Pere:			
(a) Bon Chrétien	R222,00 per ton	*	#
(b) Clapp's	*	*	#
Favourite			
3. Peaches/Perskes:			
Clingstone/Taaipit	R316,00 per ton	R306,00 per ton	#

* Not specified/Nie gespesifiseer.

Not applicable/Nie van toepassing.

No. R. 2682

19 Desember 1986

BEMARKINGSWET, 1968 (WET 59 VAN 1968)

SKEMA VIR INMAAKVRUGTE.—MINIMUM PRYSE VIR INMAAKVRUGTE

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

- (a) die Raad vir Inmaakvrugte bedoel in artikel 6 van die Skema vir Inmaakvrugte gepubliseer by Proklamasie R. 215 van 1970, soos gewysig, kragtens artikels 39 van genoemde Skema die verbod in die Bylae uiteengesit, opgelê het; en
- (b) genoemde verbod deur my goedgekeur is en op die datum van publikasie hiervan in werking tree.

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

BYLAE

Woordskrywing

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

“die Skema” die Skema vir Inmaakvrugte gepubliseer by Proklamasie R. 215 van 1970, soos gewysig; en

“graad” 'n graad waarin inmaakvrugte gegradeer moet word ooreenkomstig 'n grondslag deur die Raad bepaal.

Minimum pryse

2. (1) Behoudens die bepalings van subklousule (2)—

- (a) mag niemand enige inmaakvrugte van 'n soort en variëteit of tipe in kolom 1 van die Tabel vermeld, aan 'n inmaker verkoop of andersins van die hand sit nie; en
- (b) mag geen inmaker enige sodanige inmaakvrugte van enigiemand verkry nie,

teen 'n prys, gelewer by die perseel van die koper daarvan, wat laer is as die toepaslike prys wat in kolom 2, 3 of 4 van genoemde Tabel ten opsigte van die graad van die betrokke inmaakvrugte vermeld word.

(2) 'n Minimum prys in subklousule (1) bedoel, kan in die geval van appelkose en perskes wat as van Vervaardigersgraad gegradeer is—

- (a) met twee persent verminder word indien die Brix-lesing van daardie appelkose of perskes tussen 11 ° en 11,9 ° is; en
- (b) met vier persent verminder word indien die Brix-lesing van daardie appelkose of perskes tussen 9,5 ° en 10,9 ° is.

No. R. 2692

19 December 1986

WINE, OTHER FERMENTED BEVERAGES AND SPIRITS ACT, 1957 (ACT 25 OF 1957)

REGULATIONS RELATING TO THE PRODUCTION OR MANUFACTURE, IMPORT, EXPORT AND LABELLING OF WINE, OTHER FERMENTED BEVERAGES AND SPIRITS.—AMENDMENT

The Deputy Minister of Agriculture, acting on behalf of the Minister of Agriculture under section 39 of the Wine, Other Fermented Beverages and Spirits Act, 1957 (Act 25 of 1957), has made the regulations in the Schedule.

SCHEDULE

Definitions

1. In this Schedule "the Regulations" means the regulations published by Government Notice R. 2544 of 19 December 1980, as amended by the regulations published by Government Notices R. 385 of 20 February 1981, R. 1421 of 10 July 1981, R. 2162 of 9 October 1981, R. 407 of 12 March 1982, R. 1064 of 4 June 1982, R. 2670 of 10 December 1982, R. 981 of 13 May 1983, R. 2321 of 21 October 1983, R. 1032 of 25 May 1984 (as corrected by Government Notice R. 388 of 15 February 1985), R. 1627 of 3 August 1984, R. 856 of 19 April 1985, R. 1499 of 28 June 1985, R. 357 of 28 February 1986 (as corrected by Government Notice R. 1269 of 27 June 1986), R. 1630 of 1 August 1986 and R. 2189 of 24 October 1986.

Substitution of Table 5 of the Regulations

2. The following table is hereby substituted for Table 5 of the Regulations with effect from 2 January 1987:

"TABLE 5
FEES PAYABLE

No.	Purpose	Amount
1	Application for authority to produce or manufacture wine in respect of which certification is required. (reg. 25)	R28,00 per application.
2	Application for the provisional approval of wine (other than wine which is intended for export in bulk) in respect of which certification is required. (reg. 32)	R1,75 per hl of wine or portion thereof.
3	Application for the final approval of wine which is intended for export in bulk and in respect of which certification is required. (reg. 33)	R0,20 per hl of wine or portion thereof.
4	Application for a certificate of removal in respect of an import for private consumption or as a trade sample. (reg. 53)	R3,50 per litre or portion thereof.
5	Application for a certificate of removal in respect of an import other than for private consumption or as a trade sample. (reg. 53)	R50,00 per application.
6	Analysis of a sample of wine, other fermented beverages or spirits intended for importation into the Republic. (reg. 53)	R100,00 per sample.
7	Submission of an appeal in terms of section 20 (4) of the Act. (reg. 71)	R250,00 per appeal.

No. R. 2692

19 Desember 1986

WET OP WYN, ANDER GEGISTE DRANK EN SPIRITUALIEË, 1957 (WET 25 VAN 1957)

REGULASIES BETREFFENDE DIE PRODUKSIE OF VERVAARDIGING, INVOER, UITVOER EN ETIKETTERING VAN WYN, ANDER GEGISTE DRANK EN SPIRITUALIEË.—WYSIGING

Die Adjunk-minister van Landbou, handelende namens die Minister van Landbou kragtens artikel 39 van die Wet op Wyn, Ander Gegiste Drank en Spiritualieë, 1957 (Wet 25 van 1957), het die regulasies in die Bylae uitgevaardig.

BYLAE

Woordomskrywing

1. In hierdie Bylae beteken "die Regulasies" die regulasies gepubliseer by Goewermentskennisgewing R. 2544 van 19 Desember 1980, soos gewysig deur die regulasies gepubliseer by Goewermentskennisgewings R. 385 van 20 Februarie 1981, R. 1421 van 10 Julie 1981, R. 2162 van 9 Oktober 1981, R. 407 van 12 Maart 1982, R. 1064 van 4 Junie 1982, R. 2670 van 10 Desember 1982, R. 981 van 13 Mei 1983, R. 2321 van 21 Oktober 1983, R. 1032 van 25 Mei 1984 (soos verbeter by Goewermentskennisgewing R. 388 van 15 Februarie 1985), R. 1627 van 3 Augustus 1984, R. 856 van 19 April 1985, R. 1499 van 28 Junie 1985, R. 357 van 28 Februarie 1986 (soos verbeter by Goewermentskennisgewing R. 1269 van 27 Junie 1986), R. 1630 van 1 Augustus 1986 en R. 2189 van 24 Oktober 1986.

Vervanging van Tabel 5 van die Regulasies

2. Tabel 5 van die Regulasies word met ingang van 2 Januarie 1987 deur die volgende tabel vervang:

"TABEL 5
GELDE BETAALBAAR

No.	Doel	Bedrag
1	Aansoek om magtiging om wyn ten opsigte waarvan sertifisering verlang word, te produseer of te vervaardig. (reg. 25)	R28,00 per aansoek.
2	Aansoek om die voorlopige goedkeuring van wyn (anders as wyn wat vir uitvoer in stortmaat beoog word) ten opsigte waarvan sertifisering verlang word. (reg. 32)	R1,75 per hl wyn of gedeelte daarvan.
3	Aansoek om die finale goedkeuring van wyn wat vir uitvoer in stortmaat beoog word en ten opsigte waarvan sertifisering verlang word. (reg. 33)	R0,20 per hl wyn of gedeelte daarvan.
4	Aansoek om 'n verwyderingsertifikaat ten opsigte van 'n invoer vir private gebruik of as 'n handelsmonster. (reg. 53)	R3,50 per liter of gedeelte daarvan.
5	Aansoek om 'n verwyderingsertifikaat ten opsigte van 'n invoer anders as vir private gebruik of as 'n handelsmonster. (reg. 53)	R50,00 per aansoek.
6	Ontleding van 'n monster van wyn, ander gegiste drank of spiritualieë wat vir invoer in die Republiek beoog word. (reg. 53)	R100,00 per monster.
7	Indiening van 'n appèl ingevolge artikel 20 (4) van die Wet. (reg. 71)	R250,00 per appèl.

No.	Purpose	Amount
8	Application for an export certificate in respect of a consignment of wine, other fermented beverages, alcoholic beverages referred to in section 7 (2) of the Act, or spirits which is intended for export, either as a free gift, bona fide trade sample, for use by Heads of State or diplomatic representatives, or otherwise. (reg. 61)	R5,00 per application."

No.	Doel	Bedrag
8	Aansoek om 'n uitvoersertifikaat ten opsigte van 'n bescending wyn, ander gegiste drank, alkoholiese drank in artikel 7 (2) van die Wet bedoel, of spiritueel, wat vir uitvoer beoog word, hetsy as 'n vry geskenk, bona fide handelsmonster, vir gebruik deur Staatshoofde of diplomatieke verteenwoordigers of andersins. (reg. 61)	R5,00 per aansoek."

No. R. 2695

19 December 1986

MARKETING ACT, 1968 (ACT 59 OF 1968)

LUCERNE SEED SCHEME.—MAXIMUM PRICE FOR LUCERNE SEED SOLD BY CLEANERS

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

- the Lucerne Seed Board referred to in section 3 of the Lucerne Seed Scheme published by Proclamation R. 30 of 1963, as amended, has under section 18 of the said Scheme imposed the prohibition set out in the Schedule;
- the said prohibition has been approved by me and shall come into operation on the date of publication hereof; and
- Government Notice R. 88 of 17 January 1986, as amended by Government Notice R. 471 of 14 March 1986 is repealed with effect from the said date of commencement.

J. J. G. WENTZEL,
Minister of Agriculture.

SCHEDULE

Definitions

1. Any word or expression in this Schedule to which a meaning has been assigned in the Scheme shall have that meaning, and "the Scheme" means the Lucerne Seed Scheme published by Proclamation R. 30 of 1963, as amended.

Maximum price for lucerne seed

2. No person registered in terms of section 18bis of the Scheme as a cleaner shall sell lucerne seed produced in the Republic and intended for resale, at a higher price than R194,03 per 50 kg if that lucerne seed—

- is of the variety S.A. Standard;
- is of the variety CUF101 and has not been certified in terms of the Seed Certification Scheme established by section 23 of the Plant Improvement Act, 1976 (Act 53 of 1976); or
- consist of a mixture of lucerne seed of different varieties.

Transport costs

3. The price referred to in clause 2 may be increased by the amount of railage paid by the seller in respect of the delivery of lucerne seed to the buyer thereof.

No. R. 2695

19 Desember 1986

BEMARKINGSWET, 1968 (WET 59 VAN 1968)

LUSERNSAADSKEMA.—MAKSIMUM PRYS VIR LUSERNSAAD DEUR SKOONMAKERS VERKOOP

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

- die Lusernsaadraad bedoel in artikel 3 van die Lusernsaadskema gepubliseer by Proklamasie R. 30 van 1963, soos gewysig, kragtens artikel 18 van genoemde Skema die verbod in die Bylae uiteengesit, opgelê het;
- genoemde verbod deur my goedgekeur is en op die datum van publikasie hiervan in werking tree; en
- Goewermentskennisgewing R. 88 van 17 Januarie 1986, soos gewysig deur Goewermentskennisgewing R. 471 van 14 Maart 1986 met ingang van genoemde datum van inwerkingtreding herroep word.

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

BYLAE

Woordomskrywing

1. In hierdie Bylae het enige woord of uitdrukking waarvan 'n betekenis in die Skema geheg is, daardie betekenis, en beteken "die Skema" die Lusernsaadskema gepubliseer by Proklamasie R. 30 van 1963, soos gewysig.

Maksimum prys vir lusernsaad

2. Geen persoon wat ingevolge artikel 18bis van die Skema as 'n skoonmaker geregistreer is, mag lusernsaad wat in die Republiek geproduseer is en vir herverkoop bestem is, teen 'n hoër prys as R194,03 per 50 kg verkoop nie indien daardie lusernsaad—

- van die variëteit S.A. Standaard is;
- van die variëteit CUF101 is en nie ingevolge die Saadsertifiseringskema ingestel by artikel 23 van die Plantverbeteringswet, 1976 (Wet 53 van 1976), gesertifiseer is nie; of
- uit 'n mengsel van lusernsaad van verskillende variëteite bestaan.

Vervoerkoste

3. Die prys in klousule 2 vermeld mag verhoog word met die bedrag van die spoorvrag deur die verkoper betaal ten opsigte van die lewering van lusernsaad aan die koper daarvan.

No. R. 2696

19 December 1986

MARKETING ACT, 1968 (ACT 59 OF 1968)

LUCERNE SEED SCHEME.—LEVY AND SPECIAL
LEVY

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

- the Lucerne Seed Board, referred to in section 3 of the Lucerne Seed Scheme published by Proclamation R. 30 of 1963, as amended, has under sections 15 and 16 of the said Scheme imposed the levy and special levy set out in the Schedule;
- the said levy and special levy have been approved by me and shall come into operation on the date of publication hereof; and
- Government Notice R. 2566 of 26 November 1982, as amended by Government Notice R. 2249 of 19 October 1984 is repealed with effect from the said date of commencement.

J. J. G. WENTZEL,
Minister of Agriculture.

SCHEDULE

Definitions

1. Any word or expression in this Schedule to which a meaning has been assigned in the Scheme shall have that meaning and, unless the context otherwise indicates—

“class” means a class of lucerne seed as defined in the regulations issued under section 89 of the Marketing Act, 1968 (Act 59 of 1968); and

“the Scheme” means the Lucerne Seed Scheme published by Proclamation R. 30 of 1963, as amended.

Imposition of levy and special levy

2. A levy and a special levy are hereby imposed on lucerne seed of a class specified in column 1 of the Table, that is sold through the Board.

Amount of levy and special levy

3. The amount of the levy and special levy referred to in clause 2 shall respectively be as specified in columns 2 and 3 of the Table opposite the class of lucerne seed concerned.

TABLE

Class	Levy per 70 kg	Special levy per 70 kg
1	2	3
A.....	R13,00	R2,25
B.....	R13,00	R2,25
C.....	R13,00	R5,00
Certified lucerne seed.....	R13,00	R2,25

No. R. 2696

19 Desember 1986

BEMARKINGSWET, 1968 (WET 59 VAN 1968)

LUSERNSAADSKEMA.—HEFFING EN SPESIALE
HEFFING

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

- die Lusernsaadraad bedoel in artikel 3 van die Lusernsaadskema gepubliseer by Proklamasie R. 30 van 1963, soos gewysig, kragtens artikels 15 en 16 van genoemde Skema die heffing en spesiale heffing in die Bylae uiteengesit, opgelê het;
- genoemde heffing en spesiale heffing deur my goedgekeur is en op die datum van publikasie hiervan in werking tree; en
- Goewermenskennisgewing R. 2566 van 26 November 1982, soos gewysig deur Goewermenskennisgewing R. 2249 van 19 Oktober 1984 met ingang van genoemde datum van inwerkingtreding herroep word.

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

BYLAE

Woordomskrywing

1. In hierdie Bylae het enige woord of uitdrukking waarvan 'n betekenis in die Skema geheg is, daardie betekenis en, tensy uit die samehang anders blyk, beteken—

“die Skema” die Lusernsaadskema gepubliseer by Proklamasie R. 30 van 1963, soos gewysig; en

“klas” ’n klas lusernsaad soos omskryf in die regulasies kragtens artikel 89 van die Bemerkingswet, 1968 (Wet 59 van 1968), uitgevaardig.

Oplegging van heffing en spesiale heffing

2. 'n Heffing en 'n spesiale heffing word hierby opgelê op lusernsaad van 'n klas in kolom 1 van die Tabel vermeld, wat deur bemiddeling van die Raad verkoop word.

Bedrag van die heffing

3. Die bedrag van die heffing en spesiale heffing in klousule 2 bedoel, is onderskeidelik soos in kolomme 2 en 3 van die Tabel teenoor die betrokke klas lusernsaad vermeld.

TABEL

Klas	Heffing per 70 kg	Spesiale heffing per 70 kg
1	2	3
A.....	R13,00	R2,25
B.....	R13,00	R2,25
C.....	R13,00	R5,00
Gesertifiseerde lusernsaad.....	R13,00	R2,25

No. R. 2697

19 December 1986

EGG PRODUCTION CONTROL ACT, 1970
(ACT 61 OF 1970)

RESTRICTION ON THE KEEPING OF LAYING HENS

I, Jacob Johannes Greyling Wentzel, Minister of Agriculture, acting under section 2 (1) (a) of the Egg Production Control Act, 1970 (Act 61 of 1970), hereby—

- (a) fix 2 January 1987 as the date after which the keeping by any person of laying hens exceeding a number prescribed by regulation for the production of eggs, is prohibited except under the authority of and in accordance with such conditions as may be stated in a permit issued on application in the manner prescribed by regulation to such person by or at the direction of an officer prescribed by regulation; and
- (b) repeal Government Notice R. 1863 of 15 September 1978 with effect from 2 January 1987.

J. J. G. WENTZEL,
Minister of Agriculture.

No. R. 2697

19 Desember 1986

WET OP DIE BEHEER VAN EIERPRODUKSIE, 1970
(WET 61 VAN 1970)

BEPERKING OP DIE AANHOU VAN LÊ-HENNE

Ek, Jacob Johannes Greyling Wentzel, Minister van Landbou, handelende kragtens artikel 21 (1) (a) van die Wet op die Beheer van Eierproduksie, 1970 (Wet 61 van 1970),—

- (a) stel hierby 2 Januarie 1987 vas as die datum waarna die aanhou deur 'n persoon van meer as 'n by regulasie voorgeskrewe getal lê-henne vir eierproduksie verbied word, behalwe uit hoofde van en ooreenkomstig die voorwaardes gestel in 'n permit wat op aansoek op die wyse by regulasie voorgeskryf, aan daardie persoon deur of op las van 'n by regulasie voorgeskrewe beampte uitgereik is; en
- (b) herroep hierby Goewermenskennisgewing R. 1863 van 15 September 1978 met ingang van 2 Januarie 1987.

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

No. 2698

19 December 1986

EGG PRODUCTION CONTROL ACT, 1970
(ACT 61 OF 1970)

REGULATIONS.—AMENDMENT

The Minister of Agriculture has under section 2 of the Egg Production Control Act, 1970 (Act 61 of 1970), made the regulations in the Schedule.

SCHEDULE

Definitions.

1. In this Schedule "the Regulations" means the regulations published by Government Notice R. 1862 of 15 September 1978, as amended by the regulations published by Government Notices R. 732 of 6 April 1979, R. 1551 of 25 July 1980 and R. 1933 of 2 September 1983.

Amendment of regulation 1 of the Regulations

2. Regulation 1 of the Regulations is hereby amended—

- (a) by the deletion of the definition of "fixed date"; and
- (b) by the substitution in the definition of "specified person" for the word preceding paragraph (a) of the following words:

" 'specified person' means any one of two or more persons who collectively or individually, keep 7 500 or more laying hens for the production of eggs in circumstances where such persons—".

Substitution of regulation 3 of the Regulations

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

"Restriction on the keeping of laying hens"

3. Except under the authority of and in accordance with such conditions as may be stated in a permit issued on application by or at the direction of the General Manager—

- (a) no specified person shall after 15 September 1978 keep any laying hens for the production of eggs; and

No. 2698

19 Desember 1986

WET OP DIE BEHEER VAN EIERPRODUKSIE, 1970
(WET 61 VAN 1970)

REGULASIES.—WYSIGING

Die Minister van Landbou het kragtens artikel 2 van die Wet op die Beheer van Eierproduksie, 1970 (Wet 61 van 1970), die regulasies in die Bylae uitgevaardig.

BYLAE

Woordomskrywing

1. In hierdie Bylae beteken "die Regulasies" die regulasies gepubliseer by Goewermenskennisgewing R. 1862 van 15 September 1978, soos gewysig deur die regulasies gepubliseer by Goewermenskennisgewings R. 732 van 6 April 1979, R. 1551 van 25 Julie 1980 en R. 1933 van 2 September 1983.

Wysiging van regulasie 1 van die Regulasies

2. Regulasie 1 van die Regulasies word hierby gewysig—

- (a) deur die omskrywing van "gespesifiseerde persoon" die woorde wat paragraaf (a) voorafgaan, deur die volgende woorde te vervang:
" 'gespesifiseerde persoon' enigeen van twee of meer persone wat gesamentlik met of afsonderlik van mekaar, 7 500 of meer lê-henne aanhou vir eierproduksie in omstandighede waar sodanige persone—"; en
- (b) deur die omskrywing van "vasgestelde datum" te skrap.

Vervanging van regulasie 3 van die Regulasies

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

"Beperking op die aanhou van lê-henne"

3. Behalwe uit hoofde van en ooreenkomstig die voorwaardes gestel in 'n permit wat op aansoek deur of op las van die Hoofbestuurder uitgereik is—

- (a) mag geen gespesifiseerde persoon na 15 September 1978 enige lê-henne vir eierproduksie aanhou nie;

(b) no other persons shall—

(i) during the period 15 September 1978 to 2 January 1987, keep more than 1 999 laying hens for the production of eggs;

(ii) after 2 January 1987, keep 7 500 or more laying hens for the production of eggs.

Substitution of regulation 4 of the Regulations

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

“Application for permits

4. (1) An application for a permit referred to in regulation 3 shall—

(a) where the specified person or other person concerned already keep laying hens for the production of eggs, be made in the form set out in Annexure A; and

(b) otherwise, be made in the form set out in Annexure B.

(2) An application form referred to in subregulation (1) shall—

(a) when forwarded by post, be addressed to the General Manager, Egg Board, Private Bag X176, Pretoria, 0001; and

(b) when delivered by hand, be delivered to the General Manager, Egg Board, Galliova Building, corner of Duvernoy and Chopin Streets, Constantia Park, Pretoria.”

Substitution of regulation 7 of the Regulations

5. The following regulation is hereby substituted for regulation 7 of the Regulations:

“Cancellation of permits

7. (1) The General Manager may, after consultation with the Committee, cancel or amend any permit issued by him in terms of regulation 6.

(2) (a) Notwithstanding the provisions of subregulation (1), a permit which was issued prior to 2 January 1987 for the keeping of more than 1 999 but less than 7 500 laying hens for the production of eggs shall, subject to the provisions of paragraph (b), be deemed to be cancelled on 2 January 1987.

(b) A permit referred to in paragraph (a)—

(i) in respect of which an application for transfer has been put in the possession of the General Manager on or before 2 January 1987 shall be deemed to be withdrawn as contemplated in the said paragraph only if the General Manager refuses to approve the transfer to such permit;

(ii) which by virtue of an agreement between the holder thereof and another person, is used by that other person as authority to keep laying hens for the production of eggs, shall be deemed to be cancelled on 2 July 1987 or the date on which that agreement expires, whichever is the earlier.”

Amendment of regulation 10 of the Regulations

6. Regulation 10 of the Regulations is hereby amended—

(a) by the substitution of subregulation (2) for the following subregulation:

“(2) An appeal shall be lodged with the Minister by forwarding a written statement under registered cover to the Director-General for Agricultural Economics and Marketing, Private Bag X250, Pretoria, or by handing it in at the office of the said Director-General at Dirk Uys Building, Hamilton Street, Pretoria.”; and

(b) mag niemand anders—

(i) gedurende die tydperk 15 September 1987 tot 2 Januarie 1987, meer as 1 999 lê-henne vir eierproduksie aanhou nie;

(ii) na 2 Januarie 1987, 7 500 of meer lê-henne vir eierproduksie aanhou nie.”

Vervanging van regulasie 4 van die Regulasies

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

“Aansoek om permitte

4. (1) ‘n Aansoek om ‘n permit in regulasie 3 bedoel, moet—

(a) waar die betrokke gespesifiseerde persoon of ander persoon reeds lê-henne vir eierproduksie aanhou, in die vorm in Aanhangsel A uiteengesit, gedoen word; en

(b) andersins in die vorm in Aanhangsel B uiteengesit, gedoen word.

(2) ‘n Aansoekvorm in subregulasie (1) bedoel, moet—

(a) wanneer per pos gestuur, geadresseer word aan die Hooftbestuurder, Eierraad, Private Bag X176, Pretoria, 0001; en

(b) wanneer per hand afgelewer, afgelewer word by die Hooftbestuurder, Eierraad, Galliova-gebou, hoek van Duvernoy- en Chopinstraat, Constantia Park, Pretoria.”

Vervanging van regulasie 7 van die Regulasies

5. Regulasie 7 van die Regulasies word hierby deur die volgende regulasie vervang:

“Intrekking van permitte

7. (1) Die Hooftbestuurder kan na goeddunke, maar slegs nadat hy met die Komitee oorleg gepleeg het, enige permit deur hom ingevoelge regulasie 6 uitgereik, intrek of wysig.

(2) (a) Ondanks die bepalings van subregulasie (1) word ‘n permit wat voor 2 Januarie 1987 uitgereik is vir die aanhou van meer as 1 999 maar minder as 7 500 lê-henne vir eierproduksie, behoudens die bepalings van paragraaf (b), geag op 2 Januarie 1987 ingerek te wees.

(b) ‘n Permit in paragraaf (a) bedoel—

(i) ten opsigte waarvan ‘n aansoek om oordrag voor of op 2 Januarie 1987 in besit van die Hooftbestuurder gestel is, word slegs geag ingerek te wees soos in gemelde paragraaf beoog indien die Hooftbestuurder weier om die oordrag van so ‘n permit goed te keur;

(ii) wat uit hoofde van ‘n ooreenkoms tussen die houder daarvan en iemand anders, deur daardie ander persoon gebruik word as gesag om lê-henne vir eierproduksie aan te hou, word gesag ingerek te wees op 2 Julie 1987 of die datum waarop die ooreenkoms ten einde loop, welke datum ookal die vroegste mag wees.”

Wysiging van regulasie 10 van die Regulasies

6. Regulasie 10 van die Regulasies word hierby gewysig—

(a) deur subregulasie (2) deur die volgende subregulasie te vervang:

“(2) ‘n Appel word by die Minister aangeleë deur ‘n skriftelike verklaring, waarin die gronde van die appel uiteengesit is, per aangetekende omslag te versend aan die Direkteur-generaal van Landbou-ekonomie en -bemarking, Private Bag X250, Pretoria, 0001 of dit by die kantoor van die genoemde Direkteur-generaal te Dirk Uysgebou, Hamiltonstraat, Pretoria in te handig.”; en

- (b) by the substitution of subregulation (3) for the following subregulation:

“(3) On receipt of the said statement the Director-General shall submit to the Minister all documents which directly relate to the decision which is the subject of the appeal together with an explanation by the General Manager of his reasons for the decision.”.

Amendment of Annexure A of the Regulations

7. Annexure A of the Regulations is hereby amended—

- (a) by the substitution of paragraph 6 (b) of part C for the following paragraph:

“(b) State whether any of the above-mentioned facilities were in the physical process of erection on 2 January 1987.....”; and

- (b) by the substitution of paragraph 1 of part D for the following paragraph:

“1. Number of laying hens which have been kept for egg production on 2 January 1987.....”.

- (b) deur subregulasie (3) deur die volgende subregulasie te vervang:

“(3) By ontvangs van genoemde verklaring moet die Direkteur-generaal alle stukke wat regstreeks betrekking het op die besluit wat die onderwerp van die appèl is, tesame met 'n uiteensetting van die Hoofbestuur se redes vir die besluit, aan die Minister voorlê.”.

Wysiging van Aanhangsel A van die Regulasies

7. Aanhangsel A van die Regulasies word hierby gewysig—

- (a) deur in deel C paragraaf 6 (b) deur die volgende paragraaf te vervang:

“(b) Meld of enige van bogenoemde fasiliteite op 2 Januarie 1987 in die fisiese proses van oprigting was.....”; en

- (b) deur in deel D paragraaf 1 deur die volgende paragraaf te vervang:

“1. Aantal lê-henne wat op 2 Januarie 1987 vir eierproduksie aangehou was.....”.

DEPARTMENT OF EDUCATION AND TRAINING

No. R. 2669

19 December 1986

UNIVERSITY OF FORT HARE ACT, 1969

REGULATIONS

The Council of the University of Fort Hare has, in terms of section 33 (1) (b) of the University of Fort Hare Act, 1969 (Act 40 of 1969), and with the approval of the Minister of Education and Development Aid, framed the Regulations contained in the Annexure hereto.

ANNEXURE

1. (1) No person shall be admitted to a course of study for the degree of Bachelor of Science in Pure Science, Bachelor of Pedagogics (Science option), Bachelor of Science in Agriculture, Bachelor of Commerce, Bachelor of Administration or Bachelor of Arts in Personnel Management unless he has obtained the matriculation certificate issued by the Joint Matriculation Board or a certificate of exemption from the matriculation examination issued by the Joint Matriculation Board and has, in addition, attained a pass standard in Mathematics in the matriculation examination or in an examination recognised for that purpose by the Joint Matriculation Board.

(2) No person shall be admitted to a course of study for the Diploma in Commerce unless he has attained a pass standard in Mathematics in the matriculation examination or in an examination recognised for that purpose by the Joint Matriculation Board.

(3) No person shall be admitted to the Mathematics I course in any faculty unless he has obtained a pass standard of at least 40 % (E symbol) (Higher Grade) or 50 % (D symbol) (Standard Grade or pre-differentiated) in Mathematics in the matriculation examination or in an equivalent examination.

(4) No person shall be admitted to the Statistics I course in any faculty unless he has obtained a pass standard of at least 40 % (E symbol) (Standard Grade or pre-differentiated) in Mathematics in the matriculation examination or in an equivalent examination.

DEPARTEMENT VAN ONDERWYS EN OPLEIDING

No. R. 2669

19 Desember 1986

WET OP DIE UNIVERSITEIT VAN FORT HARE, 1969

REGULASIES

Die Raad van die Universiteit van Fort Hare het kragtens artikel 33 (1) (b) van die Wet op die Universiteit van Fort Hare, 1969 (Wet 40 van 1969), en met die goedkeuring van die Minister van Onderwys en Ontwikkelingshulp die regulasies vervat in die Bylae hiervan, opgestel.

BYLAE

1. (1) Niemand word tot 'n studiekursus vir die graad Baccalaureus Scientiae in die Suiwer Wetenskappe, Baccalaureus Pedagogiae (wetenskaprigting), Baccalaureus Scientiae in Landbou, Baccalaureus Commercii, Baccalaureus Administrationis of Baccalaureus Artium in Personeelopleiding toegelaat nie, tensy hy die matrikulasiesertifikaat deur die Gemeenskaplike Matrikulasieraad uitgereik of 'n vrystellingsertifikaat van die matrikulasie-eksamen deur gemelde Matrikulasieraad uitgereik, verwerf het en daarbenewens 'n slaagpunt in Wiskunde in die matrikulasie-eksamen of in 'n eksamen wat vir dié doel deur gemelde Matrikulasieraad erken word, behaal het.

(2) Niemand word tot 'n studiekursus vir die Diploma Commercii toegelaat nie, tensy hy 'n slaagpunt in Wiskunde in die matrikulasie-eksamen of in 'n eksamen wat vir dié doel deur die Gemeenskaplike Matrikulasieraad erken word behaal het.

(3) Niemand word tot die kursus Wiskunde I in enige fakulteit toegelaat nie, tensy hy 'n slaagpunt van minstens 40 % (E-simbool) (Hoër Graad) of 50 % (D-simbool) (Standaardgraad of pregedifferensieerd) in Wiskunde in die matrikulasie- of 'n gelykwaardige eksamen behaal het.

(4) Niemand word tot die kursus Statistiek I in enige fakulteit toegelaat nie, tensy hy 'n slaagpunt van minstens 40 % (E-simbool) (Standaardgraad of pregedifferensieerd) in Wiskunde in die matrikulasie- of 'n gelykwaardige eksamen behaal het.

2. A student who—

- (a) has not in the first year of study completed at least two courses or, in the Faculty of Agriculture, the minimum number of semester courses equivalent to at least 20 units as defined in the rules of the Faculty of Agriculture, or
- (b) does not in any subsequent year of study satisfy the requirements set out in the rules for the degree or diploma concerned for advancement to the next year of study;

may be refused permission by the Council to renew his registration as a student.

3. Save as provided by the Act no person shall be admitted to a course of study for any degree, diploma or certificate unless he has satisfied all the requirements laid down by the Senate with the approval of the Council.

4. The regulations published under Government Notice R. 1448 of 20 August 1971 are hereby repealed.

No. R. 2670

19 December 1986

UNIVERSITY OF FORT HARE ACT, 1969

STATUTE

The Council of the University of Fort Hare has, in terms of section 33 (1) (a) of the University of Fort Hare Act, 1969 (Act 40 of 1969), and with the approval of the Minister of Education and Development Aid, framed the Statute contained in the Annexure hereto.

ANNEXURE

DEFINITIONS

1. In this Statute, any expression to which a meaning has been assigned by the Act shall have the same meaning, unless the context otherwise indicates, and—

- (i) "academic year" means that portion of a calendar year during which instruction is given at the University or at any other university institution or at any university outside the Republic or at any other institution considered by the Senate to be equivalent to the University: Provided that a student may be considered to have attended courses for an academic year if he attended such courses for portions of two or more academic years that may be considered by the Senate to be equivalent to one academic year;
- (ii) "the Act" means the University of Fort Hare Act, 1969 (Act 40 of 1969); and
- (iii) "Matriculation Board" means the Joint Matriculation Board referred to in section 15 of the Universities Act, 1955 (Act 61 of 1955).

Policy

2. By virtue of its history the University shall have a Christian character.

CHANCELLOR

Mode of election

3. (1) A member of the Council may nominate any person to the office of Chancellor.

(2) Any nomination referred to in subsection (1) shall be by letter signed by at least two members of the Council.

(3) Each nomination shall be accompanied by a document in which the person nominated signifies his willingness to accept the nomination.

(4) Nominations shall reach the Secretary of the Council at least 14 days before the date of the election.

2. 'n Student wat—

- (a) in die eerste studiejaar nie minstens twee kursusse, of in die Fakulteit Landbou nie die minimum getal semesterkursusse gelykstaande met minstens 20 eenhede soos in die reëls van die Fakulteit Landbou omskryf, voltooi het nie; of
- (b) in enige daaropvolgende studiejaar nie aan die vereistes bepaal in die betrokke graad- of diplomareëls vir bevordering tot die volgende studiejaar voldoen nie, kan deur die Raad toestemming tot die hernuwing van sy registrasie as student geweier word.

3. Behoudens die bepalings van die Wet word niemand tot 'n studiekursus vir enige graad, diploma of sertifikaat toegelaat nie tensy hy voldoen het aan alle vereistes wat die Senaat met die goedkeuring van die Raad bepaal het.

4. Die regulasies afgekondig by Goewermentskennisgewing R. 1448 van 20 Augustus 1971 word hierby herroep.

No. R. 2670

19 Desember 1986

WET OP DIE UNIVERSITEIT VAN FORT HARE, 1969

STATUUT

Die Raad van die Universiteit van Fort Hare het kragtens artikel 33 (1) (a) van die Wet op die Universiteit van Fort Hare, 1969 (Wet 40 van 1969), en met die goedkeuring van die Minister van Onderwys en Ontwikkelingshulp die Statuut in die Bylae hiervan uiteengesit, opgestel.

BYLAE

WOORDOMSKRYWING

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

- (i) "akademiese jaar" dié deel van 'n kalenderjaar waarin aan die Universiteit of aan 'n ander universiteits-inrigting of aan 'n universiteit buite die Republiek of aan 'n ander instelling wat deur die Senaat as gelykstaande met die Universiteit beskou word, onderrig gegee word: Met dien verstande dat 'n student geag word kursusse vir 'n akademiese jaar by te gewoon het indien hy sodanige kursusse gedurende gedeeltes van twee of meer akademiese jare bygewoon het wat deur die Senaat geag word tesame gelykstaande met een akademiese jaar te wees;
- (ii) "die Wet" die Wet op die Universiteit van Fort Hare, 1969 (Wet 40 van 1969); en
- (iii) "Matrikulasieraad" die Gemeenskaplike Matrikulasieraad in artikel 15 van die Wet op Universiteite, 1955 (Wet 61 van 1955), bedoel.

Beleid

2. Uit hoofde van sy geskiedenis dra die Universiteit 'n Christelike karakter.

KANSELIER

Wyse van verkiesing

3. (1) 'n Lid van die Raad kan 'n persoon vir die amp van kanselier nomineer.

(2) 'n Nominasie in subartikel (1) bedoel, geskied per brief wat deur minstens twee lede van die Raad onderteken word.

(3) Elke nominasie moet vergesel gaan van 'n dokument waarin die genomineerde persoon sy bereidwilligheid om die nominasie te aanvaar, te kenne gee.

(4) Nominasies moet die Sekretaris van die Raad minstens 14 dae voor die datum van die verkiesing bereik.

(5) On receipt of the nomination documents the Secretary of the Council shall immediately notify each member of the Council of the nominations.

(6) The Chancellor shall be elected by secret ballot at a meeting of the Council.

(7) The candidate in whose favour a majority of votes of the total number of serving members of the Council is recorded, shall be declared duly elected by the person presiding at the meeting concerned.

Powers and term of office

4. (1) The Chancellor shall be the titular head of the University and shall, subject to the provisions of the Act, confer all degrees of the University.

(2) The Chancellor shall hold office for a period of seven years unless he tenders his resignation in writing to the Council or vacates his office for any reason before the expiry of such period.

(3) The Chancellor may be removed from office by the Council, by majority decision of all its members, on account of misconduct, incapacity to carry out his duties or any other reason that the Council deems adequate.

Vacancy

5. Whenever the office of Chancellor becomes vacant, the Secretary of the Council shall notify each member of the Council of such vacancy, and the Council shall as soon as possible elect a new Chancellor according to the procedure prescribed by section 3 of this Statute.

Rector and registrars

6. (1) Subject to the provisions of the Act, the Rector shall, after consultation with the Senate, be appointed at a meeting of the Council by a majority of the members holding office on the date of the meeting.

(2) The Council shall appoint one of the Registrars of the University to be Secretary of the Council for such period as the Council shall determine and, unless the Council decides otherwise, he shall also be the Secretary of the Senate and the Secretary of Convocation.

(3) In the absence of a Registrar the Rector may appoint an Assistant Registrar of the University to act as Registrar.

THE COUNCIL

Mode of election: Senate representatives

7. (1) The election of the members of the Council referred to in section 8 (1) (c) of the Act shall take place at properly constituted ordinary meeting of the Senate by absolute majority vote of the members of the Senate present.

(2) The election shall be held by secret ballot, and no person shall be elected except with his consent and unless he has been nominated by two members of the Senate.

(3) If the office of any member of the Council referred to in section 8 (1) (c) of the Act becomes vacant before the term of office of such member has expired, the Senate shall elect another member for the unexpired period of such term of office as soon as possible in accordance with the procedure prescribed in subsections (1) and (2).

Mode of Election: Convocation Representatives

8. (1) Whenever it becomes necessary for Convocation to elect a member of the Council referred to in section 8 (1) (d) of the Act, the Secretary of the Council shall, by written notice posted at least three months before the date of the election, invite each member of Convocation to submit, in writing, nominations, not exceeding the number of vacancies, for elected members of the Council.

(5) By ontvangs van die nominasiedokumente stel die Sekretaris van die Raad onmiddellik elke lid van die Raad van die nominasies in kennis.

(6) Die Kanselier word op 'n vergadering van die Raad by wyse van geslote stembriefies verkies.

(7) Die kandidaat ten gunste van wie 'n meerderheid stemme van die totale aantal dienende lede van die Raad uitgebring is, word deur die persoon wat op die betrokke vergadering voorsit, as behoorlik verkose verklaar.

Bevoegdheid en ampsduur

4. (1) Die Kanselier is die titulêre hoof van die Universiteit en ken, behoudens die bepalings van die Wet, alle grade van die Universiteit toe.

(2) Die Kanselier beklee sy amp vir 'n termyn van sewe jaar, tensy hy voor die verstryking van dié termyn sy bedanking skriftelik aan die Raad aanbied of sy amp om enige ander rede ontruim.

(3) Die Kanselier kan op grond van wangedrag, onvermoë om sy pligte uit te voer of om enige ander rede wat die Raad voldoende ag, deur die Raad, by meerderheidsbesluit van al sy lede, van sy amp onthef word.

Vakature

5. Wanneer die amp van Kanselier vakant word, gee die Sekretaris van die Raad aan elke lid van die Raad kennis van sodanige vakature en kies die Raad so gou doenlik 'n nuwe Kanselier ooreenkomstig die prosedure voorgeskryf by artikel 3 van hierdie Statuut.

Rector en registrateurs

6. (1) Behoudens die bepalings van die Wet, word die Rector, na oorlegpleging met die Senaat, op 'n vergadering van die Raad aangestel deur 'n meerderheid van die lede wat hulle amp op die datum van die vergadering beklee.

(2) Die Raad stel een van die Registrateurs van die Universiteit vir sodanige tydperk as wat die Raad bepaal, aan as die Sekretaris van die Raad en tensy die Raad anders besluit, is hy ook die Sekretaris van die Senaat en die Sekretaris van die Konvokasie.

(3) In die afwesigheid van 'n Registrateur kan die Rector 'n Assistent-registrateur van die Universiteit as 'n waarnemende Registrateur aanwys.

DIE RAAD

Wyse van verkiesing: Senaatsverteenwoordigers

7. (1) Die verkiesing van die lede van die Raad in artikel 8 (1) (c) van die Wet bedoel, geskied op 'n gewone behoorlike gekonstitueerde vergadering van die Senaat by volgestrekte meerderheid van stemme van die aanwesige lede van die Senaat.

(2) Die verkiesing geskied by wyse van geslote stembriefies, en niemand word verkies nie tensy hy daartoe toestem en deur twee lede van die Senaat genomineer is.

(3) Indien die amp van enige van die lede van die Raad in artikel 8 (1) (c) van die Wet bedoel, vakant word voor verstryking van die ampstermyn van sodanige lid, kies die Senaat so gou doenlik vir die onverstreke gedeelte van sodanige ampstermyn 'n ander lid ooreenkomstig die prosedure voorgeskryf by subartikels (1) en (2).

Wyse van Verkiesing: Konvokasieverteenwoordigers

8. (1) Wanneer 'n lid van die Raad in artikel 8 (1) (d) van die Wet bedoel, deur die Konvokasie gekies moet word, versoek die Sekretaris van die Raad by wyse van 'n skriftelike kennisgewing, wat minstens drie maande voor die datum van die verkiesing gepos moet word, elke lid van die Konvokasie om hoogstens soveel persone as die getal vakatures skriftelik vir verkiesing tot lede van die Raad te nomineer.

(2) Each nomination, signed by at least five members of Convocation and countersigned by the nominee to signify his acceptance of the nomination, shall be lodged with the Secretary of the Council at least two months before the date of the election.

(3) If the number of persons nominated is not greater than the number of vacancies, the Secretary of the Council shall forthwith declare such person or persons to be duly elected.

(4) If more persons are nominated than are to be elected, the Secretary of the Council shall, at least one month before the date of election, post to every member of Convocation a printed ballot paper, in a form approved by the Council, containing the names of all the candidates in alphabetical order.

(5) Any ballot paper which is not completed in accordance with the instructions printed on it shall be invalid.

(6) At any election the Secretary of the Council shall act as returning officer, and he shall be assisted by two scrutineers appointed by the President of Convocation or, failing him, by the Rector.

Donors

9. (1) Any person, body or institution that unconditionally donates to the University an amount of not less than R1 000, excluding aid to students, during the period of four years preceding any election of a member of Council referred to in section 8 (1) (f) of the Act shall be deemed a donor for the purposes of the said section.

(2) The election of members of the Council referred to in section 8 (1) (f) of the Act shall be conducted *mutatis mutandis* according to the procedure prescribed by section 8 of this Statute.

Quorum

10. One half of the members of the Council shall constitute a quorum.

Meetings

11. (1) Subject to the provisions of section 20 (1) of this Statute, the Secretary of the Council shall, at least 10 days before the date of an ordinary meeting, give notice thereof to all members of the Council in writing, setting forth the business to be dealt with at the meeting.

(2) Should a member of the Council want to submit any matter for consideration at an ordinary meeting, he shall inform the Secretary of the Council of the matter in writing at least 14 days before the date of the meeting in question: Provided that a matter of an urgent nature may be raised at the meeting without previous notice with the consent of at least two-thirds of the members present.

12. (1) An extraordinary meeting may be called by the Chairman whenever he deems it necessary, and shall be called by him if five members, stating the object of the meeting, request him to do so in writing.

(2) At least seven days' notice of an extraordinary meeting shall be given in writing.

(3) Except with the unanimous consent of the meeting, no business other than that for which the extraordinary meeting was called shall be transacted at such meeting.

13. The minutes of an ordinary or extraordinary meeting shall be read at the next ordinary meeting and, shall after approval, be confirmed by the signature of the Chairman: Provided that minutes may be taken as read if a copy of the minutes was sent to every member in advance.

14. (1) All matters shall be decided by a majority of votes of the members present and voting, except as otherwise provided by this Statute.

(2) Elke nominasie, geteken deur minstens vyf lede van die Konvokasie en mede-onderteken deur die genomineerde ter aanduiding van sy aanvaarding van die nominasie, word minstens twee maande voor die datum van die verkiesing by die Sekretaris van die Raad ingedien.

(3) Indien die getal genomineerde persone nie meer as die getal vakatures is nie, word sodanige persoon of persone onverwyld deur die Sekretaris van die Raad as behoorlik verkose verklaar.

(4) Indien meer persone genomineer word as wat verkies moet word, pos die Sekretaris van die Raad minstens een maand voor die datum van die verkiesing aan elke lid van die Konvokasie 'n gedrukte stembrief, in 'n vorm deur die Raad goedgekeur, waarop die name van al die kandidate in alfabetiese volgorde verskyn.

(5) 'n Stembrief wat nie ingevul word volgens die voorskrifte wat daarop verskyn nie, is ongeldig.

(6) By enige verkiesing tree die Sekretaris van die Raad as kiesbeampte op en word hy bygestaan deur twee stemopnemers wat deur die President van die Konvokasie of, indien nie deur hom nie, deur die Rektor benoem word.

Donateurs

9. (1) Enigiemand of enige liggaam of instelling wat aan die Universiteit onvoorwaardelik 'n bedrag van minstens R1 000, uitgesonderd as hulp aan studente, skenk gedurende 'n termyn van vier jaar wat die verkiesing van 'n lid van die Raad in artikel 8 (1) (f) van die Wet bedoel, voorafgaan, is 'n donateur vir doeleindes van daardie artikel.

(2) Die verkiesing van die lede van die Raad in artikel 8 (1) (f) van die Wet bedoel, geskied *mutatis mutandis* ooreenkomstig die prosedure voorgeskryf by artikel 8 van hierdie Statuut.

Kworum

10. Die helfte van die lede van die Raad vorm 'n kworum.

Vergaderings

11. (1) Behoudens die bepalings van artikel 20 (1) van hierdie Statuut, gee die Sekretaris van die Raad minstens 10 dae voor die datum van 'n gewone vergadering skriftelik kennis daarvan aan alle lede van die Raad, met vermelding van die sake wat op die vergadering oorweeg sal word.

(2) Indien 'n lid van die Raad 'n saak op 'n gewone vergadering van die Raad vir oorweging wil voorlê, stel hy minstens 14 dae voor die datum van bedoelde vergadering die Sekretaris van die Raad skriftelik van die saak in kennis: Met dien verstande dat 'n saak van dringende aard sonder voorafgaande kennisgewing op die vergadering geopper kan word, mits minstens twee-derdes van die aanwesige lede daartoe toestem.

12. (1) Die Voorsitter kan 'n buitengewone vergadering belê wanneer hy dit dienstig ag, en moet dit belê indien vyf lede, met vermelding van die doel van die vergadering, hom skriftelik daartoe versoek.

(2) Minstens sewe dae skriftelike kennis moet van 'n buitengewone vergadering gegee word.

(3) Behalwe met die eenparige toestemming van die vergadering word geen ander sake as dié waarvoor die buitengewone vergadering belê is, daarop behandel nie.

13. Die notule van 'n gewone of buitengewone vergadering word op die eersvolgende gewone vergadering gelees en na goedkeuring deur die handtekening van die Voorsitter bekragtig: Met dien verstande dat 'n notule waarvan 'n afskrif vooraf aan elke lid gestuur is, as gelees beskou kan word.

14. (1) Alle sake word deur 'n meerderheid van die aanwesige en stemmende lede beslis, behalwe waar in hierdie Statuut anders bepaal word.

(2) On every matter the Chairman shall have a deliberative vote and, in the case of any equality of votes, a casting vote.

15. (1) The meeting may decide to vote by ballot.

(2) If a member requests the Chairman—

- (a) the vote of the member concerned; or
- (b) the number of votes for and against any particular motion

shall be recorded in the minutes.

16. No member shall take part in the discussion on, or shall vote upon, any matter in which he has a direct pecuniary interest, unless he discloses the nature and extent of his interest beforehand and obtains the consent of the meeting to take part in the discussion and to vote.

17. The ruling of the Chairman on any point of order or procedure shall be binding, unless immediately challenged by a member, in which case it shall, without discussion, be put to the meeting for its final decision.

18. (1) Every motion or amendment shall be seconded and, if the Chairman so rules, shall be in writing.

(2) No motion shall be withdrawn without the consent of the meeting.

19. No member shall address the meeting, more than once on any particular motion or amendment except with the consent of the meeting: Provided that the mover of the motion or amendment may reply: Provided further that on a motion of order moved by a member, which has been seconded and adopted, the motion or amendment under discussion shall be put without further discussion.

20. (1) No motion to make, amend or rescind any Statute shall be tabled without at least 14 days' notice in writing.

(2) A motion referred to in subsection (1) shall be set forth in detail in the notice and, unless it is carried by a majority of three-quarters of the members present, it shall be confirmed by a majority of the votes at the next ordinary meeting.

Emergency meetings of the Council

21. (1) An emergency meeting may be called by the Chairman at any time: Provided that members shall be given not less than 24 hours' notice of such meeting: Provided further that notice may be given in any manner deemed expedient in the circumstances.

(2) Members shall be notified of the object of an emergency meeting and no business other than that of which members have been notified shall be transacted at such meeting.

THE SENATE

Term of office of members

22. (1) The members of the Senate referred to in section 10 (1) (b) of the Act shall hold office for as long as they are members of the Council.

(2) A member of the Senate, designed by the Council in terms of section 10 (1) (c) of the Act, shall hold office for as long as he occupies the post that makes him eligible for appointment to the Senate.

(3) The term of office of the members referred to in section 10 (1) (d) of the Act shall be four years.

Powers, duties and activities

23. Subject to the provisions of section 10 (4), (5) and (6) of the Act, the Senate shall have the power to—

- (a) make recommendations to the Council on—
 - (i) which departments there should be in the various faculties of the University; and

(2) In verband met elke saak het die Voorsitter 'n gewone stem en by staking van stemme ook 'n beslissende stem.

15. (1) Die vergadering kan besluit om per stembriefie te stem.

(2) Indien 'n lid die Voorsitter daartoe versoek, word—

- (a) die stem van die betrokke lid, of
- (b) die getal stemme vir en teen 'n bepaalde mosie in die notule aangeteken.

16. Geen lid mag deelneem aan die bespreking van, of stem oor, 'n saak waarin hy direkte geldelike belang het nie, tensy hy vooraf die aard en omvang van sy belang openbaar en die toestemming van die vergadering verkry om aan die bespreking deel te neem en te stem.

17. Die beslissing van die Voorsitter op 'n punt van orde of prosedure is bindend, tensy 'n lid onmiddellik daarteen beswaar maak, in welke geval dit sonder bespreking aan die finale beslissing van die vergadering onderwerp word.

18. (1) Elke mosie of amendement moet gesekondeer en, indien die Voorsitter dit gelas, op skrif gestel word.

(2) Geen mosie word sonder die toestemming van die vergadering teruggetrek nie.

19. 'n Lid mag nie die vergadering meer as een keer oor 'n bepaalde mosie of amendement toespreek nie, tensy die vergadering daartoe toestem: Met dien verstande dat die voorsteller van die mosie of amendement kan antwoord: Met dien verstande voorts dat op 'n ordemosie wat deur 'n lid voorgestel is en gesekondeer en aangeneem is, die mosie of amendement onder bespreking sonder verdere bespreking gestel word.

20. (1) Geen mosie tot opstelling, wysiging of herroeping van 'n Statuut word ter tafel geneem nie tensy skriftelike kennis van minstens 14 dae daarvan gegee is.

(2) 'n Mosie in subartikel (1) bedoel, word volledig in die kennisgewing uiteengesit en, tensy dit met 'n meerderheidstem van drie kwart van die aanwesige lede aangeneem word, moet dit op die volgende gewone vergadering met 'n meerderheid van stemme bekragtig word.

Noodvergaderings van die Raad

21. (1) Die Voorsitter kan te eniger tyd 'n noodvergadering byeenroep: Met dien verstande dat lede minstens 24 uur kennis van sodanige vergadering kry: Met dien verstande voorts dat kennisgewing op enige wyse wat in die omstandighede dienstig geag word, kan geskied.

(2) Lede word verwittig van die doel van 'n noodvergadering en geen ander sake as dié waarvan die lede verwittig is, mag op sodanige vergadering behandel word nie.

DIE SENAAT

Ampstermyn van lede

22. (1) Die lede van die Senaat in artikel 10 (1) (b) van die Wet bedoel, beklee hul amp so lank as wat hulle lede van die Raad is.

(2) 'n Lid van die Senaat wat ingevolge artikel 10 (1) (c) van die Wet deur die Raad aangewys word, beklee sy amp so lank as wat hy die pos wat hom vir aanstelling in die Senaat bevoeg maak, beklee.

(3) Die ampstermyn van die lede in artikel 10 (1) (d) van die Wet bedoel, is vier jaar.

Bevoegdhede, pligte en werksaamhede

23. Behoudens die bepalinge van artikel 10 (4), (5) en (6) van die Wet, moet die Senaat—

- (a) by die Raad aanbevelings doen oor—
 - (i) welke departemente daar in die verskillende fakulteite van die Universiteit moet wees; en

- (ii) the creation and filling of posts on the lecturing staff, and the promotion of members thereof; and

- (b) superintend and control the work of research officers of the University.

Quorum

24. One-third of the members of the Senate shall constitute a quorum.

Meetings

25. (1) The Secretary of the Senate shall, at least three days before the date of an ordinary meeting, give notice thereof to all members of the Senate in writing, setting forth, wherever possible, the business to be dealt with at the meeting.

(2) Notice of matters for consideration at an ordinary meeting shall be lodged with the Secretary of the Senate in writing, at least seven days before the date of the meeting by faculties or the Executive Committee of the Senate or by notice of motion: Provided that a matter of an urgent nature may be raised at the meeting without previous notice with the consent of at least two-thirds of the members present.

26. The time, date and place of ordinary meetings shall be determined by the Senate: Provided that at least two ordinary meetings shall be held during each semester.

27. At least 24 hours' notice of an extraordinary meeting shall be given.

28. The provisions of sections 12 (1) and (3) and 13 to 19 of the Statute shall apply *mutatis mutandis* to every meeting held by the Senate.

THE CONVOCATION

President

29. (1) The President of Convocation shall be elected by an absolute majority of the members of Convocation from among its members present at a properly constituted annual meeting and shall, subject to the provisions of subsection (2) hold office, until after the election of a president at the second subsequent annual meeting.

(2) If at the end of any term of office referred to in subsection (1) no annual meeting of Convocation is held, the President of Convocation shall hold office for another year.

(3) In the event of the death or resignation of the President of Convocation, a successor shall be elected at a meeting of Convocation called by the Secretary of Convocation for that purpose.

Chairman

30. The President of Convocation shall preside at all meetings of Convocation, but in his absence the members present shall elect one of their number to preside at that meeting.

Roll

31. (1) (a) The Secretary of Convocation shall keep a roll upon which the name and address of each member of Convocation is recorded.

(b) It is the responsibility of each member of Convocation to ensure that his name and address are recorded on the roll referred to in paragraph (a), and to inform the Secretary of any change of name or address.

(2) The roll referred to in subsection (1) shall be conclusive proof that any person whose name appears on it at the time of an election by Convocation is entitled to vote and that any person whose name does not appear on it is not entitled to vote.

- (ii) die skepping en vul van poste in, en die bevoordering van lede van, die doserende personeel; en

- (b) toesig hou en beheer uitoefen oor die werk van navorsingsbeampies van die Universiteit.

Kworum

24. Een derde van die lede van die Senaat vorm 'n kworum.

Vergaderings

25. (1) Die Sekretaris van die Senaat gee minstens drie dae voor die datum van 'n gewone vergadering skriftelik kennis daarvan aan alle lede van die Senaat, met, waar moontlik, besonderhede van die sake wat op die vergadering oorweeg sal word.

(2) Kennisgewings van sake vir oorweging op 'n gewone vergadering word minstens sewe dae voor die datum van sodanige vergadering skriftelik deur fakulteite of die Uitvoerende Komitee van die Senaat of by wyse van kennisgewing van mosie by die Sekretaris van die Senaat ingedien: Met dien verstande dat 'n saak van dringende aard sonder voorafgaande kennisgewing op 'n vergadering geopper kan word, mits minstens twee derdes van die aanwesige lede daartoe toestem.

26. Die Senaat bepaal die plek waar en die datum en tyd waarop gewone vergaderings gehou word: Met dien verstande dat daar minstens twee gewone vergaderings gedurende elke semester gehou word.

27. Minstens 24 uur kennis moet van 'n buitengewone vergadering gegee word.

28. Die bepalinge van artikels 12 (1) en (3) en 13 tot en met 19 van hierdie Statuut is *mutatis mutandis* van toepassing op elke vergadering wat deur die Senaat gehou word.

DIE KONVOKASIE

President

29. (1) Die President van die Konvokasie word by volstrekte meerderheid van stemme deur die aanwesige lede van die Konvokasie tydens 'n behoorlik gekonstitueerde jaarvergadering uit sy lede gekies en beklee sy amp, behoudens die bepalinge van subartikel (2), tot na die verkiesing van 'n president op die tweede daaropvolgende jaarvergadering.

(2) Indien daar aan die einde van 'n ampstermyn soos in subartikel (1) bedoel, nie 'n jaarvergadering van die Konvokasie gehou word nie, beklee die President van die Konvokasie sy amp vir nog 'n jaar.

(3) In die geval van die dood of bedanking van die President van die Konvokasie word 'n opvolger gekies op 'n vergadering van die Konvokasie wat die Sekretaris van die Konvokasie vir dié doel belê.

Voorsitter

30. Die President van die Konvokasie tree tydens alle vergaderings van die Konvokasie as Voorsitter op, maar in sy afwesigheid kies die aanwesige lede iemand uit hulle geledere om tydens daardie vergadering voor te sit.

Naamlys

31. (1) (a) Die Sekretaris van die Konvokasie hou 'n lys waarop die naam en adres van elke lid van die Konvokasie aangeteken word.

(b) Dit is die verantwoordelikheid van elke lid van die Konvokasie om toe te sien dat sy naam en adres op die lys in paragraaf (a) bedoel, aangeteken word, en om die Sekretaris van enige naams- en adresverandering in kennis te stel.

(2) Die lys in subartikel (1) bedoel, is afdoende bewys daarvan dat 'n persoon wie se naam ten tyde van 'n verkiesing deur die Konvokasie daarop voorkom, geregtig is om te stem en dat 'n persoon wie se naam nie op die lys voorkom nie, nie geregtig is om te stem nie.

Annual meeting

32. (1) Convocation shall hold an annual meeting, which shall be convened by the Secretary of Convocation during the academic year.

(2) Notice of any matters for discussion at a meeting shall be lodged with the Secretary of Convocation in writing at least six weeks before the date of the meeting.

Extraordinary meetings

33. (1) An extraordinary meeting of Convocation may be called by the President of Convocation at any time and shall be called by him if at least the number of members forming a quorum at such meeting, stating the object of the meeting, request him to do so in writing.

(2) No business other than that for which the meeting was called shall be transacted at an extraordinary meeting.

Notice of meetings

34. Notice of any meeting of Convocation, with a statement of the business to be transacted at it, shall be sent to each member at least 14 days before the date appointed for such meeting.

Quorum and procedure

35. (1) Twenty-five members of Convocation shall form a quorum.

(2) Should there not be a quorum 15 minutes after the time appointed for the meeting, the meeting may proceed with such formal business as the chairman of the meeting may deem necessary for the continuity of Convocation activities.

(3) Except as provided in sections 33 and 34 of this Statute, the provisions of sections 11 to 18 of this Statute shall apply *mutatis mutandis* to each meeting held by Convocation.

DISCIPLINE OF STUDENTS**General supervision and control**

36. (1) The discipline of students shall be vested in the Council, and the Council may delegate its powers as it thinks fit in accordance with rules made by it.

(2) The procedure to be followed if disciplinary measures are to be taken against a student shall be prescribed by the rules referred to in section 24 (1) of the Act: Provided that such rules shall make provisions for the following—

- (a) a definition of misconduct that may render a student liable to disciplinary measures;
- (b) notice in writing to a student, in which the nature of a charge or charges against him is disclosed;
- (c) the right of an accused student to defend himself, and
- (d) the penalty or penalties that may be imposed on conviction.

(3) Except where action is taken in terms of section 20 (2A) of the Act, a student has the right to appeal to the Council, either against the verdict of the Students' Disciplinary Committee referred to in section 37 of this Statute or against the penalty or penalties imposed by it.

Students' disciplinary committee

37. There shall be a Student's Disciplinary Committee, of which the membership, composition at any particular inquiry, powers and procedure that shall be followed shall be prescribed by the rules referred to in section 36 of this Statute.

Jaarvergaderings

32. (1) Die Konvokasie hou 'n jaarvergadering wat gedurende die akademiese jaar deur die Sekretaris van die Konvokasie belê word.

(2) Kennisgewings van sake vir bespreking op 'n vergadering word minstens ses weke voor die datum van die vergadering skriftelik by die Sekretaris van die Konvokasie ingedien.

Buitengewone vergaderings

33. (1) 'n Buitengewone vergadering van die Konvokasie kan te eniger tyd deur die President van die Konvokasie belê word en moet deur hom belê word indien minstens die getal lede wat 'n kworum by sodanige vergadering vorm, met vermelding van die doel van die vergadering, hom skriftelik daartoe versoek.

(2) Geen ander sake as dié waarvoor die vergadering belê is, word op 'n buitengewone vergadering behandel nie.

Kennisgewing van vergaderings

34. Kennisgewing van 'n vergadering van die Konvokasie, asook 'n lys van die sake wat daartydens oorweeg moet word, word minstens 14 dae voor die datum wat vir sodanige vergadering bepaal is, aan elke lid gestuur.

Kworum en prosedure

35. (1) Vyf-en-twintig lede van die Konvokasie vorm 'n kworum.

(2) Indien daar 15 minute na die tyd wat vir die vergadering vasgestel is, nie 'n kworum is nie, kan die vergadering voortgaan met sodanige formele sake as wat die Voorsitter van die vergadering nodig ag vir die kontinuïteit van die Konvokasie se werksaamhede.

(3) Behoudens die bepalinge van artikels 33 en 34 van hierdie Statuut, is die bepalinge van artikels 11 tot en met 18 van hierdie Statuut *mutatis mutandis* van toepassing op elke vergadering wat deur die Konvokasie gehou word.

TUG VAN STUDENTE**Algemene toesig en beheer**

36. (1) Die tug van studente berus by die Raad en die Raad kan sy pligte in dié verband na goeëdunke ooreenkomstig reëls deur hom uitgevaardig, deleger.

(2) Die prosedure wat gevolg moet word indien tugmaat-reëls teen 'n student ingestel word, moet in die reëls bedoel in artikel 24 (1) van die Wet, voorgeskryf word: Met dien verstande dat sodanige reëls voorsiening maak vir—

- (a) 'n omskrywing van wangedrag waardeur 'n student hom aan tugmaat-reëls kan blootstel;
- (b) skriftelike kennisgewing aan 'n student waarin die aard van 'n aanklag of aanklagte teen hom aan hom bekendgemaak word;
- (c) die reg van 'n aangeklaagde student om hom te verweer; en
- (d) die straf of strawwe wat by skuldigbevinding opgelê kan word.

(3) Behalwe waar daar kragtens artikel 20 (2A) van die Wet opgetree is, het 'n student 'n reg van appèl na die Raad teen die bevinding van die Studentetugkomitee bedoel in artikel 37 van hierdie Statuut, of slegs teen die straf of strawwe wat hom opgelê is.

Studentetugkomitee

37. Daar is 'n Studentetugkomitee waarvan die ledetal, die samestelling by 'n bepaalde ondersoek, die bevoegdhede en die prosedure wat gevolg moet word, in die reëls in artikel 36 van hierdie Statuut bedoel, voorgeskryf word.

Degrees and Faculties

38. Subject to the provisions of the Act and this Statute, the University shall have the power to confer the following degrees:

(i) In the Faculty of Theology:

Bachelor of Theology	BTheol
Bachelor of Theology (Honours)	BTheol (Hons)
Master of Theology	MTheol
Doctor of Theology	DTheol

(ii) In the Faculty of Law:

Bachelor of Law	BLur
Baccalaureus Procuratoris	BProc
Bachelor of Laws	LLB
Master of Laws	LLM
Doctor of Laws	LLD

(iii) In the Faculty of Arts:

In Pure Arts:	
Bachelor of Arts	BA
Bachelor of Arts (Honours)	BA (Hons)
Master of Arts	MA
Doctor of Literature and Philosophy	DLitt et Phil
In Library and Information Science:	
Bachelor of Library and Information Science	BBibl
Bachelor of Library and Information Science (Honours)	BBibl(Hons)
In Social Work:	
Bachelor of Arts in Social Work	BA(SW)
Bachelor of Arts in Social Work (Honours)	BA(SW)(Hons)
Master of Arts in Social Work	MA(SW)
Doctor of Philosophy	DPhil
In Fine Arts:	
Bachelor of Arts in Fine Arts	BA(FA)
Bachelor of Arts in Fine Arts (Honours)	BA(FA)(Hons)
Master of Arts in Fine Arts	MA(FA)
In Personnel Management:	
Bachelor of Arts in Personnel Management	BA(PM)
Bachelor of Arts in Personnel Management (Honours)	BA(PM)(Hons)
Master of Arts in Personnel Management	MA(PM)
In Communication:	
Bachelor of Arts in Communication	BA(Com)
Bachelor of Arts in Communication (Honours)	BA(Com)(Hons)
Master of Arts in Communication	MA(Com)
In Music:	
Bachelor of Arts in Music	BA(Mus)

(iv) In the Faculty of Science:

In Pure Science:	
Bachelor of Science	BSc
Bachelor of Science (Honours)	BSc(Hons)
Master of Science	MSc
Doctor of Science	DSc
In Health Sciences:	
Bachelor of Nursing Education and Administration	BCur(I et A)
Bachelor of Nursing Science	BCur
Master of Nursing Science	MCur
In Surveying:	
Bachelor of Science in Surveying	BSc(Sur)
Master of Science in Surveying	MSc(Sur)

(v) In the Faculty of Education:

Bachelor of Pedagogics	BPed
Bachelor of Education	BEEd
Master of Education	MEd
Doctor of Education	DEd
In Physical Education:	
Bachelor of Pedagogics in Physical Education	BPed(PhysEd)

(vi) In the Faculty of Economic Sciences:

In Commerce:	
Bachelor of Commerce	BCom
Bachelor of Commerce (Honours)	BCom(Hons)
Master of Commerce	MCom
Doctor of Commerce	DCom
In Administration:	
Bachelor of Administration	BAdmin
Bachelor of Administration (Honours)	BAdmin(Hons)
Master of Administration	MAdmin
Doctor of Administration	DAdmin

Grade en Fakulteite

38. Behoudens die bepalings van die Wet en hierdie Statuut, is die Universiteit bevoeg om die volgende grade toe te ken:

(i) In die Fakulteit Teologie:

Baccalaureus Theologiae	BTheol
Baccalaureus Theologiae Honoris	BTheol (Hons)
Magister Theologiae	MTheol
Doctor Theologiae	DTheol

(ii) In die Fakulteit Regsgeleerdheid:

Baccalaureus Iuris	BLur
Baccalaureus Procuratoris	BProc
Legum Baccalaureus	LLB
Legum Magister	LLM
Legum Doctor	LLD

(iii) In die Fakulteit Lettere en Wysbegeerte:

In die Lettere en Wysbegeerte:	
Baccalaureus Artium	BA
Baccalaureus Artium Honoris	BA (Hons)
Magister Artium	MA
Doctor Litterarum et Philosophiae	DLitt et Phil
In die Biblioteek- en Inligtingwetenskap:	
Baccalaureus Bibliothecologiae	BBibl
Baccalaureus Bibliothecologiae Honoris	BBibl(Hons)
In Maatskaplike Werk:	
Baccalaureus Artium in Maatskaplike Werk	BA(SW)
Baccalaureus Artium Honoris in Maatskaplike Werk	BA(SW)(Hons)
Magister Artium in Maatskaplike Werk	MA(SW)
Doctor Philosophiae	DPhil
In Skone Kunste:	
Baccalaureus Artium in Skone Kunste	BA(FA)
Baccalaureus Artium Honoris in Skone Kunste	BA(FA)(Hons)
Magister Artium in Skone Kunste	MA(FA)
In Personeelleiding:	
Baccalaureus Artium in Personeelleiding	BA(PM)
Baccalaureus Artium Honoris in Personeelleiding	BA(PM)(Hons)
Magister Artium in Personeelleiding	MA(PM)
In Kommunikasie:	
Baccalaureus Artium in Kommunikasie	BA(Com)
Baccalaureus Artium Honoris in Kommunikasie	BA(Com)(Hons)
Magister Artium in Kommunikasie	MA(Com)
In Musiek:	
Baccalaureus Artium Musicae	BA(Mus)

(iv) In die Fakulteit Natuurwetenskappe:

In die Suiwer Wetenskappe:	
Baccalaureus Scientiae	BSc
Baccalaureus Scientiae Honoris	BSc(Hons)
Magister Scientiae	MSc
Doctor Scientiae	DSc
In die Gesondheidswetenskappe:	
Baccalaureus Curationis (Institutionis et Administrationis)	BCur(I et A)
Baccalaureus Curationis	BCur
Magister Curationis	MCur
In die Opmeetkunde:	
Baccalaureus Scientiae in Opmeetkunde	BSc(Sur)
Magister Scientiae in Opmeetkunde	MSc(Sur)

(v) In die Fakulteit Opvoedkunde:

Baccalaureus Pedagogiae	BPed
Baccalaureus Educationis	BEEd
Magister Educationis	MEd
Doctor Educationis	DEd
In Liggaamlike Opvoeding:	
Baccalaureus Pedagogiae in Liggaamlike Opvoeding	BPed(PhysEd)

(vi) In die Fakulteit Ekonomiese Wetenskappe:

In Handel:	
Baccalaureus Commercii	BCom
Baccalaureus Commercii Honoris	BCom(Hons)
Magister Commercii	MCom
Doctor Commercii	DCom
In Administrasie:	
Baccalaureus Administrationis	BAdmin
Baccalaureus Administrationis Honoris	BAdmin(Hons)
Magister Administrationis	MAdmin
Doctor Administrationis	DAdmin

(vii) In the Faculty of Agriculture:

In Agriculture:	
Bachelor of Agriculture	BAgric
Bachelor of Science in Agriculture	BScAgric
Bachelor of Science in Agriculture (Honours)	BScAgric(Hons)
Master of Science in Agriculture	MScAgric
Doctor of Science in Agriculture	DScAgric
In Agricultural Extension:	
Bachelor of Agricultural Extension (Honours)	BAgric(Ext) (Hons)
Master of Agricultural Extension	MAgric(Ext)
In Forestry:	
Bachelor of Forestry	BFor
Bachelor of Science in Forest Science	BSc(For)

Admission to Equivalent Status

39. (a) A graduate of any other university institution or of any university outside the Republic, who has been admitted to an equivalent status in terms of section 29 (a) of the Act; and

(b) a person who has been as a candidate for a degree admitted in terms of section 29 (b) of the Act;

shall pay the fees prescribed in terms of section 26 of the Act, and the Council may in any such case determine the effective date and other conditions, if any, of such admission.

EXAMINATIONS AND OTHER TESTS**Examiners**

40. Subject to the provisions of section 30 of the Act, every examination or other test by which a course for a degree, diploma or certificate is completed, shall be conducted by at least two examiners appointed by the Senate.

Year Marks of Candidates

41. A candidate shall, before the examination at the end of every course taken by him, be awarded a year mark or semester mark for his work during the year or semester, as the case may be, and the Senate may lay down—

(a) that he shall not be admitted to the examination at the end of a course unless he has obtained a minimum year mark or semester mark, determined by the Senate, in that course; and

(b) that for the purpose of calculating the final mark in a particular course, the year mark or semester mark, as the case may be, as well as the mark obtained in the examination, in such proportion as the Senate may determine, shall be considered.

Honorary Degrees

42. (1) Any proposal to confer a degree *honoris causa* may be made by a member of the Council or the Senate on or before a date to be determined by the Council from time to time on the recommendations of the Senate. Such proposal shall be submitted to the Secretary of the Council in writing and shall be accompanied by a statement setting forth in detail the grounds on which the proposal is based.

(2) The proposal shall be referred to an Honorary Degrees Committee consisting of the Rector as chairman, the Chairman of the Council, the Vice-Rector, two other members of the Council, and three members of the Senate.

43. The procedure to be adopted by the Council and the Senate respectively as regards the consideration of proposals to confer degrees *honoris causa* shall be determined by the body concerned.

The Conferring of Degrees

44. (1) For the purpose of conferring degrees, a meeting of the members of the University, to be styled a congregation shall be held at least once a year at such time and place as the Council may determine.

(2) The Chancellor or, in his absence, the Vice-Chancellor, shall preside at a congregation.

(vii) In die Fakulteit Landbou:

In Landbou:	
Baccalaureus in Landbou	BAgric
Baccalaureus Scientiae in Landbou	BScAgric
Baccalaureus Scientiae Honoris in Landbou ...	BScAgric(Hons)
Magister Scientiae in Landbou	MScAgric
Doctor Scientiae in Landbou	DScAgric
In Landbouvoorligting:	
Baccalaureus Honoris in Landbouvoorligting	BAgric(Ext) (Hons)
Magister in Landbouvoorligting	MAgric(Ext)
In Bosbou:	
Baccalaureus in Bosbou	BFor
Baccalaureus Scientiae in Bosbou	BSc(For)

Toelating tot gelyke status

39. (a) 'n Gegradueerde van 'n ander universiteitsinrigting of van 'n universiteit buite die Republiek wat kragtens artikel 29 (a) van die Wet toegelaat is tot 'n gelyke status; en

(b) iemand wat kragtens artikel 29 (b) van die Wet as kandidaat vir 'n graad toegelaat is;

betaal die gelde wat ingevolge artikel 26 van die Wet bepaal is, en die Raad kan in elke geval die effektiewe datum en ander voorwaardes, as daar is, van sodanige toelating bepaal.

EKSAMENS EN ANDER TOETSE**Eksaminatore**

40. Behoudens die bepalinge van artikel 30 van die Wet, word elke eksamen of ander toets waardeur 'n kursus vir 'n graad, diploma of sertifikaat voltooi word, afgeneem deur minstens twee eksaminatore, wat die Senaat aanstel.

Jaarpunte van Kandidate

41. Aan 'n kandidaat word daar voor die eksamen aan die einde van elke kursus wat hy volg, 'n jaarpunt of semesterpunt toegeken vir sy werk gedurende die jaar of semester, na gelang van die geval, en die Senaat kan bepaal—

(a) dat hy nie tot die eksamen aan die einde van 'n kursus toegelaat word nie, tensy hy 'n minimum jaarpunt of semesterpunt deur die Senaat voorgeskryf, in daardie kursus behaal het; en

(b) dat die jaarpunt of semesterpunt, na gelang van die geval, sowel as die punt in die eksamen behaal, in sodanige verhouding as wat die Senaat bepaal, in aanmerking geneem word by die berekening van die finale punt vir daardie kursus.

Grade Honoris Causa

42. (1) 'n Voorstel om 'n graad *honoris causa* toe te ken, kan deur 'n lid van die Raad of die Senaat voor of op 'n datum van tyd tot tyd deur die Raad op aanbeveling van die Senaat bepaal, ingedien word. Sodanige voorstel word skriftelik aan die Sekretaris van die Raad voorgelê en moet vergesel gaan van 'n verklaring waarin die redes vir die voorstel volledig uiteengesit word.

(2) Die voorstel word verwys na 'n Eregraadkomitee bestaande uit die Rector, wat as voorsitter optree, die Voorsitter van die Raad, die Vise-rektor, twee ander lede van die Raad en drie lede van die Senaat.

43. Die prosedure wat deur onderskeidelik die Raad en die Senaat gevolg word betreffende die oorweging van voorstelle om grade *honoris causa* toe te ken, word deur die betrokke liggaam bepaal.

Toekenning van Grade

44. (1) Met die oog op die toekenning van grade, word 'n vergadering van lede van die Universiteit, 'n kongregasie genoem, minstens een keer per jaar op 'n tyd en plek wat die Raad bepaal, gehou.

(2) Op 'n kongregasie tree die Kanselier, of in sy afwesigheid die Vise-kanselier, as voorsitter op.

(3) In the absence of both the Chancellor and the Vice-Chancellor, the Vice-Rector shall preside.

(4) No person shall be entitled to any of the privileges conferred by any degree before such degree has been conferred on him at a congregation.

(5) The procedure in respect of the presentation of graduands, the conferring of degrees *in absentia*, academic dress, and all other matters regarding congregations not provided for in this section, shall be determined by the Senate.

MINIMUM PERIOD OF ATTENDANCE

Ordinary and Honours Bachelor's Degrees

45. Subject to the provisions of the Act and this Statute, no candidate shall be admitted to the bachelor's degree unless he has—

- (a) registered as a matriculated student;
- (b) passed such examinations or tests and complied with such conditions as the University may impose for the completion of each course in each academic year of study in the subjects offered for the degree: Provided that no recognition for degree purposes shall be given to any course completed in any subject in any academic year of study unless the date of validity of his matriculation certificate or certificate of exemption from the matriculation examination precedes 2 April of the academic year in which such course was completed;
- (c) completed, subsequent to the date of validity of the matriculation certificate or of the certificate of full exemption from the matriculation examination issued by the Matriculation Board, the following minimum period of attendance recognised for such degree:
 - (i) For the degree of Bachelor of Arts in Pure Arts or in Communication or in Social Work or in Music or in Fine Arts or in Personnel Management, Bachelor of Science in Pure Science, Bachelor of Theology, Bachelor of Law, Bachelor of Commerce, Bachelor of Administration, Bachelor of Agriculture or Bachelor of Nursing Education and Administration: At least three academic years;
 - (ii) for the degree of Baccalaureus Procuratoris, Bachelor of Library and Information Science, Bachelor of Nursing Science, Bachelor of Pedagogics, Bachelor of Pedagogics in Physical Education, or Bachelor of Science in Surveying or in Agriculture or in Forest Science: At least four academic years;
 - (iii) for the degree of Bachelor of Education: A period of—
 - (aa) at least two years if he has, prior to this period of attendance, obtained the degree of Bachelor of Arts or of Science, or another degree accepted by the Senate of the University as equivalent thereto; or
 - (bb) at least one year if he has, prior to this period of attendance, obtained either an approved three-year bachelor's degree and an approved diploma or certificate in Education or an approved four-year bachelor's degree in Education;

(3) In die afwesigheid van sowel die Kanselier as die Vise-kanselier, tree die Vise-rektor as voorsitter op.

(4) Niemand is op enige van die voorregte wat 'n graad verleen, geregtig voordat sodanige graad op 'n kongregasie aan hom toegeken is nie.

(5) Die prosedure ten opsigte van die voorstelling van graduandi, die toekenning van grade *in absentia*, akademiese drag en alle ander aangeleenthede met betrekking tot kongregasies waarvoor daar nie in hierdie artikel voorsiening gemaak is nie, word deur die Senaat bepaal.

MINIMUM TYDPERK VAN BYWONING

Gewone en Honneursbaccalaureusgrade

45. Behoudens die bepalings van die Wet en hierdie Statuut, word geen kandidaat tot 'n baccalaureusgraad toegelaat nie, tensy hy—

- (a) hom as gematrikuleerde student laat inskryf het;
- (b) geslaag het in sodanige eksamens of toetse en voldoen het aan sodanige voorwaardes as wat die Universiteit voorskryf vir die voltooiing van elke kursus in elke akademiese studiejaar in die vakke wat vir die graad aangebied word: Met dien verstande dat geen erkenning vir die doel van 'n graad verleen word aan enige kursus voltooi in enige vak in enige akademiese studiejaar nie, tensy die geldigheidsdatum van sy matrikulasiesertifikaat of sertifikaat van vrystelling van die matrikulatie-eksamen vroeër is as 2 April van die akademiese jaar waarin sodanige kursus voltooi is;
- (c) na die geldigheidsdatum van die matrikulasiesertifikaat of van die sertifikaat van volle vrystelling van die matrikulatie-eksamen uitgereik deur die Matrikulasieraad, die volgende bywoningstydperk, wat as minimum vir so 'n graad erken word, voltooi het:
 - (i) Vir die graad Baccalaureus Artium in die Lettere en Wysbegeerte of in Kommunikasie of in Maatskaplike Werk of in Musiek of in Skone Kunste of in Personeelleiding, Baccalaureus Scientiae in die Suiwer Wetenskappe, Baccalaureus Theologiae, Baccalaureus Iuris, Baccalaureus Commercii, Baccalaureus Administrationis, Baccalaureus in Landbou of Baccalaureus Curationis (Institutionis et Administrationis): Minstens drie akademiese jare;
 - (ii) vir die graad Baccalaureus Procuratoris, Baccalaureus Bibliothecologiae, Baccalaureus Curationis, Baccalaureus Pedagogiae, Baccalaureus Pedagogiae in Liggaamlike Opvoeding of Baccalaureus Scientiae in Opmeetkunde of in Landbou of in Bosbou: Minstens vier akademiese jare;
 - (iii) vir die graad Baccalaureus Educationis: 'n Tydperk van—
 - (aa) minstens twee jaar, waar hy voor hierdie bywoningstydperk die graad Baccalaureus Artium of Scientiae of 'n ander graad wat deur die Senaat van die Universiteit as gelykwaardig daarmee aanvaar is, behaal het; of
 - (bb) minstens een jaar, waar hy voor hierdie bywoningstydperk of 'n goedgekeurde driejarige baccalaureusgraad en ook 'n goedgekeurde diploma of sertifikaat in die Opvoedkunde of 'n goedgekeurde vierjarige baccalaureusgraad in die Opvoedkunde behaal het;

- (iv) for the degree of Bachelor of Laws: A period of—
 - (aa) at least two years if he has, prior to this period of attendance, obtained the degree of Baccalaureus Procuratoris or Bachelor of Law or another degree accepted by the Senate of the University as equivalent thereto; or
 - (bb) at least three years if he has, prior to this period of attendance, obtained an approved three-year bachelor's degree;
- (v) for the degree of Bachelor of Forestry: At least two years after admission to the degree of Bachelor of Agriculture or Bachelor of Science in Agriculture;
- (vi) for any other bachelor's degree which is not an honours degree: At least three academic years;
- (vii) for the honours bachelor's degree: At least one academic year after admission to a bachelor's degree recognised for this purpose by the Senate of the University.

Master's Degree

46. Subject to any provision to the contrary in the Act and this Statute no candidate shall be admitted to the master's degree in any faculty other than the Faculty of Education until at least one year after he has satisfied the requirements of the honours bachelor's degree or until at least two years after he has been admitted to the ordinary bachelor's degree or to the status thereof in the faculty concerned: Provided that in the Faculty of Education at least one year shall elapse after the candidate has been admitted to the degree of Bachelor of Education or to the status thereof.

Doctor's Degree

47. Subject to any provisions to the contrary in the Act and this Statute, no candidate shall be admitted to the doctor's degree in any faculty until at least four years after he has been admitted to the bachelor's degree or to the status thereof.

Attendance at and Examinations of other Universities

48. (1) Notwithstanding any provision to the contrary in this Statute the Senate shall accept as part of the attendance of a student qualifying for admission to a bachelor's degree, other than a one-year honours bachelor's degree at the University, periods of attendance as a registered matriculated student at any other university or institution recognised by the Senate for this purpose: Provided that any such period of attendance shall be accepted only in respect of a recognised course and that the Senate may accept, as far as may be practicable, certificates of proficiency in any subject issued by the Senate of such other university or institution: Provided further that no such candidate shall be admitted to a degree unless he has complied with the provisions of subsection (2), and—

- (a) has passed such examinations as the Senate may determine;
- (b) has paid such fees as may be prescribed; and
- (c) has complied in all other respects with the requirements for the degree.

(2) A candidate shall not be admitted to an ordinary bachelor's degree in terms of subsection (1) unless—

- (a) his periods of attendance at the other university or institution and at the University combined are not less than the full period prescribed for admission to such degree; and

- (iv) vir die graad Legum Baccalaureus: 'n Tydperk van—

(aa) minstens twee jaar, waar hy voor hierdie bywoningstydperk die graad Baccalaureus Procuratoris of Baccalaureus Iuris of 'n ander graad wat deur die Senaat van die Universiteit as gelykwaardig daarmee aanvaar is, behaal het; of

(bb) minstens drie jaar, waar hy voor hierdie bywoningstydperk 'n goedgekeurde driejarige baccalaureusgraad behaal het;

- (v) vir die graad Baccalaureus in Bosbou: Minstens twee jaar na toelating tot die graad Baccalaureus in Landbou of Baccalaureus Scientiae in Landbou;

- (vi) vir enige ander baccalaureusgraad wat nie 'n honneursgraad is nie: Minstens drie akademiese jare;

- (vii) vir die honneursbaccalaureusgraad: Minstens een akademiese jaar na toelating tot 'n baccalaureusgraad wat vir dié doel deur die Senaat van die Universiteit erken is.

Magistersgraad

46. Behoudens andersluidende bepalings in die Wet en hierdie Statuut, word geen kandidaat tot die magistersgraad in 'n fakulteit, behalwe die Fakulteit Opvoedkunde, toegelaat nie voor minstens een jaar nadat hy aan die vereistes vir die honneursbaccalaureusgraad voldoen het of voor minstens twee jaar nadat hy tot die gewone baccalaureusgraad of gelyke status in die betrokke fakulteit toegelaat is: Met dien verstande dat in die Fakulteit Opvoedkunde minstens een jaar moet verloop nadat die kandidaat tot die graad Baccalaureus Educationis of gelyke status toegelaat is.

Doktorsgraad

47. Behoudens andersluidende bepalings in die Wet en hierdie Statuut, word geen kandidaat tot die doktorsgraad in 'n fakulteit toegelaat nie voor minstens vier jaar nadat hy tot die baccalaureusgraad of gelyke status toegelaat is.

Bywoning aan en eksamens van ander universiteite

48. (1) Ondanks enige andersluidende bepaling van hierdie Statuut, aanvaar die Senaat as deel van die bywoning van 'n student wat vir toelating tot 'n baccalaureusgraad, uitgesonderd 'n eenjarige honneursbaccalaureusgraad, aan die Universiteit kwalifiseer, bywoningstydperke as ingeskrewe gematrikuleerde student aan 'n ander universiteit of inrigting wat die Senaat vir dié doel erken: Met dien verstande dat so 'n bywoningstydperk aanvaar word slegs in die geval van 'n erkende leergang en dat die Senaat sover doenlik sertifikate van bekwaamheid in enige vak wat deur die Senaat van sodanige ander universiteit of inrigting uitgereik is, kan aanvaar: Met dien verstande voorts dat sodanige kandidaat nie tot 'n graad toegelaat word nie tensy hy aan die bepalings van subartikel (2) voldoen het, en—

- (a) in die eksamens wat die Senaat bepaal, geslaag het;
- (b) die gelde wat voorgeskryf word, betaal het; en
- (c) in alle ander opsigte aan die vereistes vir die graad voldoen het.

(2) Die toelating van 'n kandidaat tot 'n gewone baccalaureusgraad ingevolge subartikel (1) geskied, tensy—

- (a) sy bywoningstydperke aan die ander universiteit of inrigting en aan die Universiteit tesame minstens gelyk is aan die volle tydperk wat vir toelating tot die graad voorgeskryf word; en

- (b) he has taken approved courses at the University—
- (i) for the degree of Bachelor of Education, for at least the final academic year;
 - (ii) for a bachelor's degree for which the prescribed period of attendance is four years, for at least the final two academic years; and
 - (iii) for any other bachelor's degree, for at least two academic years; Provided that he has taken at least half the total number of courses prescribed for the degree.

General

49. If for any purpose in terms of the provisions of this Statute a quorum or a majority of votes consists of a numerical fraction and such fraction cannot be resolved to a whole number, the next highest whole number shall be deemed to constitute the required quorum or majority.

Repeal of Statute

50. The Statute published under Government Notice R. 2001 dated 5 November 1971 is hereby repealed.

51. Any body established, any person appointed or elected, any rule or regulation framed or any act performed in terms of the provisions of the Statute referred to in section 50 of this Statute shall be deemed to have been established, appointed, elected, framed or performed in terms of the corresponding provisions of this Statute.

- (b) hy aan die Universiteit goedgekeurde kursusse gevolg het—

- (i) vir die graad Baccalaureus Educationis, minstens gedurende die finale akademiese jaar;
- (ii) vir 'n baccalaureusgraad waarvoor die voorgeskrewe bywoningstydperk vier jaar is, minstens gedurende die finale twee akademiese jare; en
- (iii) vir 'n ander baccalaureusgraad, minstens gedurende twee akademiese jare: Met dien verstande dat hy minstens die helfte van die totale aantal kursusse voorgeskryf vir die graad, gevolg het.

Algemeen

49. Wanneer vir enige doel ingevolge die bepalings van hierdie Statuut 'n kworum of meerderheid van stemme 'n numeriese breuk uitmaak en sodanige breuk nie op 'n heelgetal uitwerk nie, word die volgende groter heelgetal geag die vereiste kworum of meerderheid uit te maak.

Herroeping van Statuut

50. Die Statuut afgekondig by Goewermmentskennisgewing R. 2001 van 5 November 1971 word hierby herroep.

51 'n Liggaam ingestel, 'n persoon aangestel of verkies, enige reël of regulasie opgestel of enige handeling verrig ingevolge of kragtens die bepalings van die Statuut bedoel in artikel 50 van hierdie Statuut word geag ingevolge of kragtens die ooreenstemmende bepalings van hierdie Statuut ingestel, aangestel of verkies, opgestel of verrig te gewees het.

DEPARTMENT OF FINANCE

No. R. 2671

19 December 1986

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE 1 (No. 1/1/1263)

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

K. D. S. DURR,

Deputy Minister of Finance and of Trade and Industry.

DEPARTEMENT VAN FINANSIES

No. R. 2671

19 Desember 1986

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE 1 (No. 1/1/1263)

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

K. D. S. DURR,

Adjunk-minister van Finansies en van Handel en Nywerheid.

SCHEDULE

I Tariff Heading	II Statistical Unit	III Rate of Duty		IV M.F.N.
		General		
20.01 By the substitution for tariff heading No. 20.01 of the following:				
"20.01 Vegetables and fruit, prepared or preserved by vinegar or acetic acid, with or without sugar, whether or not containing salt, spices or mustard:				
20.01.05 Cucumbers and gherkins	kg	20 %		
20.01.15 Onions	kg	20 %		
20.01.20 Olives	kg	25 %		
20.01.90 Other	kg	20 %		

Note.—Tariff heading No. 20.01 is restated and the rates of duty on pickles, mustard pickles, chutney and like preparations, tomatoes, cabbages, cucumbers and gherkins, prepared or preserved by vinegar, are amended to 20 %.

BYLAE

I Tariefpos	II Statistiese Eenheid	III IV Skaal van Reg	
		Algemeen	M.B.N.
20.01 Deur tariefpos No. 20.01 deur die volgende te vervang:			
"20.01 Groente en vrugte wat met asyn of asynsuur voorberei of gepreserveer is, met of sonder suiker, hetsy dit sout, speserye of mosterd bevat al dan nie:			
20.01.05 Komkommers en agurkies	kg	20 %	
20.01.15 Uie	kg	20 %	
20.01.20 Olywe	kg	25 %	
20.01.90 Ander	kg	20 %"	

Opmerking.—Tariefpos No. 20.01 word herskryf en die skale van reg op atjar, mosterdatjar, blatjang en soortgelyke bereidings, tamaties, kool, komkommers en agurkies, met asyn- of asynsuur voorberei of gepreserveer, word na 20 % gewysig.

No. R. 2672

19 December 1986

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE 1 (No. 1/1/1264)

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

K. D. S. DURR,

Deputy Minister of Finance and of Trade and Industry.

No. R. 2672

19 Desember 1986

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE 1 (No. 1/1/1264)

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

K. D. S. DURR,

Adjunk-minister van Finansies en van Handel en Nywerheid.

SCHEDULE

I Tariff Heading	II Statistical Unit	III IV Rate of Duty	
		General	M.F.N.
25.17 By the deletion of subheading No. 25.17.25.			

Note.—The separate provision for marble powder is deleted.

BYLAE

I Tariefpos	II Statistiese Eenheid	III IV Skaal van Reg	
		Algemeen	M.B.N.
25.17 Deur subpos No. 25.17.25 te skrap.			

Opmerking.—Die afsonderlike voorsiening vir marmerpoeier word geskrap.

No. R. 2673

19 December 1986

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE 1 (No. 1/1/1265)

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

K. D. S. DURR,

Deputy Minister of Finance and of Trade and Industry.

No. R. 2673

19 Desember 1986

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE 1 (No. 1/1/1265)

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

K. D. S. DURR,

Adjunk-minister van Finansies en van Handel en Nywerheid.

SCHEDULE

I Tariff Heading	II Statistical Unit	III IV Rate of Duty	
		General	M.F.N.
40.11 By the substitution for subheading No. 40.11.10 of the following:			
"40.11.10 Solid tyres:			
.15 Of a bead diameter not exceeding 190 mm	kg	5,5c per kg	
.25 of a bead diameter of more than 190 mm but not exceeding 394 mm and a rimwidth of 71 mm or more but not exceeding 185 mm	kg	20% plus 1,8c per kg	
.35 Of a bead diameter exceeding 394 mm	kg	5,5c per kg	
.90 Other	kg	5,5c per kg"	

Note.—Subheading No. 40.11.10 is restated for statistical purposes.

BYLAE

I Tariefpos	II Statistiese Eenheid	III Skaal van Reg		IV M.B.N.
		Algemeen		
40.11 Deur subpos No. 40.11.10 deur die volgende te vervang:				
"40.11.10 Soliede bande:				
.15 Met 'n spanranddeursnee van hoogstens 190 mm	kg	5,5c per kg		
.25 Met 'n spanranddeursnee van meer as 190 mm maar hoogstens 394 mm en 'n vellingwydte van minstens 71 mm maar hoogstens 185 mm	kg	20% plus 1,8c per kg		
.35 Met 'n spanranddeursnee van meer as 394 mm	kg	5,5c per kg		
.90 Ander	kg	5,5c per kg"		

Opmerking.—Subpos No. 40.11.10 word vir statistiese doeleindes herskryf.

No. R. 2674

19 December 1986

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE 3 (No. 3/888)

Under section 75 of the Customs and Excise Act, 1964, Schedule 3 to the said Act is hereby amended to the extent set out in the Schedule hereto.

K. D. S. DURR,

Deputy Minister of Finance and of Trade and Industry.

No. R. 2674

19 Desember 1986

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE 3 (No. 3/888)

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

K. D. S. DURR,

Adjunk-minister van Finansies en van Handel en Nywerheid.

SCHEDULE

I Rebate Item	II			III Extent of Rebate
	Tariff Heading	Rebate Code	Description	
311.06		"01.00 45	By the substitution for rebate code 01.00 to tariff heading No. 55.09 of the following: Woven fabrics of cotton (excluding fabrics in a twill or sateen weave), woven wholly or partly from yarns of 3 or more different colours or shades of the same colour which can be clearly identified with the naked eye, in such a manner as to form checks or stripes, not finished in any way, with a construction of 61 threads or more per cm ² , of a predominant linear density of 18 tex or finer in both the warp and the weft, in such quantities and at such times and subject to such conditions as the Director-General: Trade and Industry may allow by specific permit, for the finishing thereof, provided such fabrics undergo at least the processes of singeing and compressive shrinking	Full duty"
		"01.00 46	By the substitution for rebate code 01.00 to tariff heading No. 56.07 of the following: Woven fabrics of synthetic fibres mixed with cotton (excluding fabrics in a twill or sateen weave), woven wholly or partly from yarns of 3 or more different colours or shades of the same colour which can be clearly identified with the naked eye, in such a manner as to form checks or stripes, not finished in any way, with a construction of 61 threads or more per cm ² , of a predominant linear density of 18 tex or finer in both the warp and the weft, in such quantities and at such times and subject to such conditions as the Director-General: Trade and Industry may allow by specific permit, for the finishing thereof, provided such fabrics undergo at least the processes of singeing and compressive shrinking	Full duty"

Note.—Rebate items 311.06/55.09 and 311.06/56.07 are restated to make it clear that the different colours or shades must be clearly identifiable with the naked eye.

BYLAE

I Korting- item	II			III Mate van Korting
	Tarief- pos	Korting- kode	Beskrywing	
311.06		01.00 45	Deur kortingkode 01.00 by tariefpos No. 55.09 deur die volgende te vervang: Weefstowwe van katoen (uitgesonderd stowwe met 'n keper- of sateenbinding), uitsluitlik of gedeeltelik van gekleurde garings van minstens 3 verskillende kleure of skakerings van dieselfde kleur wat duidelik met die blote oog uitkenbaar is, geweef op so 'n wyse dat ruite of strepe gevorm word, nie op enige wyse afgewerk nie, met 'n konstruksie van minstens 61 drade per cm ² , met 'n oorheersende lineêre digtheid van 18 tex of fyner in beide die skering en die inslag, in die hoeveelhede en op die tye en onderworpe aan die voorwaardes wat die Direkteur-generaal: Handel en Nywerheid by bepaalde permit toelaat, vir die afwerking daarvan, mits sodanige stowwe minstens die prosesse van skroeiing en drukkrimping ondergaan	Volle reg"
		01.00 46	Deur kortingkode 01.00 by tariefpos No. 56.07 deur die volgende te vervang: Weefstowwe van sintetiese vesels met katoen vermeng (uitgesonderd stowwe met 'n keper- of sateenbinding), uitsluitlik of gedeeltelik van gekleurde garings van minstens 3 verskillende kleure of skakerings van dieselfde kleur wat duidelik met die blote oog uitkenbaar is, geweef op so 'n wyse dat ruite of strepe gevorm word, nie op enige wyse afgewerk nie, met 'n konstruksie van minstens 61 drade per cm ² , met 'n oorheersende lineêre digtheid van 18 tex of fyner in beide die skering en die inslag, in die hoeveelhede en op die tye en onderworpe aan die voorwaardes wat die Direkteur-generaal: Handel en Nywerheid by bepaalde permit toelaat, vir die afwerking daarvan, mits sodanige stowwe minstens die prosesse van skroeiing en drukkrimping ondergaan	Volle reg"

Opmerking.—Kortingitems 311.06/55.09 en 311.06/56.07 word herskryf ten einde dit duidelik te stel dat die verskillende kleure of skakerings duidelik met die blote oog waarneembaar moet wees.

DEPARTMENT OF MANPOWER

No. R. 2666

19 December 1986

WAGE ACT, 1957

AMENDMENT OF WAGE DETERMINATION 432.—
PLYWOOD INDUSTRY, CERTAIN AREAS

I, Pieter Theunis Christiaan du Plessis, Minister of Manpower, hereby, in terms of section 15 (6) of the Wage Act, 1957, amend Wage Determination 432, Plywood Industry, Certain Areas, published under Government Notice R. 549 of 23 March 1984, in accordance with the Schedule hereto and fix 12 January 1987 as the date from which the said amendment shall be binding.

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

SCHEDULE

1. In clause 1 (1), insert the expression "Chatsworth," before the word "Durban".

2. In clause 3—

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

"(1) *Minimum wages.*—(a) The minimum wages which an employer shall pay his employees shall be as specified in paragraphs (b) and (c): Provided that this requirement shall not apply to—

(i) an employer who at the date of publication of this notice was conducting not more than one business, which was located in any of the areas in which this determination is binding, and—

(aa) who was employing less than 50 employees in or in connection with such business, for so long as he continues thus to employ less than 50 employees at all times; or

DEPARTEMENT VAN MANNEKRAG

No. R. 2666

19 Desember 1986

LOONWET, 1957

WYSIGING VAN LOONVASSTELLING 432.—LAAG-
HOUTNYWERHEID, SEKERE GEBIEDE

Ek, Pieter Theunis Christiaan du Plessis, Minister van Mannekrag, wysig hierby kragtens artikel 15 (6) van die Loonwet, 1957, Loonvasstelling 432, Laaghoutnywerheid, Sekere Gebiede, gepubliseer by Goewermentskennisgewing R. 549 van 23 Maart 1984, ooreenkomstig die Bylae hiervan en bepaal 12 Januarie 1987 as die datum waarop genoemde wysiging bindend word.

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

BYLAE

1. In klousule 1 (1), voeg die uitdrukking "Chatsworth" in voor die uitdrukking "Durban".

2. In klousule 3—

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

"(1) *Minimum lone.*—(a) Die minimum lone wat 'n werkgewer sy werknemers moet betaal, is soos in paragrawe (b) en (c) bepaal: Met dien verstande dat hierdie vereiste nie van toepassing is nie op—

(i) 'n werkgewer wat op die datum van publikasie van hierdie kennisgewing hoogstens een besigheid bedryf het, wat geleë was in enige van die gebiede waarin hierdie vasstelling van toepassing is, en—

(aa) wat minder as 50 werknemers in of in verband met sodanige besigheid in diens gehad het, vir solank as wat hy voortgaan om te alle tye minder as 50 werknemers aldus in diens te hê; of

(ab) whose daily intake of logs, timber, board, veneer, bagasse or products of which wood or bagasse formed the main component, was less than 11 m³;

(ii) an employer who enters this industry after the date of publication of this notice and who conducts not more than one business, which is located in any of the areas in which this determination is binding, and—

(aa) who at all times employs less than 50 employees in or in connection with such business; or

(ab) whose daily intake of logs, timber, board, veneer, bagasse or products of which wood or bagasse forms the main component, is less than 11 m³;

Provided further that for the purposes of this subclause the expression 'daily intake' shall mean the average daily intake, at any date, for the preceding 12 months, excluding the months of December and January;

(iii) an employer during the first 12 months, in the aggregate, after commencing business in this industry in an area in which this determination is binding;

(iv) an employer who has been engaged in this industry in any of the areas in which this determination is binding, for a period of more than 12 months but less than 24 months in the aggregate, who shall, until he has been thus engaged for a period of 24 months in the aggregate, pay his employees not less than 90 per cent of the minimum wages specified in paragraphs (b) and (c):

(ab) wie se gemiddelde daaglikse inname van blokke, plantasiehout, bord, fineerhout, bagasse of produkte waarvan hout of bagasse die hoofbestanddeel vorm, minder as 11 m³ was;

(ii) 'n werkgever wat na die datum van publikasie van hierdie kennisgewing tot hierdie nywerheid toetree, wat hoogstens een besigheid bedryf, wat geleë is in enige van die gebiede waarin hierdie vasstelling van toepassing is, en—

(aa) wat te alle tye minder as 50 werknemers in of in verband met sodanige besigheid in diens het; of

(ab) wie se gemiddelde daaglikse inname van blokke, plantasiehout, bord, fineerhout, bagasse of produkte waarvan hout of bagasse die hoofbestanddeel vorm, minder as 11 m³ is;

Met dien verstande verder dat vir die toepassing van hierdie subklousule die uitdrukking 'daaglikse inname' die gemiddelde daaglikse inname, op enige datum, vir die voorafgaande 12 maande beteken, uitgesonderd die maande Desember en Januarie;

(iii) 'n werkgever gedurende die eerste 12 maande altesaam nadat hy sy besigheid in hierdie nywerheid begin het in 'n gebied waarin hierdie vasstelling van toepassing is;

(iv) 'n werkgever wat in hierdie nywerheid in 'n gebied waarin hierdie vasstelling van toepassing is, vir 'n tydperk van langer as 12 maande maar minder as altesaam 24 maande betrokke is, wat totdat hy aldus vir 'n tydperk van altesaam 24 maande betrokke is, sy werknemers nie minder nie as 90 persent van die minimum lone, soos in paragrafe (b) en (c) bepaal, moet betaal:

(b) Employees, other than casual employees

	In the Magisterial Districts of Barberton, Ermelo, Piet Retief, Pilgrim's Rest and White River		In die Magisterial Districts of Camperdown and Knysna		In all other areas	
	(i) Per week R	(ii) Per week R	(i) Per week R	(ii) Per week R	(i) Per week R	(ii) Per week R
Artisan.....	100,15	104,08	132,92	138,00	191,78	199,23
Artisan's aide—						
during the first year of experience	48,23	52,15	64,38	69,46	93,00	100,38
thereafter	54,23	58,15	72,23	77,31	104,08	111,23
Assistant foreman	85,08	89,08	113,08	118,15	163,62	171,23
Chargehand	41,31	45,23	54,69	59,77	79,15	86,54
Chauffeur	45,46	49,38	60,23	65,31	87,46	94,85
Clerk—						
during the first year of experience	47,31	51,23	62,54	67,62	90,23	97,62
during the second year of experience	57,92	61,85	76,85	81,92	110,77	118,38
during the third year of experience	69,00	72,92	90,92	96,00	131,54	138,92
thereafter	79,38	83,31	105,23	110,31	152,31	159,69
Driver of a light motor vehicle	45,46	49,38	60,23	65,31	87,46	94,85
Driver of a medium motor vehicle	55,62	59,54	74,08	79,15	107,08	114,69
Driver of a heavy motor vehicle	64,85	68,77	85,62	90,46	123,69	131,08
Driver of an extra heavy motor vehicle	70,38	74,31	93,69	98,77	135,23	142,62
Factory clerk—						
during the first year of experience	42,69	46,62	56,54	61,62	81,46	88,85
thereafter	48,23	52,15	64,38	69,46	93,00	100,38
Foreman	102,92	106,85	136,62	141,69	197,78	205,40
General worker	38,08	42,00	50,54	55,62	73,15	80,54
Grade I employee—						
during the first year of experience	47,77	51,69	63,46	68,54	92,08	99,46
thereafter	52,85	56,77	69,92	75,00	101,77	109,15
Grade II employee—						
during the first year of experience	44,08	48,00	58,31	63,46	84,69	92,08
thereafter	47,77	51,69	63,46	68,54	92,08	99,46
Grade III employee—						
during the first year of experience	41,31	45,23	54,69	59,77	79,15	86,54
thereafter	44,08	48,00	58,38	63,46	84,69	92,08
Grade IV employee—						
during the first six months experience	39,46	43,38	52,38	57,46	75,92	83,31
thereafter	41,31	45,23	54,69	59,77	79,15	86,54
Handyman	52,85	56,77	69,92	75,00	101,77	109,15
Main process panel operator—						
during the first year of experience	47,31	51,23	62,54	67,62	90,23	97,62
during the second year of experience	63,38	67,38	84,23	89,31	121,38	128,77
thereafter	79,38	83,31	105,23	110,31	152,31	159,69
Security guard	48,23	52,15	64,38	69,46	93,00	100,38
Supervisor—the highest wage prescribed in this subclause for the highest class of employee under his supervision plus 10%						

	In the Magisterial Districts of Barberton, Ermelo, Piet Retief, Pilgrim's Rest and White River		In die Magisterial Districts of Camperdown and Knysna		In all other areas	
	(i) Per week R	(ii) Per week R	(i) Per week R	(ii) Per week R	(i) Per week R	(ii) Per week R
Travelling representative—						
during the first year of experience	91,38	95,31	104,77	109,85	146,77	154,15
during the second year of experience	98,77	102,69	114,00	119,08	158,31	165,69
during the third year of experience	106,15	110,08	123,69	128,77	169,38	176,78
during the fourth year of experience	113,08	117,00	132,92	138,00	180,47	187,63
thereafter	120,46	124,38	142,15	147,23	191,78	199,17
Travelling representative's assistant	51,23	55,15	60,23	65,31	87,46	94,85
Watchman	42,69	46,62	56,54	61,62	81,46	88,85
Employee not elsewhere in this subclause specifically mentioned	42,69	46,62	56,54	61,62	81,46	88,85

(i) During the first year after this amendment becomes binding

(ii) Thereafter

(b) Werknemers, uitgesonderd los werknemers:

	In die landroosdistrikte Barberton, Ermelo, Piet Retief, Pelgrimsrus en Witrivier		In die landroosdistrikte Camperdown en Knysna		In alle ander gebiede	
	(i) Per week R	(ii) Per week R	(i) Per week R	(ii) Per week R	(i) Per week R	(ii) Per week R
Algemene werker	38,08	42,00	50,54	55,62	73,15	80,54
Ambagsman	100,15	104,08	132,92	138,00	191,78	199,23
Ambagsmanshulp—						
gedurende die eerste jaar ondervinding	48,23	52,15	64,38	69,46	93,00	100,38
daarna	54,23	58,15	72,23	77,31	104,08	111,23
Assistent-voorman	85,08	89,08	113,08	118,15	163,62	171,23
Bediener van 'n hoofprospekpaneel—						
gedurende die eerste jaar ondervinding	47,31	51,23	62,54	67,62	90,23	97,62
gedurende die tweede jaar ondervinding	63,38	67,38	84,23	89,31	121,38	128,77
daarna	79,38	83,31	105,23	110,31	152,31	159,69
Chauffeur	45,46	49,38	60,23	65,31	87,46	94,85
Drywer van 'n ligte motorvoertuig	45,46	49,38	60,23	65,31	87,46	94,85
Drywer van 'n medium motorvoertuig	55,62	59,54	74,08	79,15	107,08	114,69
Drywer van 'n swaar motorvoertuig	64,85	68,77	85,62	90,46	123,69	131,08
Drywer van 'n ekstra swaar motorvoertuig	70,38	74,31	93,69	98,77	135,23	142,62
Fabrieksklerk—						
gedurende die eerste jaar ondervinding	42,69	46,62	56,54	61,62	81,46	88,85
daarna	48,23	52,15	64,38	69,46	93,00	100,38
Faktotum	52,85	56,77	69,92	75,00	101,77	109,15
Klerk—						
gedurende die eerste jaar ondervinding	47,31	51,23	62,54	67,62	90,23	97,62
gedurende die tweede jaar ondervinding	57,92	61,85	76,85	81,92	110,77	118,38
gedurende die derde jaar ondervinding	69,00	72,92	90,92	96,00	131,54	138,92
daarna	79,38	83,31	105,23	110,31	152,31	159,69
Onderbaas	41,31	45,23	54,69	59,77	79,15	86,54
Reisende verteenwoordiger—						
gedurende die eerste jaar ondervinding	91,38	95,31	104,77	109,85	146,77	154,15
gedurende die tweede jaar ondervinding	98,77	102,69	114,00	119,08	158,31	165,69
gedurende die derde jaar ondervinding	106,15	110,08	123,69	128,77	169,38	176,78
gedurende die vierde jaar ondervinding	113,08	117,00	132,92	138,00	180,47	187,63
daarna	120,46	124,38	142,15	147,23	191,78	199,17
Reisende verteenwoordiger se assistent	51,23	55,15	60,23	65,31	87,46	94,85
Sekuriteitswag	48,23	52,15	64,38	69,46	93,00	100,38
Toesighouer—die hoogste loon voorgeskryf in hierdie subklousule vir die hoogste klas werknemer onder sy toesig, plus 10%	102,92	106,85	136,62	141,69	197,78	205,40
Voorman	42,69	46,62	56,54	61,62	81,46	88,85
Wag						
Werknemer graad I—						
gedurende die eerste jaar ondervinding	47,77	51,69	63,46	68,54	92,08	99,46
daarna	52,85	56,77	69,92	75,00	101,77	109,15
Werknemer graad II—						
gedurende die eerste jaar ondervinding	44,08	48,00	58,31	63,46	84,69	92,08
daarna	47,77	51,69	63,46	68,54	92,08	99,46
Werknemer graad III—						
gedurende die eerste jaar ondervinding	41,31	45,23	54,69	59,77	79,15	86,54
daarna	44,08	48,00	58,38	63,46	84,69	92,08
Werknemer graad IV—						
gedurende die eerste ses maande ondervinding	39,46	43,38	52,38	57,46	75,92	83,31
daarna	41,31	45,23	54,69	59,77	79,15	86,54
Werknemer nie elders in hierdie subklousule spesifiek genoem nie	42,69	46,62	56,54	61,62	81,46	88,85

(i) Gedurende die eerste jaar nadat hierdie wysiging bindend word

(ii) Daarna

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

(i) to perform the work of a class of employee for whom wages on a rising scale are prescribed, the expression 'daily wage' shall mean the daily wage prescribed for a qualified employee of that class as calculated in terms of subclause (4) (b);

(ii) to work for a period of not more than four consecutive hours on any day, his wage as referred to in this paragraph may be reduced by not more than 50 per cent in respect of that day."

(b) substitute in subclause (5) (b) (i), (ii) and (iii) the amounts "23 cents", "29 cents" and "35 cents" for the amounts "19c", "25c" and "29c", respectively; and

(c) substitute in subclause (6) (a) (ii) and (b) (ii) the amounts "R25" and "R13" for the amounts "R20" and "R9", respectively.

3. In clause 5, substitute in subclause (8) (a) (ii) (aa), (ab) and (ac) the amounts "R1 320", "R1 430" and "R1 550" for the amounts "R1 000", "R1 100" and "R1 200", respectively.

4. In clause 11, substitute the following for the proviso:

"Provided that an employer may require an employee to wash or to wash and iron such cap, uniform, overall or protective clothing in the employee's own time, in which event the employer shall pay such employee an allowance of not less than R1 per week for each week in which the employee is required to wear such article."

(c) *Los werknemers*.—'n Werkgever moet aan sy los werknemers vir elke dag of gedeelte van 'n dag diens, uitgesonderd diens op 'n openbare vakansiedag, soos omskryf, of op 'n Sondag, minstens die dagloon voorgeskryf vir 'n werknemer in dieselfde gebied wat vir die werkgever dieselfde klas werk verrig as dié wat van die los werknemer vereis word, plus 10 persent, betaal: Met dien verstande dat waar die werkgever van die los werknemer vereis om—

(i) die werk te verrig van 'n klas werknemer vir wie 'n loon teen 'n stygende skaal voorgeskryf word, die uitdrukking 'dagloon' beteken die dagloon vir 'n gekwalifiseerde werknemer van daardie klas, soos bereken ingevolge subklousule (4) (b);

(ii) vir 'n tydperk van hoogstens vier agtereenvolgende ure op enige dag te werk, sy loon waarna in hierdie paragraaf verwys word, met hoogstens 50 persent ten opsigte van sodanige dag verminder kan word."

(b) vervang in subklousule (5) (b) (i), (ii) en (iii) die bedrae "19c", "25c" en "29c" deur onderskeidelik die bedrae "23c", "29c" en "35c";

(c) vervang in subklousule (6) (a) (ii) en (b) (ii) die bedrae "R20" en "R9" deur onderskeidelik die bedrae "R25" en "R13".

3. In klousule 5, vervang in subklousule (8) (a) (ii) (aa), (ab) en (ac) die bedrae "R1 000", "R1 100" en "R1 200" deur onderskeidelik die bedrae "R1 320", "R1 430" en "R1 550".

4. In klousule 11, vervang die voorbehoudsbepaling deur die volgende:

"Met dien verstande dat 'n werkgever van 'n werknemer kan vereis om sodanige pet, uniform, oorpak of beskermende klere te was of te was en te stryk in die werknemer se eie tyd, in welke geval die werkgever sodanige werknemer 'n toelae moet betaal van minstens R1,00 per week vir elke week ten opsigte waarvan die werknemer vereis word om sodanige artikel te dra."

No. R. 2667

19 December 1986

WAGE ACT, 1957

AMENDMENT OF WAGE DETERMINATION 405.—WOODWORKING INDUSTRY, REPUBLIC OF SOUTH AFRICA

I, Pieter Theunis Christiaan du Plessis, Minister of Manpower, hereby, in terms of section 15 (6) of the Wage Act, 1957, amend Wage Determination 405, Woodworking Industry, Republic of South Africa, published under Government Notice R. 729 of 16 April 1981, as amended by Government Notice R. 2737 of 15 December 1983, in accordance with the Schedule hereto and fix 12 January 1987 as the date from which the said amendment shall be binding.

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

SCHEDULE

"1. AREA AND SCOPE OF DETERMINATION

(1) This determination shall apply to every employer, other than a small employer as defined in subclause (3), after he has been engaged for 12 months in the aggregate in the Woodworking Industry as defined in subclause (2), and to all his employees, other than managers as defined in subclause (4), in the Republic of South Africa.

(2) 'Woodworking Industry' or 'Industry' means the Industry in which employers and employees are associated for the purpose of performing any one or more of the following activities:

(a) The reduction of timber or logs to beams, poles, droppers, planks, baulks, mine props, sleepers, wedges or other standard forms by stripping off bark, drying, splitting, cutting up, sawing, planing or conversion of such timber or logs in any other manner and includes the treatment of any of the said articles by heat or chemicals where such treatment is carried on in conjunction with any of the aforesaid activities;

(b) the manufacture of wood-wool, boxes, shooks, packmats, trays, crates or other articles of which wood constitutes the main component;

and includes all operations incidental to or consequent on any of the aforesaid activities, but does not include the following:

(i) Joinery;

(ii) the manufacture of furniture, wagons, carts or boats;

No. R. 2667

19 Desember 1986

LOONWET, 1957

WYSIGING VAN LOONVASTSTELLING 405.—HOUT-VERWERKINGSNYWERHEID, REPUBLIEK VAN SUID-AFRIKA

Ek, Pieter Theunis Christiaan du Plessis, Minister van Mannekrag, wysig hierby kragtens artikel 15 (6) van die Loonwet, 1957, Loonvaststelling 405, Houtverwerkingsnywerheid, Republiek van Suid-Afrika, gepubliseer by Goewermentskennisgewing R. 729 van 16 April 1981, soos gewysig by Goewermentskennisgewing R. 2737 van 15 Desember 1983, ooreenkomstig die Bylae hiervan en bepaal 12 Januarie 1987 as die datum waarop genoemde wysiging bindend word.

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

BYLAE

"1. GEBIED EN OMVANG VAN VASTSTELLING

(1) Hierdie vasstelling is van toepassing op elke werkgever, uitgesonderd 'n klein werkgever soos in subklousule (3) omskryf, nadat hy altesaam 12 maande lank by die Houtverwerkingsnywerheid, soos by subklousule (2) omskryf, betrokke was, en op al sy werknemers, uitgesonderd bestuurders soos by subklousule (4) omskryf, in die Republiek van Suid-Afrika.

(2) 'Houtverwerkingsnywerheid' of 'Nywerheid' beteken die nywerheid waarin werkgevers en werknemers met mekaar geassosieer is met die doel om eenige of meer van die volgende bedrywighede uit te oefen:

(a) Die verwerking van hout of stompe tot balke, pale, sparre, planke, rubalke, mynstutte, dwarsleërs, wie of ander standaardvorms deur dit te ontbas, te droog, te kloof, op te sny, te saag, te skaaf of die bewerking van sodanige hout of stompe op enige ander manier en dit omvat die behandeling van enige van bogemelde artikels met hitte of chemikalieë waar sodanige behandeling tesame met enige van voormelde bedrywighede uitgeoefen word;

(b) die vervaardiging van houtwol, kaste, duie, pakmatte, kussies, kratte of ander artikels waarvan hout die hoofbestanddeel uitmaak;

en dit omvat alle werksaamhede wat met enige van voormelde bedrywighede gepaard gaan of daaruit voortspruit, maar sluit nie die volgende in nie:

(i) Skrynwark;

(ii) die vervaardiging van meubels, waens, karre of bote;

- (iii) the manufacture of coffins;
 - (iv) the manufacture of plywood, veneers, veneered boards, laminated boards, block boards, chip boards or any similar product of which wood forms the main component;
 - (v) the manufacture of containers or components of containers that are intended or used for the packing or marketing of agricultural products where such manufacture does not take place together with any of the activities mentioned in (a) or (b) above.
- (3) 'Small employer' means an employer carrying on not more than one business and—
- (a) whose daily intake of timber and/or logs does not exceed 16 m³ in the case of an employer conducting a sawmilling activity as defined in subclause (2) (a), whether or not such activity is conducted in conjunction with an activity referred to in subclause (2) (b); or
 - (b) whose daily intake of timber and/or sawn timber does not exceed 11 m³ in the case of an employer solely engaged in an activity referred to in subclause (2) (b) and/or the manufacture of charcoal and/or poles or droppers;

Provided that for the purposes of this subclause the expression 'daily intake' shall mean the average daily intake, at any date, for the preceding 12 months, excluding the months of December and January.

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

2. DEFINITIONS

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

(1) 'apprentice' means an employee employed in terms of a contract of apprenticeship registered or deemed to have been registered in terms of the Manpower Training Act, 1981, and includes an employee employed in a trade designated or deemed to have been designated in terms of that act for a period prior to the registration of a contract of apprenticeship; (67)

(2) 'Area A' means the Magisterial Districts of Alberton, Bellville, Benoni, Boksburg, Brakpan, Chatsworth, Delmas, Durban, Germiston, Goodwood, Inanda, Johannesburg, Kempton Park, Krugersdorp, Kuils River, Nigel, Oberholzer, Paarl, Pinetown, Port Elizabeth, Pretoria, Randburg, Randfontein, Roodepoort, Sasolburg, Simon's Town, Somerset West, Springs, Stellenbosch, Strand, The Cape, Vanderbijlpark, Vereeniging, Wonderboom and Wynberg; (19)

(3) 'Area B' means the Magisterial Districts of Bloemfontein, Kimberley, Klerksdorp, Odendaalsrus, Uitenhage, Virginia, Welkom, Wellington, Westonaria and Worcester and the municipal areas of East London, Pietermaritzburg, Potchefstroom and Witbank; (20)

(4) 'Area C' means the Magisterial Districts of Caledon, George, Hankey, Heidelberg (Cape), Humansdorp, Knysna, Mossel Bay, Riversdale and Swellendam, the municipal area of Kroonstad and the Magisterial District of East London, excluding the municipal area of East London; (21)

(5) 'Area D' means all areas not included in the definitions 'Area A', 'Area B' and 'Area C'; (22)

(6) 'artisan' means an employee who has completed or is deemed to have completed a contract of apprenticeship in a trade designated or deemed to have been designated in terms of the Manpower Training Act, 1981, or who holds a certificate issued or deemed to have been issued to him by the Registrar of Manpower Training and conferring artisan status on him in terms of that act, and any other employee engaged in work normally performed by an artisan except where specifically otherwise provided in this determination; (3)

(7) 'artisan's aide' means an employee, other than an apprentice or a trainee, who under the direction and supervision of an artisan assists the latter in the performance of tasks which do not require the training or skill of an artisan; (4)

(8) 'assistant factory clerk' means an employee who, under the supervision of a clerk or a factory clerk, is engaged in any one or more of the following activities:

- (a) Checking or recording times worked by employees;
- (b) filing or sorting consignment or delivery notes, requisitions or time or wage cards;
- (c) mass-measuring and recording the mass of logs;
- (d) recording sizes or lengths of timber;
- (e) stamping or writing tickets; (5)

(9) 'assistant foreman' means an employee who assists a foreman and who in so doing may perform any of the duties of a foreman and who may act for him during his absence; (6)

(10) 'boiler attendant' means an employee who, under supervision, maintains the water level and steam pressure in a boiler and who may make, maintain and draw the fire in such boiler; (29)

- (iii) die vervaardiging van doodkiste;
 - (iv) die vervaardiging van laaghout, fineerhout, gefineerde bord, gelamelleerde bord, blokkiesbord, spaanderbord of enige soortgelyke produk waarvan hout die hoofbestanddeel uitmaak.
 - (v) die vervaardiging van houers of komponente van houers wat bedoel is of gebruik word vir die verpakking of bemarking van landbouprodukte waar sodanige vervaardiging nie geskied tesame met enige van die bedrywighede genoem in (a) of (b) hierbo nie.
- (3) 'Klein werkgever' beteken 'n werkgever wat hoogstens een besigheid bedryf en—

- (a) wie se daaglikse inname van plantasiehout en/of blokke nie 16 m³ oorskry nie in die geval van 'n werkgever wat 'n saagmeulbedrywigheid bedryf soos omskryf in subklousule (2) (a), hetsy sodanige bedrywigheid tesame met 'n bedrywigheid vermeld in subklousule (2) (b) bedryf word al dan nie; of
- (b) wie se daaglikse inname van plantasiehout en/of gesaagde hout nie 11 m³ oorskry nie in die geval van 'n werkgever wat uitsluitlik 'n bedrywigheid vermeld in subklousule (2) (b) bedryf en/of houtskeel en/of pale en sparre vervaardig;

Met dien verstande dat vir die toepassing van hierdie subklousule die uitdrukking 'daaglikse inname' die gemiddelde daaglikse inname beteken, op enige datum, vir die voorafgaande 12 maande, uitgesonderd die maande Desember en Januarie.

(4) 'Bestuurder' 'n werknemer wat deur sy werkgever belas is met die algehele toesig oor, verantwoordelikheid vir en bestuur van die werksaamhede van 'n bedryfsinrigting of gedeelte van 'n bedryfsinrigting en die werknemers wat daarin werk, maar sluit nie 'n werknemer in dieselfde bedryfsinrigting in wat 'n bestuurder aflos of tydens sy afwesigheid namens hom optree nie.

2. WOORDOMSKRYWING

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

(1) 'aaneenlopende bedrywigheid' 'n bedrywigheid wat kragtens artikel 33 (1) (a) van die Wet op Basiese Diensvoorwaardes, 1983 (Wet 3 van 1983), as sodanig verklaar is; (16)

(2) 'algemene werker' 'n werknemer wat een of meer van die volgende bedrywighede of werksaamhede verrig:

- (a) Lym met 'n handkwas aanwend of lym met die hand uitdruk;
- (b) verduursamingsmiddels met die hand aan pale of hout aanwend;
- (c) pakmatte aanmeekaarsit of aanmeekaarryg;
- (d) hulp verleen op motorvoertuie, uitgesonderd om te dryf of herstelwerk te doen;
- (e) kramme vir jukke in 'n handpers buig;
- (f) artikels poets of beits;
- (g) duie of pakmatte met die hand opbodel, sorteer of met bande saambind of houers volmaak;
- (h) artikels dra, ophang, verskuif of opmekeer stapel;
- (i) stompe met die hand kap of regkap;
- (j) persele, voertuie, installasies, masjinerie, gereedskap, gerei of ander artikels skoonmaak;
- (k) rantsoene kook of tee of soortgelyke drank maak of tee of soortgelyke drank aan werknemers of sy werkgever bedien;
- (l) met die hand krimp, vaskram of vasmaak;
- (m) draad met die hand sny of reguit buig;
- (n) geboue of ander bouwerke sloop;
- (o) hout of ander artikels in verduursamingsmiddels, kleurstof, verf of ander vloeistoffoplossings inoep of invoer en sodanige artikels met die hand of met handgedrewe masjiene uithaal;
- (p) spykers wat nie reg ingeslaan is nie, uittrek of inhamer;
- (q) onder algemene toesig van 'n masjienebediener of 'n masjieneoperateur in masjiene invoer of daarvan afneem;
- (r) bome of plantegroei afkap of afsny, vernietig of verwyder;
- (s) ystertoebehore aan jukke met die hand vassit;
- (t) tuinwerk;
- (u) met die hand skuur;
- (v) kampongs, latrines, stalle, buitegeboue of soortgelyke geboue en strukture afwit;
- (w) laai of aflaa;
- (x) klip, grond, klei of sand losmaak, uithaal, breek of versprei of slote of fondamente uitgrawe of ander uitgrawings maak;
- (y) stene met 'n handgedrewe steenvormmasjiene maak;
- (z) vure maak of stook, of afval of as verwyder;

(11) 'boiler attendant-in-charge' means an employee who, under supervision, is in charge of one or more boiler attendants or more than one boiler in an establishment and who is responsible for maintaining the water level and steam pressure in such boilers; (68)

(12) 'casual employee' means an employee who is employed by the same employer on not more than three days in any week; (36)

(13) 'chargehand' means an employee who, under the supervision of a foreman or an assistant foreman, is in charge of a group of general workers; (49)

(14) 'chauffeur' means an employee, other than a driver or a travelling representative's assistant, who is engaged in driving a motor vehicle which is intended for the conveyance of his employer, clients or visitors and which may be used for the conveyance of employees, documents or parcels; (9)

(15) 'clerk' means an employee who is engaged in writing, typing, filing or in any other form of clerical work and includes a cashier, despatch clerk, storeman, telephone switchboard operator or any office machine operator but does not include a factory clerk or any other class of employee elsewhere defined in this clause notwithstanding the fact that clerical work may form part of such employee's duties; (30)

(16) 'continuous activity' means an activity declared as such under section 33 (1) (a) of the Basic Conditions of Employment Act, 1983 (Act 3 of 1983); (1)

(17) 'day' means the period of 24 hours from midnight to midnight: Provided that in the case of a shift worker, a security guard, a watchman or an employee employed in a continuous activity, it shall mean a period of 24 hours reckoned from the time such an employee commences work; (10)

(18) 'despatch clerk' means an employee who is responsible for the despatch or the packing of goods for transport or delivery and who may supervise the assembling, checking, mass-measuring, packing, marking, addressing or despatching of goods or packages; (69)

(19) 'dolly' means a trailer on which a semi-trailer rests and which converts the latter into a trailer; (11)

(20) 'driver' means an employee, other than a chauffeur, a factory driver or a travelling representative's assistant, who is engaged in driving a motor vehicle, and for the purposes of this definition the expression 'driving a motor vehicle' includes all periods of driving, any time spent on work connected with the vehicle or the load and all periods during which such employee is obliged to remain at his post in readiness to drive; (12)

(21) 'emergency work' means—

- (a) any work which, owing to unforeseen circumstances such as fire, storm, accident, epidemic, act of violence, sabotage, industrial unrest, theft, a breakdown of plant or machinery or a breakdown or threatened breakdown of buildings, must be done without delay;
- (b) any work in connection with the overhauling or repairing of plant or machinery which cannot be performed during ordinary working hours;
- (c) any work in connection with the loading or unloading of—
 - (i) ships;
 - (ii) trucks or vehicles of the South African Transport Services;
 - (iii) vehicles used by a cartage contractor in the fulfilment of his contract as such with the South African Transport Services; (48)

(22) 'experience' means—

- (a) in relation to a clerk or a factory clerk, the total period or periods of employment which an employee has had as a clerk or a factory clerk, respectively, in any trade or industry or in the service of a local authority or the State;
- (b) in relation to any other class of employee, the total period or periods of employment which an employee has had in his class in the Industry: Provided that any experience which a Grade II employee has had in that grade as a machine operator shall, up to a maximum of 12 months, be deemed to be experience as a machine operator employed on any of the machines referred to under the definition of Grade I employee; (50)

(23) 'extra heavy motor vehicle (articulated)' means a motor vehicle (articulated) the gross combination mass of which exceeds 16 000 kg but not 25 000 kg; (14)

(24) 'extra heavy motor vehicle (rigid)' means a motor vehicle (rigid) the gross vehicle mass of which exceeds 16 000 kg but not 25 000 kg; (15)

(25) 'factory clerk' means an employee who, under the supervision of a foreman, an assistant foreman or a qualified clerk, is engaged in any one or more of the following duties or capacities:

- (a) Calculating wages;
- (b) checking, counting, measuring or recording, other than repetitive measuring to a set gauge or checking or recording referred to in the definition of 'assistant factory clerk';
- (c) clerk in a compound;
- (d) copying in manuscript factory documents or letters;

(aa) stompe, planke, bale, kiste, houters, pakkette of ander artikels met die hand merk, brandmerk of sjabloneer of etikette daaraan vasheg;

(ab) beton met die hand meng of dit in gietvorms of fondamente in- of vasstamp;

(ac) klerehangers vasspyker of van hake voorsien of hulle lakvernis;

(ad) hout olie;

(ae) masjinerie olie of ghries wanneer hulle stil staan, of voertuie, uitgesonderd motorvoertuie, olie of ghries;

(af) kardoese, sakke, bale, kiste, pakkette of deure oop- of toemaak;

(ag) 'n handhystoestel bedien;

(ah) 'n handgedrewe stompervoerwa bedien of grepe aan stompe aanbring om hulle te kan ophys of verskuif;

(ai) houtafval opstapel en verbrand;

(aj) voorwerpe van eenvormige grootte of getal in houters sit wat spesiaal gemaak is om hulle te bevat;

(ak) voertuie sonder die hulp van meganiese toestelle stoot of trek;

(al) naaf na boormasjien toe stoot;

(am) skuurpapier van skywe afhaal en vervang;

(an) sanitêre emmers verwyder, leegmaak, skoonmaak of terugplaas;

(ao) kratte of kiste met die hand herstel;

(ap) herhalingsmassameting om 'n voorafbepaalde massa te verkry of herhalingsmeting tot 'n vaste maat;

(aq) met die hand skuur, puim of rasper;

(ar) kardoese, sakke of ander houters volskep of volmaak;

(as) voorwerpe in stelle sorteer;

(at) stompe, planke of borde volgens grootte sorteer;

(au) gebarste of beskadigde hout uitsorteer nadat dit gesaag is;

(av) sakke of ander houters sorteer, uitskud of heelmaak;

(aw) lym of ander oplossings roer;

(ax) plank-ente met bande vasmaak;

(ay) stompe met die hand of breekyster ontbas;

(az) uniforms, oorpakke of ander beskermende klere was en stryk; (29)

(3) 'ambagsman' 'n werknemer wat 'n kontrak van vakleerlingskap voltooi het of wat geag word dit te voltooi het in 'n ambag wat ingevolge die Wet op Mannekragopleiding, 1981, aangewys is of wat geag word ingevolge daarvan aangewys te wees, of wat in besit is van 'n sertifikaat wat deur die Registrateur van Mannekragopleiding aan hom uitgereik is of geag word aan hom uitgereik te wees en wat ingevolge daardie wet ambagsmanstatus aan hom verleen, en enige ander werknemer wat werk doen wat 'n ambagsman in die reël verrig, behalwe waar in hierdie vasstelling uitdruklik anders bepaal word; (6)

(4) 'ambagsmanshulp' 'n werknemer, uitgesonderd 'n vakleerling of 'n kwekeling, wat onder leiding en toesig van 'n ambagsman laasgenoemde bestaan in die uitvoering van take wat nie die opleiding of bedrewenheid van 'n ambagsman vereis nie; (7)

(5) 'assistent-fabrieksklerk' 'n werknemer wat, onder toesig van 'n klerk of 'n fabrieksklerk, een of meer van die volgende bedrywighede uitvoer:

(a) Nagaan of opteken van tye deur werknemers gewerk;

(b) liasseer of sorteer van vrag- of afleweringsbriewe, rekvisities of tyd- of loonkaarte;

(c) massameet en opteken van die massa van stompe;

(d) opteken van timmerhoutgroottes of -lengtes;

(e) kaartjies stempel of uitskryf; (8)

(6) 'assistent-voorman' 'n werknemer wat 'n voorman behulpsaam is en wat sodoenste enige van die pligte van 'n voorman kan verrig en wat gedurende sy afwesigheid namens hom kan waarneem; (9)

(7) 'bruto kombinasie-massa' met betrekking tot 'n motorvoertuig (gelede), die maksimum massa van die kombinasie van voertuie, met inbegrip van die trekvoertuig en die vrag soos gespesifiseer deur die vervaardiger of, by gebreke aan sodanige spesifikasie, soos bepaal deur die betrokke registrasie-owerheid; (34)

(8) 'bruto voertuig-massa' met betrekking tot 'n motorvoertuig (nie-gelede), die maksimum massa van sodanige voertuig en sy vrag soos gespesifiseer deur die vervaardiger of, by gebreke aan sodanige spesifikasie, soos bepaal deur die betrokke registrasie-owerheid; (35)

(9) 'chauffeur' 'n werknemer, uitgesonderd 'n drywer of 'n reisende vervoerwag se assistent, wat 'n motorvoertuig dryf wat vir die vervoer van sy werkgewer, klante of besoekers bedoel is en wat gebruik kan word vir die vervoer van werknemers, dokumente of pakkette; (14)

(10) 'dag' die tydperk van 24 uur van middernag tot middernag: Met dien verstande dat dit in die geval van 'n skofwerker, sekuriteitswag, 'n wag of 'n werknemer in 'n aanenlopende bedrywigheid 'n tydperk van 24 uur gereken vanaf die tyd wat so 'n werknemer begin werk, beteken; (17)

(11) 'drastel' 'n sleepwa waarop 'n leunwa rus en wat laasgenoemde in 'n sleepwa kan omskep; (19)

- (e) interpreting or translating languages used by Black or Asian employees;
- (f) issuing permits, registration documents, certificates of service or time cards;
- (g) keeping work study records;
- (h) recording the engagement, discharge or resignation of employees;
- (i) recording details on time or wage cards;
- (j) recording piecework earnings;
- (k) scheduling production figures;
- (l) writing up stock cards;
- (m) writing out consignment or delivery notes;

and who may generally assist a storeman or despatch clerk; (17)

(26) 'factory driver' means an employee who is engaged in driving mainly within an establishment any power-driven vehicle used for towing vehicles or for moving, conveying or stacking goods and includes the operator of a crane; (16)

(27) 'first-aid attendant' means an employee who is in charge of a first-aid room, who may record injuries and who holds a current certificate of competency in first-aid issued by—

- (a) the South African Red Cross Society;
- (b) the St John Ambulance Association; or
- (c) die Suid-Afrikaanse Noodhulppliga; (27)

(28) 'foreman' means an employee who is in charge of the employees in an establishment, or a department of an establishment or part of an establishment, who exercises control over such employees and who is responsible to a manager for the efficient performance by them of their duties; (70)

(29) 'general worker' means an employee who is engaged in any one or more of the following activities or operations:

- (a) Applying glue by hand brush or squeezing glue by hand;
- (b) applying preservatives to poles or timber by hand;
- (c) assembling or lacing packmats;
- (d) assisting on motor vehicles other than driving or effecting repairs;
- (e) bending staples for yokes in handpress;
- (f) buffing or staining articles;
- (g) bundling, sorting or strapping shooks or packmats by hand or filling containers;
- (h) carrying, lifting, moving or stacking articles;
- (i) chopping or trimming logs by hand;
- (j) cleaning premises, vehicles, plant, machinery, tools, utensils or other articles;
- (k) cooking rations or making tea or similar beverages or serving tea or similar beverages to employees or his employer;
- (l) crimping, stapling or fastening by hand;
- (m) cutting or straightening wire by hand;
- (n) demolishing buildings or other structures;
- (o) dipping or feeding timber or other articles into preservatives, dye, paint or other liquid solutions and removing such articles by hand or hand-operated machine;
- (p) extracting or hammering nails that have misfired;
- (q) feeding into or taking off from machines under the general supervision of a machine minder or a machine operator;
- (r) felling or cutting, destroying or removing trees or vegetation;
- (s) fixing iron fittings to yokes by hand;
- (t) gardening work;
- (u) hand sandpapering;
- (v) limewashing compounds, latrines, stables, outbuildings or similar buildings or structures;
- (w) loading or unloading;
- (x) loosening, taking out, breaking or spreading stones, soil, clay or sand or digging trenches, foundations, or other excavations;
- (y) making bricks with hand-operated brick-making machine;
- (z) making or maintaining fires or removing refuse or ashes;
- (aa) marking, branding, stencilling or affixing labels on logs, planks, bales, boxes, containers, packages or other articles by hand;
- (ab) mixing concrete by hand or ramming or tamping concrete into moulds or foundations;
- (ac) nailing, fitting hooks to or lacquering coathangers;
- (ad) oiling timber;
- (ae) oiling or greasing machinery when not in motion or oiling or greasing vehicles other than motor vehicles;

(12) 'drywer' 'n werknemer, uitgesonderd 'n chauffeur 'n fabrieks-drywer of 'n reisende verteenwoordiger se assistent, wat 'n motorvoertuig dryf, en by die toepassing van hierdie woordskrywing omvat die uitdrukking 'n motorvoertuig dryf' al die tyd wat hy dryf en al die tyd wat hy bestee aan werk in verband met die voertuig of die vrag en alle tydperke wat sodanige werknemer verplig is om op sy pos te bly gereed om te dryf; (20)

(13) 'eerstehulpbediener' 'n werknemer wat in beheer is van 'n eerste-hulpkamer, wat beserings kan opteken en wat in besit is van 'n geldige bekwaamheidsertifikaat in eerste-hulp uitgereik deur—

- (a) die Suid-Afrikaanse Rooikruisvereniging;
- (b) die St. John Ambulance Association; of
- (c) die Suid-Afrikaanse Noodhulppliga; (27)

(14) 'ekstra swaar motorvoertuig (gelede)' 'n motorvoertuig (gelede) waarvan die bruto kombinasie-massa meer as 16 000 kg maar hoogstens 25 000 kg is; (23)

(15) 'ekstra swaar motorvoertuig (nie-gelede)' 'n motorvoertuig (nie-gelede) waarvan die bruto voertuigmassa meer as 16 000 kg maar hoogstens 25 000 kg is; (24)

(16) 'fabrieksdrywer' 'n werknemer wat hoofsaaklik binne 'n bedryfsinrigting kragaaangedrewe voertuie dryf wat gebruik word om voertuie te sleep of om goedere te verskuif, te vervoer of opmekaar te stapel, en dit omvat ook 'n hyskraanoperateur; (26)

(17) 'fabrieksklerk' 'n werknemer wat, onder toesig van 'n voorman, assistent-voorman of gekwalifiseerde klerk, een of meer van die volgende pligte uitvoer of in een of meer van die volgende hoedanigehede werksaam is:

- (a) Lone bereken;
- (b) nagaan, tel, meet of opteken, uitgesonderd herhaalde meting volgens 'n vaste maat of nagaan of opteken bedoel in die woordskrywing van 'assistent-fabrieksklerk';
- (c) klerk in 'n kampong;
- (d) fabrieksdokumente of briewe met die hand kopieer;
- (e) tale wat deur Swart of Indiërwerknemers gepraat word, tolk of vertaal;
- (f) permitte, registrasiedokumente, dienssertifikate of tydkaarte uitreik;
- (g) werkstudierekords byhou;
- (h) die indiensneming, ontslag of bedanking van werknemers aanteken;
- (i) besonderhede op tyd- of loonkaarte aanteken;
- (j) stukwerkverdiensies aanteken;
- (k) lyste maak van produksiesyfers;
- (l) voorraadkaarte byhou;
- (m) vrag- of afleweringbriewe uitskryf; en

wat 'n magasynklerk of versendingsklerk oor die algemeen kan bystaan; (25)

(18) 'faktotum' 'n werknemer, uitgesonderd 'n vakleerling, ambagsmanshulp of kwekeling wat kleinere herstelwerk of verstellings doen aan masjinerie of uitrusting, uitgesonderd masjinerie of uitrusting wat regstreeks by die vervaardigingsproses gebruik word, en wat ook kleinere herstelwerk of opknappings aan geboue kan doen maar wat geen werk verrig wat gewoonlik deur 'n ambagsman gedoen word nie; (36)

(19) 'Gebied A'—die landdrostdistrikte Alberton, Bellville, Benoni, Boksburg, Brakpan, Chatsworth, Delmas, Die Kaap, Durban, Germiston, Goodwood, Inanda, Johannesburg, Kempton Park, Krugersdorp, Kuilsrivier, Nigel, Oberholzer, Paarl, Pinetown, Port Elizabeth, Pretoria, Randburg, Randfontein, Roodepoort, Sasolburg, Simonstad, Somerset-Wes, Springs, Stellenbosch, Strand, Vanderbijlpark, Vereeniging, Wonderboom en Wynberg; (21)

(20) 'Gebied B'—die landdrostdistrikte Bloemfontein, Kimberley, Klerksdorp, Odendaalsrus, Uitenhage, Virginia, Welkom, Wellington, Westonaria en Worcester en die munisipale gebiede van Oos-Londen, Pietermaritzburg, Potchefstroom en Witbank; (3)

(21) 'Gebied C'—die landdrostdistrikte Caledon, George, Hankey, Heidelberg (Kaap), Humansdorp, Knysna, Mosselbaai, Oos-Londen (uitgesonderd die munisipale gebied Oos-Londen), Riversdal en Swellendam en die munisipale gebied van Kroonstad; (4)

(22) 'Gebied D'—alle gebiede wat nie by die omskrywings van 'Gebied A', 'Gebied B' en 'Gebied C' ingesluit is nie; (5)

(23) 'gekwalfiseerd' met betrekking tot 'n werknemer, dat die onder-vinding wat die werknemer in sy klas werk opgedoen het, hom geregtig maak op die hoogste loontarief wat vir daardie klas voorgeskryf word; en, omgekeerd, beteken 'ongekwalfiseerd' dat sy ondervinding in sy klas hom nie op sodanige hoogste loontarief geregtig maak nie; (56)

(24) 'gewone werkure' die werkure voorgeskryf in klousule 5 (1) of indien, volgens ooreenkoms tussen 'n werkgever en sy werknemer, laas-genomde korter ure werk, sodanige korter ure; (52)

- (af) opening or closing bags, sacks, bales, boxes, packages or doors;
- (ag) operating a hand hoist;
- (ah) operating a hand-operated log carriage or putting grips on logs for hoisting or moving them;
- (ai) piling and burning cutting;
- (aj) placing articles of uniform size or number into receptacles specially made to contain them;
- (ak) pushing or pulling vehicles otherwise than with the use of mechanical devices;
- (al) pushing nave to boring machine;
- (am) removing, and replacing sandpaper on discs;
- (an) removing, emptying, cleaning or replacing sanitary pails;
- (ao) repairing crates or boxes by hand;
- (ap) repetitive mass-measuring to a predetermined mass or repetitive measuring to a set gauge;
- (aq) sandpapering, pumicing or rasping by hand;
- (ar) shovelling or filling bags, sacks or other containers;
- (as) sorting articles into batches;
- (at) sorting logs, planks or boards according to size;
- (au) sorting out cracked or damaged timber after sawing;
- (av) sorting, shaking out or mending sacks or other containers;
- (aw) stirring glue or other solutions;
- (ax) strapping plank ends;
- (ay) stripping bark off logs by hand or jemmy;
- (az) washing/ironing uniforms, overalls or other protective clothing; (2)
- (30) 'grade I employee' means an employee engaged in any one or more of the following capacities or activities:
 - (a) Full-time first-aid attendant;
 - (b) grading of longitudinally sawn timber for quality;
 - (c) hand-dressing or chisselling or woodturning by hand;
 - (d) machine minder on a spindle machine except on an automatic spindle when used for rounding box ends;
 - (e) machine operator employed on any of the following machines:
 - (i) Automatic lathe;
 - (ii) automatic nailing machine;
 - (iii) automatic stencilling or box board printing machine;
 - (iv) baling press;
 - (v) board edger;
 - (vi) broom handle machine;
 - (vii) chip and saw machine;
 - (viii) combination machine (delta type);
 - (ix) double log edger;
 - (x) double or triple drum sanding machine;
 - (xi) dovetailing machine;
 - (xii) finger jointing machine;
 - (xiii) four, five or six cutter moulding machine;
 - (xiv) log breakdown saw, band, circular or frame saw, excluding cross-cutting operations;
 - (xv) mechanical selector;
 - (xvi) mosaic assembly unit;
 - (xvii) moulding spindle;
 - (xviii) panel and door sanding machine;
 - (xix) rotary veneer peeler;
 - (xx) throater and tenoning machine;
 - (xxi) universal machine;
 - (xxii) upright spindle;
 - (xxiii) veneer slicing machine;
 - (xxiv) woodworking lathe;
 - (f) drying-kiln operator;
 - (g) saw sharpener;
 - (h) spray painter; (25)

(25) 'graad I-werknemer' 'n werknemer wat in een of meer van die volgende hoedanighede werksaam is of een of meer van die volgende bedrywighede uitvoer:

- (a) Voltydse eerste-hulpbediener;
- (b) gradering van oorlangs gesaagde hout vir kwaliteit;
- (c) handbewerking of beitel- of houtdraaiwerk met die hand;
- (d) masjienbediener op 'n houtfreesmasjien, uitgesonderd op 'n outomatiese houtfrees wanneer dit gebruik word om kis-ente af te rond;
- (e) masjienoperateur wat diens doen op enige van die volgende masjiene:
 - (i) Outomatiese draaibank;
 - (ii) outomatiese vasspykermasjiene;
 - (iii) outomatiese sjabloneer- of kisplankdrukmasjiene;
 - (iv) baalpers;
 - (v) plankkantaafwerker;
 - (vi) besemstokmasjiene;
 - (vii) splinter- en saagmasjiene;
 - (viii) kombinasie-masjiene (delta-tipe);
 - (ix) dubbelstompkanter;
 - (x) dubbeldrom- of driedromskuurmasjiene;
 - (xi) swaelstertmasjiene;
 - (xii) vingerlaswerkmasjiene;
 - (xiii) vier-, vyf- of seslemlysmasjiene;
 - (xiv) stompopbreesaag, band-, sirkel- of raamsaag, uitgesonderd dwarssaagwerk;
 - (xv) meganiese selektor;
 - (xvi) mosaiekmontecereenheid;
 - (xvii) lysmasjienspil;
 - (xviii) paneel- en deurskuurmasjiene;
 - (xix) rotasie-fineerskiller;
 - (xx) drupgroef- en tapsnymasjiene;
 - (xxi) universele masjiene;
 - (xxii) regopspil;
 - (xxiii) fineersnymasjiene;
 - (xxiv) houtwerkdraaibank;
- (f) droogoond-operateur;
- (g) saagslyper;
- (h) spuitskilder; (30)

(26) 'graad II-werknemer' 'n masjienoperateur werksaam op enige masjiene uitgesonderd 'n masjiene bedoel in die woordskrywing van 'graad I-werknemer'; (31)

(27) 'graad III-werknemer' 'n werknemer wat in een of meer van die volgende hoedanighede werksaam is of een of meer van die volgende bedrywighede uitvoer:

- (a) Voorafvervaardigde onderdele inmeekaarsit, wat die gebruik van elektriese, druklug of outomatiese draagbare handgereedskap meebring of wat pas en verstel met behulp van handgereedskap meebring;
- (b) nagaan en opteken volgens die kerfstokstelsel;
- (c) gradering van hout (uitgesonderd gradering van oorlangs gesaagde hout vir kwaliteit);
- (d) masjienbediener werksaam op enige masjiene, uitgesonderd 'n masjiene bedoel in item (d) van die woordskrywing van 'graad I-werknemer' of in die woordskrywing van 'graad IV-werknemer';
- (e) saagskerpmakerbediener;
- (f) stuiksweiserwerk;
- (g) die naai van seil of ander materiaal;
- (h) lymmenger; (32)

(28) 'graad IV-werknemer' 'n werknemer wat in een of meer van die volgende hoedanighede werksaam is of een of meer van die volgende bedrywighede uitvoer:

- (a) Kissies met die hand aanmeekaarsit, vasspyker, met bande vasmaak of met draad vasbind;
- (b) die inmeekaarsit van voorafvervaardigde onderdele wat die gebruik van handgereedskap meebring, uitgesonderd die werksaamhede bedoel in die woordskrywing van 'algemene werker';
- (c) 'n ambagsman bystaan deur voorwerpe of gereedskap vir hom vas te hou of deur andersins met hom saam te werk, sonder die selfstandige gebruik van gereedskap;
- (d) gate met handgereedskap of draagbare masjiengereedskap in hout boor of gate met 'n masjiene in dwarsleërs van stopstukke vir pakmatte boor;
- (e) pype of staaltange met die hand of masjiene onder algemene toesig sny, skroef, buig en van skroefdraad voorsien;
- (f) briewe, boodskappe of artikels te voet of met behulp van 'n fiets, driewiel of handvoertuig buite sy werkgewer se bedryfsinrigting aflewer;

(31) 'grade II employee' means a machine operator employed on any machine, other than a machine referred to in the definition of 'grade I employee'; (26)

(32) 'grade III employee' means an employee engaged in any one or more of the following capacities or activities:

- (a) Assembling pre-manufactured components entailing the use of electric, pneumatic or automatic portable hand tools or entailing fitting and adjusting by means of hand tools;
- (b) checking and recording by the tally system;
- (c) grading timber (excluding grading of longitudinally sawn timber for quality);
- (d) machine minder employed on any machine other than a machine referred to in item (d) of the definition 'grade I employee' or in the definition of 'grade IV employee';
- (e) saw sharpening attendant;
- (f) butt welding;
- (g) sewing of canvas or other material;
- (h) glue mixer; (27)

(33) 'grade IV employee' means an employee engaged in any one or more of the following capacities or activities:

- (a) Assembling, nailing, strapping or wiring boxes by hand;
- (b) assembling pre-manufactured components entailing the use of hand tools other than those operations referred to in the definition of 'general worker';
- (c) assisting an artisan by holding articles or tools or otherwise working with him other than by the independent use of tools;
- (d) boring or drilling holes in timber by hand tool or portable power tool or drilling holes in sleepers of chock pieces for packmats by machine;
- (e) cutting, screwing, bending and threading of piping or steel rods by hand or machine under general supervision;
- (f) delivering letters, messages or any articles on foot or by means of a bicycle, tricycle or handpropelled vehicle outside his employer's establishment;
- (g) dismantling packing cases by hand tool or portable power tool;
- (h) dressing metal by hand or by grinding or by portable power tool;
- (i) drilling or punching metal by hand or machine under general supervision;
- (j) machine minder employed on any one or more of the following machines:
 - (i) Bundling machine;
 - (ii) corrugated fastener machine;
 - (iii) moulding spindle when used for rounding box ends;
 - (iv) stapling machine;
- (k) marking out to template supplied;
- (l) nailing of canvas or other material;
- (m) oiling or greasing motor vehicles;
- (n) riveting handles; (28)

(34) 'gross combination mass' in relation to a motor vehicle (articulated) means the maximum mass of the combination of vehicles, including that of the drawing motor vehicle and the load, as specified by the manufacturer or, in the absence of such specification, as determined by the registering authority concerned; (7)

(35) 'gross vehicle mass' in relation to a motor vehicle (rigid) means the maximum mass of such vehicle and its load as specified by the manufacturer or, in the absence of such specification, as determined by the registering authority concerned; (8)

(36) 'handyman' means an employee, other than an apprentice, artisan's aide or a trainee, who is engaged in making minor repairs or adjustments to machinery or equipment, other than machinery or equipment directly used in the manufacturing process and who may effect minor repairs or renovations to buildings but who does not perform work normally done by an artisan; (18)

(37) 'heavy motor vehicle (articulated)' means a motor vehicle (articulated) the gross combination mass of which exceeds 9 000 kg but not 16 000 kg; (63)

(38) 'heavy motor vehicle (rigid)' means a motor vehicle (rigid) the gross vehicle mass of which exceeds 9 000 kg but not 16 000 kg; (64)

(39) 'law' includes the common law; (74)

(40) 'light motor vehicle' means a motor vehicle the gross vehicle mass or gross combination mass of which does not exceed 3 500 kg; (34)

(41) 'local authority' means any borough council, city council, municipal council, village management board, divisional council or any similar institution or body contemplated in section 84 (1) (f) of the Provincial Government Act, 1961, or in any other parliamentary legislation; (53)

(g) verpakingskaste met handgereedskap of draagbare masjiengereedskap uitmeekaarmaak;

(h) metaal met die hand of deur te skuur of met draagbare masjiengereedskap dresseer;

(i) metaal onder algemene toesig met die hand of 'n masjien boor of pons;

(j) masjienbediener werksaam op een of meer van die volgende masjiene:

(i) Bondelmasjien;

(ii) kartelkrammasjien;

(iii) lysmasjienspil wanneer dit gebruik word om kis-ente af te rond;

(iv) hegmasjien;

(k) volgens 'n verskafte sjabloon afmerk;

(l) seil of ander materiaal vasspyker;

(m) motorvoertuie olie of ghries;

(n) handvatsels vasklink; (33)

(29) 'ketelbediener' 'n werknemer wat onder toesig die waterpeil en stoomdruk in 'n stoomketel in stand hou en wat die vuur in sodanige stoomketel kan maak, stook en uithaal; (10)

(30) 'klerk' 'n werknemer wat skryf-, tik-, lasseer- of enige ander soort klerklike werk verrig en dit omvat 'n kassier, versendingsklerk, magasynklerk, telefoonskakelbordoperateur of enige kantoormasjienoperateur maar nie 'n fabrieksklerk of enige ander klas werknemer wat elders in hierdie kousule omskryf word nie, al maak klerklike werk ook deel uit van sodanige werknemer se werk; (15)

(31) 'korttyd' 'n tydelike vermindering van die getal gewone werkers weens 'n slapte in die bedryf, 'n tekort aan grondstowwe, 'n onklaarmaking van masjinerie of installasie, of weens die feit dat die geboue onbruikbaar is of dreig om onbruikbaar te word; (62)

(32) 'kwekeling' 'n werknemer, uitgesonderd 'n vakleerling, vir wie daar ingevolge die Wet op Mannekragopleiding, 1981, voorsiening gemaak word vir opleiding in 'n ambag wat ingevolge daardie wet aangewys is of geag word aangewys te wees; (67)

(33) 'leunwa' 'n sleepwa wat geen vooras het nie en só ontwerp of ingerig is om op 'n voorspanmotor te rus en deur hom getrek word; (60)

(34) 'ligte motorvoertuig' 'n motorvoertuig waarvan die bruto voertuig-massa of bruto kombinasie-massa hoogstens 3 500 kg is; (40)

(35) 'loon' die bedrag wat ingevolge kousule 3 (1) aan 'n werknemer betaalbaar is ten opsigte van sy gewone werke: Met dien verstande dat as 'n werkgewer 'n werknemer ten opsigte van sodanige gewone werke gereeld 'n hoër bedrag betaal as dié by kousule 3 (1) voorgeskryf, dit sodanige hoër bedrag beteken, maar hierdie voorbehoudsbepaling mag nie so uitgelê word nie dat dit besoldiging bedoel of omvat wat 'n werknemer wat in diens is op enige grondslag waarvoor daar by kousule 9 voorsiening gemaak word, ontvang bo en behalwe die bedrag wat hy sou ontvang het as hy nie op so 'n grondslag in diens was nie; en 'dagloon' of 'weekloon' het 'n ooreenstemmende betekenis; (72)

(36) 'los werknemer' 'n werknemer wat hoogstens drie dae per week by dieselfde werkgewer in diens is; (12)

(37) 'magasynklerk' 'n werknemer wat beheer het oor voorrade inkomende goedere of afgewerkte of gedeeltelik afgewerkte produkte en wat daarvoor verantwoordelik is om goedere in 'n magasyn, pakhuis of oop voorraadwerf te ontvang, op te berg, te verpak of uit te pak of om goedere uit 'n magasyn, pakhuis of oop voorraadwerf aan verbruiksafdelings of vir versending te lewer; (64)

(38) 'masjienbediener' 'n werknemer wat oor 'n kragaangedrewe masjien toesig hou, dit bedien, aan- of afskakel, en wat sodanige masjien kan voer of daarvan kan afneem maar nie die masjien opstel of verstellers daaraan doen nie, uitgesonderd voorgese verstellers wat deel uitmaak van die bediening van die masjien; (42)

(39) 'masjienoperateur' 'n werknemer wat oor 'n kragaangedrewe masjien toesig hou, dit bedien, aan- of afskakel, en wat sodanige masjien opstel of verstelling daaraan doen; (43)

(40) 'masjienopsigter' 'n werknemer wat meer as een kragaangedrewe masjien opstel of verstellers of kleinere herstelwerk daaraan doen en wat daarbenevens die pligte van 'n masjienoperateur of 'n masjienbediener kan uitvoer of toesig kan hou oor een of meer masjienoperateurs en masjienbedieners; (44)

(41) 'medium motorvoertuig (gelede)' 'n motorvoertuig (gelede) waarvan die bruto kombinasie-massa meer as 3 500 kg maar hoogstens 9 000 kg is; (45)

(42) 'medium motorvoertuig (nie-gelede)' 'n motorvoertuig (nie-gelede) waarvan die bruto voertuig-massa meer as 3 500 kg maar hoogstens 9 000 kg is; (46)

(43) 'militêre diens' 'n tydperk van diens of opleiding kragtens die Verdedigingswet, 1957 (Wet 44 van 1957); (47)

(42) 'machine minder' means an employee who attends, operates, starts or stops a power-driven machine, and who may feed or take off from such machine but who does not set up or make adjustments to the machine other than preselected adjustments which form part of the operation of the machine; (38)

(43) 'machine operator' means an employee who attends, operates, starts or stops a power-driven machine, and who sets up or makes adjustments to such machine; (39)

(44) 'machine supervisor' means an employee who sets up or makes adjustments or minor repairs to more than one power-driven machine and who may, in addition, perform the duties of a machine operator or a machine minder or supervise one or more machine operators or machine minders; (40)

(45) 'medium motor vehicle (articulated)' means a motor vehicle (articulated) the gross combination mass of which exceeds 3 500 kg but not 9 000 kg; (41)

(46) 'medium motor vehicle (rigid)' means a motor vehicle (rigid) the gross vehicle mass of which exceeds 3 500 kg but not 9 000 kg; (42)

(47) 'military service' means any service or training in terms of the Defence Act, 1957 (Act 44 of 1957); (43)

(48) 'motor vehicle' means a self-propelled vehicle with an engine capacity exceeding 100 cm³, used for conveying goods, other than a travelling representative's samples, and includes a truck-tractor, tractor, a motor cycle or a motor tricycle but does not include a mobile hoist; (44)

(49) 'motor vehicle (articulated)' means a combination of vehicles consisting of a motor vehicle and a semi-trailer or trailer; (45)

(50) 'motor vehicle (rigid)' means a motor vehicle other than a motor vehicle (articulated); (46)

(51) 'night shift' means any period of work other than overtime, the major portion of which falls between 22h00 and 06h00; (47)

(52) 'ordinary hours of work' means the hours of work prescribed in clause 5 (1) or if by agreement between an employer and his employee the latter works a lesser number of ordinary hours, such shorter hours; (24)

(53) 'overtime' means that portion of any period worked by an employee in any week or on any day which is longer than his weekly or daily ordinary hours of work, as the case may be, but does not include any period during which an employee works for his employer on a Sunday or a public holiday as defined; (51)

(54) 'piece-work' means any system under which an employee's remuneration is based on the quantity of work done; (62)

(55) 'public holiday' means New Year's Day (or the succeeding Monday whenever New Year's Day falls on a Sunday), Good Friday, Ascension Day, Republic Day, Day of the Vow and Christmas Day; (52)

(56) 'qualified' in relation to an employee, means that the experience of an employee of his class entitles him to the highest wage rate prescribed for that class; and, conversely, 'unqualified' means that his experience in his class does not entitle him to such highest rate; (23)

(57) 'saw sharpener' means an employee who is engaged in gulleting, setting, sharpening or topping saws or in sharpening woodworking machine knives or cutters by means of hand operated or automatic machines; (56)

(58) 'saw sharpening attendant' means an employee who, under supervision of an artisan or a saw sharpener, attends, starts or stops an automatic saw sharpening machine or who trues the saw by means of a gauge; (57)

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

- (a) Searching goods, vehicles or persons;
- (b) supervising or controlling watchmen;
- (c) controlling or reporting on the movement of persons or vehicles through check-points or gates

and who may be required to perform any or all of the duties prescribed for a watchman; (58)

(60) 'semi-trailer' means a trailer without a front axle and designed or adapted to rest on and be drawn by a truck-tractor; (33)

(61) 'shift worker' means an employee who is engaged on shift work in an activity in an establishment or part of an establishment in which two or three consecutive shifts per day are worked on not more than six days per week; (59)

(62) 'short-time' means a temporary reduction in the number of ordinary hours of work owing to slackness of trade, shortage of raw materials, a breakdown of plant or machinery or a breakdown or threatened breakdown of buildings; (31)

(63) 'spray painter' means an employee who applies enamel, paint, primer or lacquer to articles by means of a spray paint machine or gun; (61)

(64) 'storeman' means an employee who is in charge of stocks of incoming goods or finished or partly finished products and who is responsible for receiving, storing, packing or unpacking goods in a store or warehouse or open stock yard or delivering goods from a store or warehouse or open stock yard to consuming departments or for despatch; (37)

(44) 'motorvoertuig' 'n selfaangedrewe voertuig met 'n enjinkapasiteit van meer as 100 cm³ wat gebruik word vir die vervoer van goedere, uitgesonderd 'n reisende verteenwoordiger se monsters, en dit omvat 'n voorspanmotor, trekker, 'n motorfiets of 'n motordriewiel, maar nie ook 'n mobiele hystoestel nie; (48)

(45) 'motorvoertuig (gelede)' 'n kombinasie van voertuie bestaande uit 'n motorvoertuig en 'n leunwa of sleepwa; (49)

(46) 'motorvoertuig (nie-gelede)' 'n motorvoertuig, uitgesonderd 'n motorvoertuig (gelede); (50)

(47) 'nagskof' 'n enige werktydperk, uitgesonderd oortyd, waarvan die grootste gedeelte tussen 22h00 en 06h00 val; (51)

(48) 'noodwerk'—

(a) enige werk wat weens onvoorsiene omstandighede, soos 'n brand, storm, ongeluk, epidemie, gewelddaad, sabotasie, nywerheidsnarus, diefstal, onklaarraking van 'n installasie of masjinerie, of onklaarraking of dreigende onklaarraking van geboue, sonder versuim gedoen moet word;

(b) enige werk in verband met die opknapping of herstel van 'n installasie of masjinerie wat nie gedurende gewone werkure verrig kan word nie;

(c) enige werk in verband met die laai of aflaai van—

- (i) skepe;
- (ii) spoorwaens of voertuie van die Suid-Afrikaanse Vervoerdienste;
- (iii) voertuie wat deur 'n karweier gebruik word by die uitvoering van sy kontrak as sodanig met die Suid-Afrikaanse Vervoerdienste; (21)

(49) 'onderbaas' 'n werknemer wat, onder toesig van 'n voorman, of 'n assistent-voorman aan die hoof staan van 'n groep algemene werkers; (13)

(50) 'ondervinding'—

(a) met betrekking tot 'n klerk of fabrieksklerk, die totale tydperk of tydperke diens wat 'n werknemer as onderskeidelik 'n klerk of 'n fabrieksklerk in enige bedryf of nywerheid of in diens van 'n plaaslike owerheid of die Staat werkzaam was;

(b) met betrekking tot enige ander klas werknemer, die totale tydperk of tydperke diens wat 'n werknemer in sy klas in die Nywerheid werkzaam was: Met dien verstande dat enige ondervinding wat 'n graad II-werknemer in daardie graad as 'n masjienoperateur gehad het, tot 'n maksimum van 12 maande, geag word as ondervinding as 'n masjienoperateur werkzaam op enige van die masjiene bedoel in die woordomskrif van 'n graad I-werknemer; (22)

(51) 'oortyd' die gedeelte van enige tydperk wat 'n werknemer werk in 'n week of op 'n dag werk wat langer is as sy weeklikse of daaglikse gewone werkure, na gelang van die geval, maar dit omvat nie 'n tydperk waarin 'n werknemer op 'n Sondag of op 'n openbare vakansiedag soos omskryf vir sy werkgever werk nie; (53)

(52) 'openbare vakansiedag' Nuwejaarsdag (of die eersvolgende Maandag wanneer ook al Nuwejaarsdag op 'n Sondag val), Goede Vrydag, Hemelvaartsdag, Republiekdag, Geloftegedag en Kersdag; (55)

(53) 'plaaslike owerheid' 'n munisipale raad, stadsraad, afdelingsraad, dorpsraad of 'n soortgelyke instelling of liggaam beoog in artikel 84 (1) (f) van die Wet op Provinsiale Bestuur, 1961, of 'n enige ander parlementêre wetgewing; (41)

(54) 'reisende verteenwoordiger' 'n werknemer wat, as 'n reisende verteenwoordiger van 'n bedryfsinrigting, bestellings vra, werf of opneem namens sodanige bedryfsinrigting; (68)

(55) 'reisende verteenwoordiger se assistent' 'n werknemer wat 'n reisende verteenwoordiger vergesel en hom met die inpak, uitpak of vertoon van sy monsters help en wat die motorvoertuig wat die reisende verteenwoordiger by die uitvoering van sy werk gebruik, kan dryf; (69)

(56) 'saagskerpmaker' 'n werknemer wat sae uithol, stel, slyp of aftop, of houtwerkmasjiene of -snyers slyp met behulp van handgedrewe of outomatiese masjiene; (57)

(57) 'saagskerpmakerbediener' 'n werknemer wat onder toesig van 'n ambagsman of 'n saagskerpmaker 'n outomatiese saagslypmasjiene bedien, aan- of afskakel of wat die saag met behulp van 'n meter regstel; (58)

(58) 'sekeriteitswag' 'n werknemer wat een of meer van die volgende pligte uitvoer:

- (a) Goedere, voertuie of persone deursoek;
- (b) toesig hou oor wagte en beheer oor hulle uitoefen;
- (c) die beweging van persone of voertuie deur kontrolepunte of hekke kontroleer of verslag daaroor doen; en van wie vereis kan word om enige van of al die pligte voorgeskryf vir 'n wag uit te voer; (59)

(59) 'skofwerker' 'n werknemer wat skofwerk verrig in 'n werkzaamheid in 'n bedryfsinrigting of deel van 'n bedryfsinrigting waarin twee of drie agtereenvolgende skofte per dag op hoogstens ses dae per week gewerk word; (61)

(60) 'sleepwa' 'n voertuig wat nie selfaangedrewe is nie maar ontwerp of aangepas is om deur 'n motorvoertuig getrek te word, en dit omvat 'n drastel; (66)

(65) 'tractor' means a motor vehicle designed or adapted to draw other vehicles and not to carry any load; (65)

(66) 'trailer' means a vehicle which is not self-propelled but designed or adapted to be drawn by a motor vehicle and includes a dolly; (60)

(67) 'trainee' means an employee, other than an apprentice, to whom training is being provided in terms of the Manpower Training Act, 1981, in a trade designated or deemed to have been designated in terms of that act; (32)

(68) 'travelling representative' means an employee who, as a travelling representative of an establishment, invites, canvasses or solicits orders on behalf of such establishment; (54)

(69) 'travelling representative's assistant' means an employee who accompanies a travelling representative and assists him in packing, unpacking or displaying his samples and who may drive the motor vehicle used by the travelling representative in the performance of his duties; (55)

(70) 'truck-tractor' means a motor vehicle designed or adapted to draw other vehicles and not to carry any load other than that imposed by a semi-trailer or ballast; (71)

(71) 'ultra heavy motor vehicle' means a motor vehicle the gross vehicle mass or gross combination mass of which exceeds 25 000 kg; (66)

(72) 'wage' means the amount of money payable to an employee in terms of clause 3 (1) in respect of his ordinary hours of work: Provided that if an employer regularly pays an employee in respect of such ordinary hours of work an amount higher than that prescribed in clause 3 (1), it means such higher amount, but this proviso shall not be so construed as to refer to or include any remuneration which an employee who is employed on any basis provided for in clause 9 receives over and above the amount which he would have received had he not been employed on such a basis; and 'daily wage' or 'weekly wage' has a corresponding meaning; (35)

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

- Guarding, protecting or patrolling premises, buildings, structures or fixed or movable property;
- handling or controlling dogs in the performance of any or all of the duties referred to in (a); (72)

(74) 'week', in relation to an employee, means the period of seven days within which the working week of that employee ordinarily falls. (73)

3. REMUNERATION

(1) *Minimum wages.*—The minimum wages which an employer shall pay his employees shall be as specified in paragraphs (a) and (b): Provided that if the employer has been engaged in the Industry for a period of more than 12 months but less than 24 months in the aggregate, such wage may be reduced by not more than 10 per cent until he has been thus engaged for a period of 24 months in the aggregate, whereupon the minimum wages specified hereunder shall become payable and be paid.

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

	Area A		Area B		Area C		Area D	
	(i)	(ii)	(i)	(ii)	(i)	(ii)	(i)	(ii)
	Per week	Per week	Per week	Per week	Per week	Per week	Per week	Per week
	R	R	R	R	R	R	R	R
Artisan.....	135,50	140,50	122,50	127,00	102,00	105,50	95,50	99,00
Artisan's aid—								
during the first year of experience	62,00	67,00	53,50	58,00	43,50	47,00	39,50	43,00
thereafter	72,00	77,00	62,50	67,00	51,00	54,50	46,00	49,50
Assistant factory clerk.....	57,50	62,50	50,00	54,50	41,00	44,50	36,50	40,00
Assistant foreman.....	113,00	118,00	100,00	104,50	82,50	86,00	76,00	79,50
Boiler attendant	55,50	60,50	48,50	53,00	39,50	43,00	35,50	39,00
Boiler attendant-in-charge	57,50	62,50	50,00	54,50	41,00	44,50	36,50	40,00
Chargehand	55,50	60,50	48,50	53,00	39,50	43,00	35,50	39,00
Chauffeur	59,50	64,50	52,00	56,50	42,00	45,50	38,00	41,50
Clerk—								
during the first year of experience	64,00	69,00	55,50	60,00	45,50	49,00	42,50	46,00
during the second year of experience.....	78,50	83,50	68,00	72,50	56,00	59,50	53,50	57,00
during the third year of experience	92,50	97,50	80,00	84,50	66,50	70,00	64,00	67,50
thereafter	107,00	112,00	92,50	97,00	77,50	81,00	75,00	78,50

(61) 'spuitskilder' 'n werknemer wat emalje, verf, grondverf of lakvernis met behulp van 'n spuitverfmasjien of -spuit op voorwerpe aanbring; (63)

(62) 'stukwerk' 'n stelsel waarvolgens 'n werknemer se besoldiging gegronde word op die hoeveelheid werk wat verrig is; (54)

(63) 'swaar motorvoertuig (gelede)' 'n motorvoertuig (gelede) waarvan die bruto kombinasie-massa meer as 9 000 kg maar hoogstens 16 000 kg is; (37)

(64) 'swaar motorvoertuig (nie-gelede)' 'n motorvoertuig (nie-gelede) waarvan die bruto voertuig-massa meer as 9 000 kg maar hoogstens 16 000 kg is; (38)

(65) 'trekker' 'n motorvoertuig ontwerp of ingerig om ander voertuie te trek en nie om 'n wag te dra nie; (65)

(66) 'ultraswaar motorvoertuig' 'n motorvoertuig waarvan die bruto voertuig-massa of bruto kombinasie-massa 25 000 kg oorskry; (71)

(67) 'vakleerling' 'n werknemer wat in diens is ingevolge 'n kontrak van vakleerlingskap wat ingevolge die Wet op Mannekragopleiding, 1981, geregistreer is of geag word geregistreer te wees en dit omvat 'n werknemer in diens in 'n ambag wat ingevolge daardie wet aangewys is of geag word aangewys te wees vir 'n tydperk voor die registrasie van 'n kontrak van vakleerlingskap; (1)

(68) 'verantwoordelike ketelbediener' 'n werknemer wat, onder toesig, in beheer is van een of meer ketelbedieners of meer as een stoomketel in 'n bedryfsinrigting en wat verantwoordelik is vir die handhawing van die waterpeil en stoomdruk van sodanige stoomketels; (11)

(69) 'versendingsklerk' 'n werknemer wat verantwoordelik is vir die versending of verpakking van goedere vir vervoer of aflewering en wat toesig mag hou oor die byeenbring, nagaan, massameting, verpakking, merk, adresseer of versending van goedere of pakkette; (18)

(70) 'voorman' 'n werknemer wat aan die hoof staan van die werknemers in 'n bedryfsinrigting of 'n afdeling van 'n bedryfsinrigting, wat beheer oor sodanige werknemers uitoefen en wat aan 'n bestuurder daarvoor verantwoordelik is en dat hulle hul pligte doeltreffend verrig; (28)

(71) 'voerspanmotor' 'n motorvoertuig ontwerp of aangepas om ander voertuie te trek en om nie 'n ander wag as dié wat in die vorm van 'n leunwa of ballas daarop rus, te dra nie; (70)

(72) 'wag' 'n werknemer, uitgesonderd 'n sekuriteitswag, wat een of meer van die volgende pligte uitvoer:

- 'n Perseel, geboue, strukture of ander vaste of roerende eiendom bewaak, beskerm of patroleer;
- honde hanteer of beheer in die uitvoering van een of meer van die pligte in (a) bedoel.

(73) 'week', met betrekking tot 'n werknemer, die tydperk van sewe dae waarna die werkweek van daardie werknemer gewoonlik val; (74)

(74) 'wet' ook die gemene reg; (39)

3. BESOLDIGING

(1) *Minimum lone.*—Die minimum loon wat 'n werkgever sy werknemers moet betaal, is dié soos in paragrawe (a) en (b) uiteengesit: Met dien verstande dat indien die werkgever by die Nywerheid vir 'n tydperk van langer as altesaam 12 maande maar minder as 24 maande betrokke is, sodanige loon met hoogstens 10 persent verminder kan word totdat hy aldus vir 'n tydperk van 24 maande altesaam betrokke is, waarna die minimum lone wat hieronder bepaal word, betaalbaar word en betaal moet word.

	Area A		Area B		Area C		Area D	
	(i)	(ii)	(i)	(ii)	(i)	(ii)	(i)	(ii)
	Per week	Per week	Per week	Per week	Per week	Per week	Per week	Per week
	R	R	R	R	R	R	R	R
Driver of a light motor vehicle	59,50	64,50	52,00	56,50	42,00	45,50	38,00	41,50
Driver of a medium motor vehicle (articulated).....	80,00	85,00	69,50	74,00	56,50	60,00	50,50	54,00
Driver of a medium motor vehicle (rigid).....	77,50	82,50	66,50	71,00	54,00	57,50	48,50	52,00
Driver of a heavy motor vehicle (articulated)	92,00	97,00	79,00	83,50	65,50	69,00	58,50	62,00
Driver of a heavy motor vehicle (rigid)	88,00	93,00	75,50	80,00	62,50	66,00	56,00	59,50
Driver of an extra heavy motor vehicle (articulated)	103,00	108,00	89,50	94,00	73,00	76,50	65,50	69,00
Driver of an extra heavy motor vehicle (rigid)	98,50	103,50	85,50	90,00	70,00	73,50	62,50	66,00
Driver of an ultra heavy motor vehicle	107,50	112,50	93,50	98,00	76,50	80,00	68,50	72,00
Factory clerk—								
during the first year of experience	57,50	62,50	50,00	54,50	41,00	44,50	36,50	40,00
thereafter	64,00	69,00	55,50	60,00	45,00	48,50	40,50	44,00
Factory driver.....	57,50	62,50	50,00	54,50	41,00	44,50	36,50	40,00
Foreman	139,50	144,50	126,50	131,00	104,00	107,50	98,50	102,00
General worker—								
during the first six months of service with the same employer	44,50	49,00	38,50	43,00	31,50	34,50	28,50	31,50
thereafter	49,50	54,50	43,00	47,50	35,00	38,50	31,50	35,00
Grade I employee—								
during the first year of experience	57,50	62,50	50,00	54,50	41,00	44,50	36,50	40,00
thereafter	62,00	67,00	53,50	58,00	43,50	47,00	39,50	43,00
Grade II employee—								
during the first six months of experience	54,00	59,00	47,00	51,50	38,00	41,50	34,50	38,00
thereafter	57,50	62,50	50,00	54,50	41,00	44,50	36,50	40,00
Grade III employee	54,00	59,00	47,00	51,50	38,00	41,50	34,50	38,00
Grade IV employee	51,50	56,50	44,50	49,00	36,50	40,00	33,00	36,50
Handyman	70,00	75,00	60,50	65,00	49,50	53,00	44,50	48,00
Machine supervisor	82,50	87,50	71,50	76,00	58,00	61,50	52,50	56,00
Security guard	64,00	69,00	55,50	60,00	45,00	48,50	40,50	44,00
Travelling representative—								
during the first year of experience	101,00	106,00	87,50	92,00	71,50	75,00	64,50	68,00
during the second year of experience	110,00	115,00	95,50	100,00	78,00	81,50	70,00	73,50
during the third year of experience	119,00	124,00	103,00	107,50	84,50	88,00	75,50	79,00
during the fourth year of experience	128,00	133,00	111,50	116,00	90,50	94,00	81,00	84,50
thereafter	137,00	142,00	119,00	123,50	97,00	100,50	87,00	90,50
Travelling representative's assistant.....	59,50	64,50	52,00	56,50	42,00	45,50	38,00	41,50
Watchman.....	55,50	60,50	48,50	53,00	39,50	43,00	35,50	39,00
Employee not elsewhere in this clause specifically mentioned	55,50	60,50	48,50	53,00	39,50	43,00	35,50	39,00

(i) During the first year after this amendment becomes binding

(ii) Thereafter

(a) *Werknemers, uitgesonderd los werknemers:*

	Gebied A		Gebied B		Gebied C		Gebied D	
	(i)	(ii)	(i)	(ii)	(i)	(ii)	(i)	(ii)
	Per week	Per week	Per week	Per week	Per week	Per week	Per week	Per week
	R	R	R	R	R	R	R	R
Algemene werker—								
gedurende die eerste ses maande van diens by dieselfde werkgewer	44,50	49,00	38,50	43,00	31,50	34,50	28,50	31,50
daarna	49,50	54,50	43,00	47,50	35,00	38,50	31,50	35,00
Ambagsman	135,50	140,50	122,50	127,00	102,00	105,50	95,50	99,00
Ambagsmanshulp—								
gedurende die eerste jaar ondervinding	62,00	67,00	53,50	58,00	43,50	47,00	39,50	43,00
daarna	72,00	77,00	62,50	67,00	51,00	54,50	46,00	49,50
Assistent-fabrieksklerk	57,50	62,50	50,00	54,50	41,00	44,50	36,50	40,00
Assistent-voorman	113,00	118,00	100,00	104,50	82,50	86,00	76,00	79,50
Chauffeur	59,50	64,50	52,00	56,50	42,00	45,50	38,00	41,50
Drywer van 'n ultra swaar motorvoertuig.....	107,50	112,50	93,50	98,00	76,50	80,00	68,50	72,00

	Gebied A		Gebied B		Gebied C		Gebied D	
	(i)	(ii)	(i)	(ii)	(i)	(ii)	(i)	(ii)
	Per week	Per week	Per week	Per week	Per week	Per week	Per week	Per week
	R	R	R	R	R	R	R	R
Drywer van 'n ekstra swaar motorvoertuig (gelede)	103,00	108,00	89,50	94,00	73,00	76,50	65,50	69,00
Drywer van 'n ekstra swaar motorvoertuig (nie-gelede).....	98,50	103,50	85,50	90,00	70,00	73,50	62,50	66,00
Drywer van 'n swaar motorvoertuig (gelede)	92,00	97,00	79,00	83,50	65,50	69,00	58,50	62,00
Drywer van 'n swaar motorvoertuig (nie-gelede).....	88,00	93,00	75,50	80,00	62,50	66,00	56,00	59,50
Drywer van 'n medium motorvoertuig (gelede)	80,00	85,00	69,50	74,00	56,50	60,00	50,50	54,00
Drywer van 'n medium motorvoertuig (nie-gelede).....	77,50	82,50	66,50	71,00	54,00	57,50	48,50	52,00
Drywer van 'n ligte motorvoertuig	59,50	64,50	52,00	56,50	42,00	45,50	38,00	41,50
Fabrieksdrywer.....	57,50	62,50	50,00	54,50	41,00	44,50	36,50	40,00
Fabrieksklerk—								
gedurende die eerste jaar ondervinding	57,50	62,50	50,00	54,50	41,00	44,50	36,50	40,00
daarna.....	64,00	69,00	55,50	60,00	45,00	48,50	40,50	44,00
Faktotum	70,00	75,00	60,50	65,00	49,50	53,00	44,50	48,00
Graad I-werknemer—								
gedurende die eerste jaar ondervinding	57,50	62,50	50,00	54,50	41,00	44,50	36,50	40,00
daarna.....	62,00	67,00	53,50	58,00	43,50	47,00	39,50	43,00
Graad II-werknemer—								
gedurende die eerste ses maande ondervinding	54,00	59,00	47,00	51,50	38,00	41,50	34,50	38,00
daarna.....	57,50	62,50	50,00	54,50	41,00	44,50	36,50	40,00
Graad III-werknemer	54,00	59,00	47,00	51,50	38,00	41,50	34,50	38,00
Graad IV-werknemer	51,50	56,50	44,50	49,00	36,50	40,00	33,00	36,50
Ketelbediener.....	55,50	60,50	48,50	53,00	39,50	43,00	35,50	39,00
Klerk—								
gedurende die eerste jaar ondervinding	64,00	69,00	55,50	60,00	45,50	49,00	42,50	46,00
gedurende die tweede jaar ondervinding.....	78,50	83,50	68,00	72,50	56,00	59,50	53,50	57,00
gedurende die derde jaar ondervinding.....	92,50	97,50	80,00	84,50	66,50	70,00	64,00	67,50
daarna.....	107,00	112,00	92,50	97,00	77,50	81,00	75,00	78,50
Masjienopsigter	82,50	87,50	71,50	76,00	58,00	61,50	52,50	56,00
Onderbaas.....	55,50	60,50	48,50	53,00	39,50	43,00	35,50	39,00
Reisende verteenwoordiger—								
gedurende die eerste jaar ondervinding	101,00	106,00	87,50	92,00	71,50	75,00	64,50	68,00
gedurende die tweede jaar ondervinding.....	110,00	115,00	95,50	100,00	78,00	81,50	70,00	73,50
gedurende die derde jaar ondervinding.....	119,00	124,00	103,00	107,50	84,50	88,00	75,50	79,00
gedurende die vierde jaar ondervinding.....	128,00	133,00	111,50	116,00	90,50	94,00	81,00	84,50
daarna.....	137,00	142,00	119,00	123,50	97,00	100,50	87,00	90,50
Reisende verteenwoordiger se assistent.....	59,50	64,50	52,00	56,50	42,00	45,50	38,00	41,50
Sekuriteitswag.....	64,00	69,00	55,50	60,00	45,00	48,50	40,50	44,00
Verantwoordelike ketelbediener	57,50	62,50	50,00	54,50	41,00	44,50	36,50	40,00
Voorman	139,50	144,50	126,50	131,00	104,00	107,50	98,50	102,00
Wag.....	55,50	60,50	48,50	53,00	39,50	43,00	35,50	39,00
Werknemer nie elders in hierdie klousule uitdruklik vermeld nie.....	55,50	60,50	48,50	53,00	39,50	43,00	35,50	39,00

(i) Gedurende die eerste jaar nadat hierdie wysiging bindend word

(ii) Daarna

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

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

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

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

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

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

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

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

Provided that—

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

(4) *Calculation of wages.*—(a) The hourly wage of an employee, other than a casual employee, shall be his weekly wage divided by his weekly ordinary hours of work.

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

(c) The daily wage of an employee, other than a casual employee, shall be his weekly wage divided by the number of days on which he ordinarily works in a week.

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

(5) *Transport expenses and allowances.*—In addition to paying any other remuneration due to—

- (a) an employee who uses his employer's motor transport or who is required to travel by train or by any means of conveyance other than his own, his employer shall reimburse him all the reasonable expenses incurred by him in connection with such transport in the performance of his duties, and for the purposes of this subclause the cost of overnight garaging of a motor vehicle shall be deemed to be a transport expense;
- (b) an employee who is required to provide motor transport for the performance of his duties, his employer shall pay him for each kilometre travelled in the performance of his duties a transport allowance of not less than—
 - (i) 23 cents if the engine capacity of the vehicle concerned does not exceed 1 300 cm³;
 - (ii) 29 cents if the engine capacity of such vehicle exceeds 1 300 cm³ but not 2 500 cm³;
 - (iii) 35 cents if the engine capacity of such vehicle exceeds 2 500 cm³.

(6) *Subsistence expenses and allowances.*—In addition to paying any other remuneration due to a travelling representative or a travelling representative's assistant who, on any journey undertaken in the performance of his duties, is absent from his place of residence and his employer's establishment for any period in excess of six consecutive hours, the employer shall—

- (a) where such absence does not extend over a night, reimburse him all reasonable expenses incurred by him for meals, tea, coffee or similar beverages;
- (b) where such absence extends over one or more nights, reimburse him all actual expenses incurred for accommodation, meals, tea, coffee or similar beverages or pay a subsistence allowance of not less than R25 per night to the travelling representative and R13 per night to the assistant, whichever is the greater amount.

Provided that for the purposes of this subclause the expression 'night' means the period between 23h00 and 04h00.

(7) *Payment of transport and subsistence expenses and allowances.*—(a) An employer shall pay any expenses and allowances payable to an employee in terms of subclauses (5) and (6) within seven days of the employee's written claim therefor: Provided that an employee shall submit any such claim within one month of entitlement and shall not submit more than one claim in any one week.

(b) An employer may require his employee to frame any claim so that it shall reflect in the case of any claim in terms of—

- (i) subclause (5) (a), the mode of transport employed and the transport expenses incurred or the nature of any other expenses for which reimbursement is claimed;

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

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

Met dien verstande dat—

- (i) hierdie subklousule nie geld nie waar die verskil tussen klasse ingevolge subklousule (1) op ondervinding berus;
- (ii) 'n werknemer nie geregtig is op 'n loon hoër as dié van sy eie klas nie ten opsigte van werk van 'n hoër klas wat hy op een dag in 'n week moet verrig of toegelaat word om te verrig;
- (iii) tensy daar in 'n skriftelike kontrak tussen 'n werkgever en sy werknemer uitdruklik anders bepaal word, niks in hierdie vasstelling só uitgelê mag word nie dat dit 'n werkgever belet om van sy werknemer te vereis om 'n ander klas werk te verrig waarvoor die voorgeskrewe loon dieselfde of laer is as dié wat vir sodanige werknemer voorgeskryf word.

(4) *Loonberekening.*—(a) Die uurloon van 'n werknemer, uitgesonderd 'n los werknemer, is sy weekloon gedeel deur sy gewone werkure.

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

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

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

(5) *Vervoeruitgawes en -toelaes.*—Benewens die betaling van enige ander besoldiging verskuldig aan—

- (a) 'n werknemer wat van sy werkgever se motorvervoer gebruik maak of van wie vereis word om per trein of met enige ander vervoermiddel as sy eie te reis, moet sy werkgever hom vergoed vir alle redelike uitgawes wat hy by die uitvoering van sy pligte in verband met sodanige vervoer aangegaan het, en by die toepassing van hierdie subklousule word die koste verbonde aan die oornagstalling van 'n motorvoertuig, geag 'n vervoeruitgawe te wees;
- (b) 'n werknemer van wie vereis word om motorvervoer vir die uitvoering van sy pligte te verskaf, moet sy werkgever hom vir elke kilometer wat hy by die uitvoering van sy pligte afgelê het, 'n vervoer-toelaes betaal van minstens—
 - (i) 23 sent indien die enjinkapasiteit van die betrokke voertuig hoogstens 1 300 cm³ is;
 - (ii) 29 sent indien die enjinkapasiteit van sodanige voertuig meer as 1 300 cm³ maar hoogstens 2 500 cm³ is;
 - (iii) 35 sent indien die enjinkapasiteit van sodanige voertuig meer as 2 500 cm³ is.

(6) *Onderhoudsuitgawes en -toelaes.*—Benewens die betaling van enige ander besoldiging verskuldig aan 'n reisende verteenwoordiger of 'n reisende verteenwoordiger se assistent wat op enige reis wat hy by die uitvoering van sy pligte onderneem, vir 'n langer tydperk as ses agtereenvolgende ure van sy woonplek en sy werkgever se bedryfsinrigting afwesig is, moet die werkgever—

- (a) waar sodanige afwesigheid nie oor 'n nag strek nie, hom vergoed vir alle redelike uitgawes wat hy aan etes, tee, koffie of soortgelyke drankke aangegaan het;
- (b) waar sodanige afwesigheid oor een of meer nagte strek, hom vergoed vir alle werklike uitgawes wat hy aan verblyf, etes, tee, koffie of soortgelyke drankke aangegaan het, of 'n onderhoudstoelaes betaal van minstens R25 per nag aan die reisende verteenwoordiger en minstens R13 per nag aan die assistent, watter bedrag ook al die grootste is.

Met dien verstande dat by die toepassing van hierdie subklousule die uitdrukking 'nag' die tydperk tussen 23h00 en 04h00 beteken.

(7) *Betaling van reis- en verblyfsuitgawes en -toelaes.*—(a) 'n Werkgever moet alle uitgawes en toelaes wat ingevolge subklousules (5) en (6) aan 'n werknemer betaalbaar is, binne sewe dae nadat die werknemer dit skriftelik geëis het, aan hom betaal: Met dien verstande dat 'n werknemer elke sodanige eis binne een maand vanaf die tydstop waarop hy daarop geregtig geword het, moet indien, en dat hy nie meer as een eis in 'n week mag indien nie.

(b) 'n Werkgever kan van sy werknemer vereis om elke eis so op te stel dat daarop aangedui word, in die geval van 'n eis ingevolge—

- (i) subklousule (5) (a), die soort vervoer en die vervoerkoste of die aard van enige ander uitgawes waarvoor vergoeding geëis word;

- (ii) subclause (5) (b), the distance travelled each day, the points of call and, except in municipal areas, the route followed;
- (iii) subclause (6), the time of commencement and ending of each period of absence;

and to enable his employee to comply with such a requirement, the employer shall, before any such journey is undertaken by an employee referred to in subclauses (5) and (6), provide him with a suitable book or forms in or on which to keep the appropriate records: Provided that if an employee is unable to write, his employer shall cause him to be assisted in the framing of his claim.

(8) *Night shift allowance.*—An employer who requires or permits his employee to work night shift shall pay such employee, in addition to his wage, an allowance at a rate of not less than 10 per cent of his hourly wage for each hour or part of an hour worked by such an employee on night shift within his ordinary hours of work: Provided that this subclause shall not apply to—

- (a) a casual employee, a chauffeur, a first-aid attendant, a security guard or a watchman;
- (b) an employee who is excluded from the hours of work provisions by virtue of clause 5 (7) (a).

4. PAYMENT OF REMUNERATION

(1) *Employees, other than casual employees.*—Save as provided in clauses 3 (7) and 6 (4), any amount due to an employee, other than a casual employee, shall be paid weekly, fortnightly or monthly in cash, or, with the consent of the employee by cheque, during his ordinary hours of work, or within 15 minutes thereafter on the usual pay-day of the establishment for such employee (or in the case of a shift worker or an employee employed in a continuous activity at a time agreed upon between such employee and his employer, which time shall be during the usual office hours of the establishment but not later than 24 hours after the usual pay-day) or on termination of employment if this takes place before the usual pay-day, and such amount shall be contained in a sealed envelope or container on which shall be recorded or which shall be accompanied by a statement showing—

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

and such envelope or container on which these particulars are recorded or such statement shall become the property of the employee: Provided that—

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

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

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

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

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

- (ii) subklousule (5) (b), die afstand wat hy elke dag afgelê het, die plekke wat besoek is en, uitgesonderd in munisipale gebiede, die roete wat gevolg is;

- (iii) subklousule (6), die tyd waarop elke tydperk van afwesigheid begin en geëindig het;

en ten einde sy werknemer in staat te stel om aan so 'n vereiste te voldoen, moet die werkgever, voordat sodanige reis deur 'n werknemer genoem in subklousules (5) en (6) onderneem word, aan hom 'n geskikte boek of vorms verskaf waarin of waarop gepaste aantekeninge gehou kan word: Met dien verstande dat indien 'n werknemer nie in staat is om te skryf nie, sy werkgever sal toesien dat hy hulp kry om sy eis op te stel.

(8) *Nagskotoelae.*—'n Werkgever wat van sy werknemer vereis of hom toelaat om nagskof te werk, moet aan sodanige werknemer, benewens sy loon, 'n toelae betaal van minstens 10 persent van sy uurloon vir elke uur of gedeelte van 'n uur wat so 'n werknemer nagskof binne sy gewone werkure gewerk het: Met dien verstande dat hierdie subklousule nie van toepassing is nie op 'n—

- (a) chauffeur, 'n eerstehulpbediener, 'n los werknemer, 'n sekuriteitswag of 'n wag;
- (b) 'n werknemer wat uit hoofde van klousule 5 (7) (a) van die werkurebepalings uitgesluit word.

4. BETALING VAN BESOLDIGING

(1) *Werknemers, uitgesonderd los werknemers.*—Behoudens die bepalinge van klousules 3 (7) en 6 (4) moet 'n bedrag verskuldig aan 'n werknemer, uitgesonderd 'n los werknemer, weekliks tweeweekliks of maandeliks gedurende sy gewone werkure in kontant of, indien die werknemer daartoe instem, per tjek, betaal word, of binne 15 minute daarna op die gewone betaaldag van die bedryfsinrigting vir sodanige werknemer (of in die geval van 'n skofwerker, op 'n tydstop waarvoor sodanige werknemer en sy werkgever ooreengekom het en wat gedurende die gewone kantoorure van die bedryfsinrigting moet wees, maar nie later nie as 24 uur na die gewone betaaldag) of by diensbeëindiging, as dit voor die gewone betaaldag geskied, en sodanige bedrag moet in 'n verseëlde kovert of houer wees waarop of wat vergesel gaan van 'n staat waarop gemeld word:

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

en sodanige kovert of houer waarop hierdie inligting aangeteken is, of sodanige staat word die eiendom van die werknemer: Met dien verstande dat—

- (i) die besonderhede hierbo voorgeskryf, in 'n kode op sodanige kovert of houer of in sodanige staat aangeteken kan word, welke kode volledig uiteengesit en verduidelik moet word in 'n bygaande kennisgewing of in 'n kennisgewing wat op 'n opsigtelike plek in die bedryfsinrigting opgeplak moet bly en vir alle werknemers wat daardeur geraak word, toeganklik moet wees;
- (ii) op die werknemer se skriftelike versoek, die bedrag aan hom verskuldig gestort kan word in sy bouvereniging- of bankrekening deur sy werkgever, wat die betrokke kwitansie, tesame met voornoemde staat, aan hom moet oorhandig;
- (iii) die inligting met betrekking tot paragrawe (d), (e) en (f) nie verstrekkend hoeft te word nie ten opsigte van 'n werknemer wat ingevolge klousule 5 (7) (a) van die werkurebepalings uitgesluit is.

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

(3) *Premies.*—Behoudens die bepalinge van 'n ander wet mag geen betaling deur of namens 'n werknemer regstreeks of onregstreeks vir die indiensneming of opleiding van daardie werknemer aan 'n werkgever betaal of deur hom aangeneem word nie.

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

(5) *Akkommodasie, etes en rantsoene.*—Behoudens die bepalinge van 'n ander wet mag 'n werkgever nie van sy werknemer vereis om akkommodasie, etes of rantsoene van hom of van enigiemand anders of op enige plek deur hom aangewys, aan te neem nie.

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

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

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

- (e) whenever the ordinary hours of work are reduced because of short-time, a deduction not exceeding the amount of the employee's (other than a casual employee's) hourly wage in respect of each hour of such reduction: Provided that—
 - (i) such deduction shall not exceed one third of the employee's weekly wage, irrespective of the number of hours by which the ordinary hours of work are thus reduced;
 - (ii) no deduction shall be made in the case of short-time arising out of a slackness of trade or shortage of raw materials, unless the employer has given his employee notice on the previous work-day of his intention to reduce the ordinary hours of work;
 - (iii) no deduction shall be made in the case of short-time owing to the vagaries of the weather or a breakdown of plant or machinery or a breakdown or threatened breakdown of buildings, in respect of the first hour not worked, unless the employer has given his employee notice on the previous day that no work will be available;
- (f) with the written consent of an employee, a deduction of any amount which the employer has paid or has undertaken to pay to—
 - (i) any banking institution, building society, insurance business, registered financial institution, local authority or the State in respect of a payment on a loan granted to such employee to acquire a dwelling;
 - (ii) any organisation or body in respect of the rent of a dwelling or accommodation in a hostel occupied by such employee if such dwelling or hostel is provided through the instrumentality of such organisation or body wholly or partly from funds advanced for that purpose by the State or a body referred to in subparagraph (i);
- (g) with the written consent of the employee, a deduction of any amount loaned or advanced to him by the employer: Provided that any deduction for the repayment of any such loan or advance shall not exceed one third of the total remuneration due to the employee on the pay-day concerned and provided further that no such deduction shall be made in respect of any period during which the employee's wage is reduced in terms of paragraph (e).

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

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

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

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

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

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

- (e) wanneer ook al die gewone werkure weens korttyd verminder word, 'n bedrag van hoogstens die werknemer (uitgesonderd 'n los werknemer) se uurloon vir elke uur van sodanige vermindering: Met dien verstande dat—
 - (i) sodanige aftrekking hoogstens een-derde van die werknemer se weekloon is, ongeag die getal ure waarmee die gewone werkure aldus verminder word;
 - (ii) geen aftrekking ten opsigte van korttyd wat deur 'n slapte in die bedryf of 'n tekort aan grondstowwe ontstaan, geskied nie, tensy die werkgever sy werknemer op die vorige werkdag kennis gegee het van sy voorneme om die gewone werkure te verminder;
 - (iii) geen aftrekking in die geval van korttyd geskied nie vir die eerste uur waarin daar nie gewerk word nie weens die wisselvalligheid van die weer of 'n onklaarraking van die installasie of masjinerie of 'n onklaarraking of 'n dreigende onklaarraking van geboue, tensy die werkgever sy werknemer op die vorige dag kennis gegee het dat daar geen werk sal wees nie;
- (f) met die skriftelike toestemming van 'n werknemer, enige bedrag wat 'n werkgever betaal het of onderneem het om te betaal aan—
 - (i) 'n bankinstelling, bouvereniging, versekeringsonderneming, geregistreerde finansiële instelling, plaaslike owerheid of die Staat ten opsigte van 'n betaling vir 'n lening toegestaan aan sodanige werknemer om 'n woonhuis aan te koop;
 - (ii) 'n organisasie of liggaam ten opsigte van die huur van 'n woonhuis of huisvesting in 'n hostel wat sodanige werknemer bewoon, as sodanige woonhuis of hostel deur bemiddeling van sodanige organisasie of liggaam verskaf word uitsluitlik of gedeeltelik met fondse vir dié doel voorgesket deur die Staat of 'n liggaam in subparagraaf (i) bedoel;
- (g) met die skriftelike toestemming van die werknemer, 'n aftrekking van 'n bedrag wat die werkgever aan hom geleen of voorgesket het: Met dien verstande dat 'n aftrekking vir die terugbetaling van sodanige lening of voorskot hoogstens een-derde van die totale besoldiging is wat op die betrokke betaaldag aan die werknemer verskuldig is en met dien verstande voorts dat geen sodanige aftrekking gemaak mag word ten opsigte van 'n tydperk waartydens die werknemer se loon ingevolge paragraaf (e) verminder is nie.

5. WERKURE, GEWONE EN OORTYD-, EN BETALING VIR OORTYDWERK

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

- (a) 'n los werknemer in 'n bedryfsinrigting waarin die werknemers gewoonlik—
 - (i) hoogstens vyf dae per week werk, nege en 'n kwart op 'n dag;
 - (ii) meer as vyf dae per week werk, agt en 'n half op 'n dag;
- (b) 'n sekuriteitswag of 'n wag—
 - (i) 60 in 'n week van Maandag tot en met Saterdag; en
 - (ii) behoudens subparagraaf (i), in die geval van 'n werknemer wat gewoonlik—
 - (aa) hoogstens vyf dae per week werk, 12 op 'n dag;
 - (ab) meer as vyf dae per week werk, 10 op 'n dag;
- (c) 'n skofwerker—
 - (i) 46 in 'n week van Maandag tot en met Saterdag; en
 - (ii) behoudens subparagraaf (i), nege en 'n kwart op 'n dag;
- (d) enige ander werknemer—
 - (i) 46 in 'n week van Maandag tot en met Saterdag; en

(ii) subject to subparagraph (i), in the case of an employee who normally works on—

- (aa) not more than five days in a week, nine and a quarter on any day;
- (ab) more than five days in a week, eight on any day, unless the hours on one day do not exceed five, in which case the hours on any of the other days may be extended to eight and a half.

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

- (a) an employer may agree with his employee to reduce the period of such interval to not less than half an hour, and in that event, and after the employer has informed the Divisional Inspector, Department of Manpower, for his area, in writing of such agreement, the interval may be so reduced;
- (b) periods of work interrupted by intervals of less than one hour, except where proviso (a) or (e) applies, shall be deemed to be continuous;
- (c) if such interval is longer than one hour, except when proviso (g) applies, any period in excess of one and a quarter hours shall be deemed to be time worked;
- (d) only one such interval during the ordinary hours of work of an employee on any day shall not form part of the ordinary hours of work;
- (e) when on any day by reason of overtime worked an employer is required to give an employee a second meal interval, such interval may be reduced to not less than 15 minutes;
- (f) a driver who during such interval does no work other than being or remaining in charge of the vehicle and its load shall be deemed for the purposes of this subclause not to have worked during such interval;
- (g) in the case of an employee who is wholly or mainly engaged in cleaning premises if such interval is longer than three hours, any period in excess of three hours shall be deemed to form part of the ordinary hours of work;
- (h) such interval need not be granted to a boiler attendant-in-charge, a boiler attendant or an employee in a continuous activity during his ordinary hours of work on any shift if he is given the opportunity during such hours of having a meal while at his post, unless this is prohibited in terms of any law.

(3) *Rest intervals.*—An employer shall grant to each of his employees a rest interval of not less than 10 minutes as nearly as practicable in the middle of each morning and afternoon work period, or a rest interval of not less than 20 minutes as nearly as practicable in the middle of each morning work period, and during such interval such employee shall not be required or permitted to perform any work, and such interval shall be deemed to be part of the ordinary hours of work of such employee: Provided that an employer who reduces the ordinary hours of work of the afternoon work period by not less than 10 minutes, need not grant his employee a rest interval during such period.

(4) *Hours of work to be consecutive.*—Save as provided in subclauses (2) and (3), all hours of work of an employee on any day shall be consecutive.

(5) *Limitation of overtime.*—An employer shall not require or permit an employee to work overtime other than in accordance with an agreement concluded with the employee and provided that the ordinary hours of work are not exceeded by, in the case of—

- (a) a casual employee, three hours on any day;
- (b) a security guard or a watchman, 12 hours in any week;
- (c) any other employee, 10 hours in any week.

(6) *Payment for overtime.*—(a) An employer shall pay an employee, other than a casual employee, who works overtime at a rate of not less than—

- (i) one and a third times his hourly wage in respect of the total period not exceeding 10 hours in any week;
- (ii) one and a half times his hourly wage in respect of the hours in excess of 10 hours in any week,

so worked by such employee.

(b) An employer shall pay a casual employee who works overtime at a rate of not less than one and a third times his hourly wage in respect of the period so worked on any day.

(7) *Savings.*—(a) This clause shall not apply to—

- (i) a travelling representative or a travelling representative's assistant;
- (ii) any other class of employee who receives a regular wage at a rate of—

(ii) behoudens subparagraaf (i), in die geval van 'n werknemer wat gewoonlik—

- (aa) hoogstens vyf dae per week werk, nege en 'n kwart op 'n dag;
- (ab) meer as vyf dae per week werk, agt op 'n dag, tensy die ure op een dag hoogstens vyf is, in welke geval die ure op enige van die ander dae tot agt en 'n half verleng kan word.

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

- (a) 'n werkgewer met sy werknemer ooreen kan kom om die duur van sodanige pouse tot minstens 'n halfuur te verkort, en in dié geval en nadat die werkgewer die Afdelingsinspekteur, Departement van Mannekrag, vir sy gebied skriftelik in kennis gestel het van sodanige ooreenkoms, kan die pouse aldus verkort word;
- (b) werktidperke wat deur pouses van minder as een uur onderbreek word, uitgesonderd waar voorbehoudsbepaling (a) of (e) van toepassing is, gaag word aaneenlopend te wees;
- (c) indien sodanige pouse langer as een uur is, uitgesonderd waar voorbehoudsbepaling (g) van toepassing is, enige tydperk wat een en 'n kwart uur te bowe gaan, gaag word werktid te wees;
- (d) alleenlik een sodanige pouse gedurende 'n werknemer se gewone werkure op 'n dag nie deel van die gewone werkure mag uitmaak nie;
- (e) wanneer daar, vanweë oortyd wat gewerk is, van 'n werkgewer vereis word om op 'n dag 'n tweede etenspouse aan 'n werknemer toe te staan, sodanige pouse tot minstens 15 minute verkort mag word;
- (f) 'n drywer wat gedurende sodanige pouse geen ander werk verrig as om in beheer van die voertuig en die vrag daarvan te wees of te bly nie, by die toepassing van hierdie subklousule gaag word nie gedurende sodanige pouse te gewerk het nie;
- (g) in die geval van 'n werknemer wat uitsluitlik of hoofsaaklik persele skoonmaak, indien sodanige pouse langer as drie uur is, enige tydperk wat drie uur te bowe gaan, gaag word deel van die gewone werkure uit te maak;
- (h) sodanige pouse nie aan 'n verantwoordelike ketelbediener, 'n ketelbediener of 'n werknemer in 'n aaneenlopende bedrywigheid toegestaan hoef te word gedurende sy gewone werkure op enige skof nie indien aan hom gedurende sodanige ure geleentheid gegee word om 'n ete te nuttig terwyl hy op sy pos bly, tensy dit ingevolge 'n wet verbied word.

(3) *Ruspouses.*—'n Werkgewer moet aan elkeen van sy werknemers 'n ruspouse van minstens 10 minute toestaan so na doenlik aan die middel van elke voormiddag- en namiddagwerktidperk, of 'n ruspouse van minstens 20 minute so na doenlik aan die middel van elke voormiddagwerktidperk, en gedurende sodanige pouse mag daar nie van sodanige werknemer vereis word of mag hy nie toegelaat word om enige werk te verrig nie, en sodanige pouse word gaag deel van die gewone werkure van sodanige werknemer uit te maak: Met dien verstande dat 'n werkgewer wat die gewone werkure van die namiddagwerktidperk met minstens 10 minute verkort, nie 'n ruspouse gedurende sodanige tydperk aan sy werknemer hoef toe te staan nie.

(4) *Werkure moet agtereenvolgend wees.*—Behoudens subklousules (2) en (3) moet alle werkure van 'n werknemer op elke dag agtereenvolgend wees.

(5) *Beperking van oortyd.*—'n Werkgewer mag nie van 'n werknemer vereis of hom toelaat om oortyd te werk nie, uitgesonderd in oorstemming met 'n ooreenkoms wat met die werknemer gesluit is en met dien verstande dat die gewone werkure nie oorskry word nie met, in die geval van—

- (a) 'n los werknemer, drie uur op 'n dag;
- (b) 'n sekuriteitswag of 'n wag, 12 uur in 'n week;
- (c) enige ander werknemer, 10 uur in 'n week.

(6) *Betaling vir oortyd.*—(a) 'n Werkgewer moet 'n werknemer, uitgesonderd 'n los werknemer, wat oortyd werk, betaal teen 'n skaal van minstens—

- (i) een en een derde maal sy uurloon ten opsigte van die totale tydperk wat nie 10 uur in 'n week oorskry nie;
- (ii) een en 'n half maal sy uurloon ten opsigte van die ure wat 10 ure in 'n week oorskry,

aldus deur sodanige werknemer gewerk.

(b) 'n Werkgewer moet 'n los werknemer wat oortyd werk, betaal teen 'n skaal van minstens een en een derde maal sy uurloon ten opsigte van die tydperk aldus op 'n dag gewerk.

(7) *Voorbehoudsbepalings.*—(a) Hierdie klousule is nie van toepassing nie op—

- (i) 'n reisende verteenwoordiger of 'n reisende verteenwoordiger se assistent;
- (ii) enige ander klas werknemer wat gereeld 'n loon ontvang van—

(aa) not less than R1 550 per month in the following areas:

Transvaal.—The Magisterial Districts of Alberton, Benoni, Boksburg, Brakpan, Delmas, Germiston, Johannesburg, Kempton Park, Klerksdorp, Krugersdorp, Nigel, Oberholzer, Pretoria, Randburg, Randfontein, Roodepoort, Springs, Vanderbijlpark, Vereeniging, Westonaria and Wonderboom and the municipal areas of Potchefstroom and Witbank;

Cape Province.—The Magisterial Districts of Bellville, The Cape, East London, Goodwood, Kimberley, Kuils River, Paarl, Port Elizabeth, Simon's Town, Somerset West, Stellenbosch, Strand, Uitenhage, Wellington, Worcester and Wynberg;

Natal.—The Magisterial Districts of Chatsworth, Durban, Inanda and Pinetown and the municipal area of Pietermaritzburg;

Orange Free State.—The Magisterial Districts of Bloemfontein, Odendaalsrus, Sasolburg, Virginia and Welkom;

(ab) not less than R1 430 per month in the following areas:

Transvaal.—The Magisterial Districts of Highveld Ridge and White River and the municipal areas of Brits, Ermelo, Lichtenburg, Middelburg, Nelspruit, Pietersburg, Potgietersrus, Rustenburg and Tzaneen;

Cape Province.—The Magisterial Districts of George, Knysna, Malmesbury, Moorreesburg, Mossel Bay, Oudtshoorn and Vredenburg and the municipal areas of Grahamstown, King William's Town, Queenstown, Uptington and Vryburg;

Natal.—The Magisterial Districts of Camperdown, Dannhauser, Dundee, Eshowe, Estcourt, Glencoe, Klip River, Lions River, Lower Tugela, Lower Umfolozi, Mtunzini, Newcastle, Port Shepstone, Umzinto and Vryheid;

Orange Free State.—The municipal areas of Bethlehem, Harri-smith and Kroonstad;

(ac) not less than R1 320 per month in any area not included in paragraphs (aa) and (ab) hereof;

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

(c) Subclause (3) shall not apply to an employee employed in a continuous activity, a boiler attendant-in-charge, a boiler attendant, a chauffeur, a shift worker, a driver or an employee who accompanies such driver.

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

6. ANNUAL LEAVE

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

(i) In the case of a travelling representative or a travelling representative's assistant who in the performance of his duties was absent from his place of residence and the employer's establishment on average at least three nights per month during any such period of 12 months' employment and who normally works on—

(aa) not more than five days in a week, 20 consecutive work-days;

(ab) more than five days in a week, 24 consecutive work-days;

(ii) in the case of a security guard or a watchman whose ordinary hours of work exceed 48 in a week and who normally works on—

(aa) not more than five days in a week, 20 consecutive work-days;

(ab) more than five days in a week, 24 consecutive work-days;

(iii) in the case of a security guard or a watchman whose ordinary hours of work do not exceed 48 in a week and who normally works on—

(aa) not more than five days in a week, 12 consecutive work-days;

(ab) more than five days in a week, 14 consecutive work-days;

(iv) in the case of any other employee, including an employee of the class referred to in subparagraph (i), who normally works on—

(aa) not more than five days in a week, 12 consecutive work-days;

(ab) more than five days in a week, 14 consecutive work-days.

(b) The employer shall pay the employee in respect of such leave, in the case of an employee referred to in paragraph—

(a) (i) (aa) or (ii) (a) an amount of not less than 20 times the daily wage;

(a) (i) (ab) or (ii) (ab) an amount of not less than 24 times the daily wage;

(a) (iii) (aa) or (iv) (aa) of not less than 12 times the daily wage;

(a) (iii) (ab) or (iv) (ab) an amount of not less than 14 times the daily wage;

(aa) minstens R1 550 per maand in die volgende gebiede:

Transvaal.—Die landdrostrikte Alberton, Benoni, Boksburg, Brakpan, Delmas, Germiston, Johannesburg, Kempton Park, Klerksdorp, Krugersdorp, Nigel, Oberholzer, Pretoria, Randburg, Randfontein, Roodepoort, Springs, Vanderbijlpark, Vereeniging, Westonaria en Wonderboom en die munisipale gebiede van Potchefstroom en Witbank;

Kaapprovinsie.—Die landdrostrikte Bellville, Die Kaap, Goodwood, Kimberley, Kuilsrivier, Oos-Londen, Paarl, Port Elizabeth, Simonstad, Somerset-Wes, Stellenbosch, Strand, Uitenhage, Wellington, Worcester en Wynberg;

Natal.—Die landdrostrikte Chatsworth, Durban, Inanda en Pinetown en die munisipale gebied van Pietermaritzburg;

Oranje-Vrystaat.—Die landdrostrikte Bloemfontein, Odendaalsrus, Sasolburg, Virginia en Welkom.

(ab) minstens R1 430 per maand in die volgende gebiede:

Transvaal.—Die landdrostrikte Hoëveldrif en Witrivier en die munisipale gebiede van Brits, Ermelo, Lichtenburg, Middelburg, Nelspruit, Pietersburg, Potgietersrus, Rustenburg en Tzaneen;

Kaapprovinsie.—Die landdrostrikte George, Knysna, Malmesbury, Moorreesburg, Mosselbaai, Oudtshoorn en Vredenburg en die munisipale gebiede van Grahamstad, King William's Town, Queens-town, Uptington en Vryburg;

Natal.—Die landdrostrikte Camperdown, Dannhauser, Dundee, Eshowe, Estcourt, Glencoe, Kliprivier, Lionsrivier, Lower Tugela, Lower Umfolozi, Mtunzini, Newcastle, Port Shepstone, Umzinto en Vryheid;

Oranje-Vrystaat.—Die munisipale gebiede van Bethlehem, Harri-smith en Kroonstad;

(ac) minstens R1 320 per maand in 'n gebied wat nie in paragraaf (aa) en (ab) hiervan ingesluit is nie.

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

(c) Subklousule (3) is nie van toepassing nie op 'n werknemer in 'n aaneenlopende bedrywigheid, 'n verantwoordelike ketelbediener, 'n ketelbediener, 'n chauffeur, 'n skofwerker, 'n drywer of 'n werknemer wat sodanige drywer vergesel.

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

6. JAARLIKSE VERLOF

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

(i) In die geval van 'n reisende verteenwoordiger of 'n reisende verteenwoordiger se assistent wat by die uitvoering van sy pligte gemiddeld ten minste drie nagte per maand van sy woonplek en sy werkgewer se bedryfsinrigting afwesig was, gedurende sodanige tydperk van 12 maande diens en wat gewoonlik op—

(aa) hoogstens vyf dae per week werk, 20 agtereenvolgende werkdade;

(ab) meer as vyf dae per week werk, 24 agtereenvolgende werkdade;

(ii) in die geval van 'n sekuriteitswag of 'n wag wie se gewone werkure 48 in 'n week oorskry en wat gewoonlik op—

(aa) hoogstens vyf dae per week werk, 20 agtereenvolgende werkdade;

(ab) meer as vyf dae per week werk, 24 agtereenvolgende werkdade;

(iii) in die geval van 'n sekuriteitswag of 'n wag wie se gewone werkure nie 48 in 'n week oorskry nie en wat gewoonlik op—

(aa) hoogstens vyf dae per week werk, 12 agtereenvolgende werkdade;

(ab) meer as vyf dae per week werk, 14 agtereenvolgende werkdade;

(iv) in die geval van enige ander werknemer, insluitende 'n werknemer van die klas bedoel in subparagraaf (i), wat gewoonlik op—

(aa) hoogstens vyf dae per week werk, 12 agtereenvolgende werkdade;

(ab) meer as vyf dae per week werk, 14 agtereenvolgende werkdade.

(b) Die werkgewer moet die werknemer ten opsigte van sodanige verlof betaal, in die geval van 'n werknemer bedoel in paragraaf—

(a) (i) (aa) of (ii) (aa) 'n bedrag van minstens 20 maal die dagloon;

(a) (i) (ab) of (ii) (ab) 'n bedrag van minstens 24 maal die dagloon;

(a) (iii) (aa) of (iv) (aa) 'n bedrag van minstens 12 maal die dagloon;

(a) (iii) (ab) of (iv) (ab) 'n bedrag van minstens 14 maal die dagloon

which the employee was receiving immediately prior to the date on which the leave commenced: Provided that an employee who, before paragraph (a) (iii) became binding had become entitled to a longer period of annual leave than is therein prescribed, shall retain such leave entitlement while employed by the same employer.

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

(a) if such leave has not been granted earlier, it shall, save as provided in subclause (3), be granted and be taken so as to commence within four months after the completion of the 12 months of employment to which it relates or, if the employer and employee have agreed thereto in writing before the expiration of the said period of four months, the employer shall grant such leave to the employee and the employee shall take such leave as from a date not later than two months after the expiration of the said period of four months;

(b) the period of leave shall not be concurrent with—

(i) sick leave in terms of clause 7 or with absence from work owing to incapacity in the circumstances set out in clause 7 (4) (a) or (b) amounting in the aggregate in any period of 12 months to not more than 15 weeks;

(ii) any period during which the employee is under notice of termination of employment in terms of clause 12; or

(iii) any period during which the employee is doing military service;

(c) an employer may set off against such period of leave any days of occasional leave granted on full pay to his employee at such employee's written request during the period of employment to which the annual leave relates.

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

Provided that—

(i) the request is made by such employee not later than four months after the expiration of the first period of 12 months of employment to which the leave relates, and

(ii) the date of receipt of the request is endorsed on the request over his signature by the employer who shall retain the request at least until after the expiration of the period of leave.

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

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

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

(a) in subclause—

(1) (a) (i) (aa) or (ii) (aa), one and two-third times the daily wage;

(1) (a) (i) (ab) or (ii) (ab), double the daily wage;

(1) (a) (iii) (ab) or (iv) (ab), one and one-sixth times the daily wage;

(1) (a) (iii) (aa) or (iv) (aa), the daily wage;

(b) in the proviso to subclause (1) (b), one-twelfth of the number of work-days' leave to which he had become entitled, multiplied by the daily wage,

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

(i) the employer has waived such notice or the employee has paid the employer upon termination or prior to termination of service in lieu of notice; or

(ii) in failing to give and serve such notice he was acting within his legal rights.

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

wat die werknemer onmiddellik voor die aanvangsdatum van die verlof ontvang het:

Met dien verstande dat 'n werknemer wat, voordat paragraaf (a) (iii) bindend geword het, geregtig geword het op 'n langer tydperk jaarlikse verlof as wat daarin voorgeskryf word, sodanige verlof moet behou terwyl hy by dieselfde werkgewer in diens is.

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

(a) indien sodanige verlof nie eerder verleen is nie, dit, behoudens subklousule (3), so verleen en geneem moet word dat dit begin binne vier maande na voltooiing van die 12 maande diens waarop dit betrekking het of, indien die werkgewer en werknemer voor die verstryking van genoemde tydperk van vier maande skriftelik daartoe ooreengekom het, die werkgewer sodanige verlof aan die werknemer moet verleen en die werknemer sodanige verlof moet neem met ingang van 'n datum uiterlik twee maande na die verstryking van genoemde tydperk van vier maande;

(b) die verloftydperk nie mag saamval nie met—

(i) siekteverlof ingevolge klousule 7 of met afwesigheid van die werk weens ongeskiktheid in die omstandighede uiteengesit in klousule 7 (4) (a) of (b), wat altesaam hoogstens 15 weke in 'n tydperk van 12 maande beloop;

(ii) 'n tydperk waartydens die werknemer kennis van diensbeëindiging ingevolge klousule 12 uitdien; of

(iii) 'n tydperk waartydens die werknemer militêre diens verrig;

(c) 'n werkgewer al die dae geleentheidsverlof wat op die skriftelike versoek van sy werknemer met volle betaling aan hom verleen is gedurende die tydperk diens waarop die jaarlikse verlof betrekking het, van sodanige verloftydperk kan aftrek.

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

(i) sodanige werknemer die versoek rig uiterlik vier maande na verstryking van die eerste tydperk van 12 maande diens waarop die verlof betrekking het; en

(ii) die werkgewer die datum van ontvangs van die versoek daarop aanbring en dit onderteken en die versoek tot minstens na verstryking van die verloftydperk bewaar.

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

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

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

(a) in subklousule—

(1) (a) (i) (aa) of (ii) (aa), een en twee derde maal die dagloon;

(1) (a) (i) (ab) of (ii) (ab), dubbel die dagloon;

(1) (a) (iii) (ab) of (iv) (ab), een en een sesde maal die dagloon;

(1) (a) (iii) (aa) of (iv) (aa), die dagloon;

(b) in die voorbehoudsbepaling by subklousule (1) (b), een twaalfde van die getal werkdae verlof waarop hy geregtig is, vermenigvuldig met die dagloon,

wat hy onmiddellik voor die datum van sodanige diensbeëindiging ontvang het: Met dien verstande dat 'n werkgewer 'n eweredige bedrag kan aftrek ten opsigte van 'n tydperk van geleentheidsverlof wat hy met volle betaling aan 'n werknemer op die werknemer se skriftelike versoek verleen het: Met dien verstande voorts dat 'n werknemer op geen betaling uit hoofde van hierdie subklousule geregtig is nie indien hy sy diens verlaat sonder om die kennis te gee en die kennisgewingstermyn uit te dien wat by klousule 12 voorgeskryf word, tensy—

(i) die werkgewer van sodanige kennisgewing afgesien het of tensy die werknemer sy werkgewer by diensbeëindiging of voor diensbeëindiging betaal het in plaas daarvan om kennis te gee; of

(ii) hy, terwyl hy versuim het om sodanige kennis te gee en sodanige kennisgewingstermyn uit te dien, binne sy wetlike regte gehandel het.

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

(7) For the purposes of this clause—

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

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

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

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

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

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

7. SICK LEAVE

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

- (a) an employee who normally works on not more than five days per week, not less than 30 work-days', and
- (b) any other employee, not less than 36 work-days'.

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

- (i) in the first cycle of 36 months of employment, an employee shall not be entitled to sick leave on full pay at a rate of more than, in the case of an employee who works on not more than five days in any week, one work-day in respect of each completed period of five weeks of employment and, in the case of any other employee, one work-day in respect of each completed month of employment;
- (ii) where, in such first cycle of employment with the same employer, an employee is absent owing to incapacity for a period in excess of any sick leave accrued at the time of such incapacity, he shall be entitled to be paid in respect of only such leave as has so accrued; but his employer shall, if he has not previously done so, at the expiration of the said cycle of employment or on termination of employment before such expiration, pay him in respect of such excess period of absence owing to incapacity to the extent to which sick leave accrued at such expiration or termination, had not been taken, at the rate of the employee's wage at the commencement of the incapacity;

(7) By die toepassing van hierdie klousule—

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

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

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

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

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

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

7. SIEKTEVERLOF

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

- (a) 'n werknemer wat gewoonlik hoogstens vyf dae per week werk, altesaam minstens 30 werkdae, en
- (b) enige ander werknemer, altesaam minstens 36 werkdae,

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

- (i) 'n werknemer gedurende die eerste tydkring van 36 agtereenvolgende maande diens nie op meer siekteverlof met volle betaling geregtig is nie as, in die geval van 'n werknemer wat hoogstens vyf dae per week werk, een werkdag ten opsigte van elke voltooide tydperk van vyf weke diens, en, in die geval van enige ander werknemer, een werkdag ten opsigte van elke voltooide maand diens;
- (ii) wanneer 'n werknemer gedurende sodanige eerste tydkring by dieselfde werkgewer weens ongeskiktheid vir 'n langer tydperk afwesig is as die siekteverlof wat hom ten tyde van sodanige ongeskiktheid toekom, hy geregtig is op betaling slegs vir dié siekteverlof wat hom dan toekom; maar sy werkgewer moet, as hy dit nie reeds gedoen het nie, by verstryking van gemelde dienstydkring of by diensbeëindiging voor sodanige verstryking, hom ten opsigte van sodanige langer tydperk van afwesigheid weens ongeskiktheid teen die skaal van werknemer se loon by die begin van die ongeskiktheid uitbetaal vir sover die siekteverlof wat hom ten tyde van sodanige verstryking of beëindiging toekom, nog nie geneem is nie;

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

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

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

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

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

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

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

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

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

(aa) on leave in terms of clause 6;

(ab) at the instance of his employer;

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

(ii) any period during which an employee is absent on military service: Provided that an employee shall not be entitled to claim as employment, in any one period of 12 months employment, more than four months of such service; and

(iii) any period of employment which an employee has had with the same employer immediately before the date on which this determination became binding and any sick leave on full pay granted to such an employee during such period shall be deemed to have been granted under this determination;

(b) 'incapacity' means inability to work owing to any sickness or injury, other than sickness or injury caused by an employee's own misconduct: Provided that any such inability to work, caused by an accident or scheduled disease as defined in section 2 of the Workmen's Compensation Act, 1941 (Act 30 of 1941), shall only be regarded as incapacity during any period in respect of which no disablement payment is payable in terms of that act.

(4) *Savings.*—This clause shall not apply—

(a) to an employee at whose written request an employer makes contributions, at least equal to those made by the employee, to any fund or organisation nominated by the employee, which fund or organisation guarantees to the employee, in the event of his incapacity in the circumstances set out in this clause, the payment to him of an amount not less than the wage payable in terms of subclause (1);

(b) in respect of any period of incapacity of an employee in respect of which the employer is required by any other law to pay the employee not less than his full wage.

8. PUBLIC HOLIDAYS AND SUNDAYS

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

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

(i) an amount calculated at a rate of not less than his wage rate in respect of the whole time worked by him on that day or an amount equal to at least the wage payable to him in respect of the time (excluding overtime) ordinarily worked by him on that day of the week, whichever amount is the greater; or

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

(iv) betaling vir 'n tydperk van afwesigheid met siekteverlof ingevolge hierdie klousule aan 'n werknemer wat stukwerk verrig, teen die skaal is van die werknemer se gemiddelde weeklikse besoldiging vir die 13 weke wat die aanvang van die siekteverlof voorafgaan of, indien 'n korter tydperk gewerk is, vir die getal voltooide weke wat aldus gewerk is.

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

(a) vir langer as twee agtereenvolgende werkdae; of

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

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

(3) By die toepassing van hierdie klousule—

(a) beteken die uitdrukking 'diens' ook—

(i) enige tydperk wat 'n werknemer afwesig is—

(aa) met verlof ingevolge klousule 6;

(ab) op aandrang van sy werkgewer;

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

en wat in enige tydkring van 36 maande altesaam hoogstens 30 weke beloop;

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

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

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

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

(a) op 'n werknemer op wie se skriftelike versoek 'n werkgewer hydraes wat minstens gelyk is aan dié van die werknemer, betaal aan 'n fonds of organisasie wat deur die werknemer aangewys is, welke fonds of organisasie aan die werknemer die betaling waarborg van, in die geval van sy ongeskiktheid in die omstandighede in hierdie klousule uiteengesit, 'n bedrag van minstens die loon betaalbaar ingevolge subklousule (1);

(b) ten opsigte van 'n tydperk van ongeskiktheid van 'n werknemer ten opsigte waarvan daar van 'n werkgewer ingevolge enige ander wet vereis word dat hy aan die werknemer minstens sy volle loon betaal.

8. OPENBARE VAKANSIEDAE EN SONDAE

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

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

(i) 'n bedrag bereken teen 'n skaal van minstens sy loon ten opsigte van die hele tydperk wat hy op daardie dag werk of 'n bedrag minstens gelyk aan die loon wat aan hom betaalbaar ten opsigte van die tyd (uitgesonderd oortyd) wat hy gewoonlik werk op daardie dag van die week, en net die grootste bedrag; of

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

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

(i) an amount calculated at a rate of not less than his wage rate in respect of the whole time worked by him on such day or an amount equal at least to the wage payable to him in respect of the time (excluding overtime) ordinarily worked by him on a work-day, whichever amount is the greater; or

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

(d) Whenever an employee, other than a casual employee, works on a public holiday as defined and such day falls on a Sunday, he shall be remunerated for such work on the basis set out in subclause (2).

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

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

(b) if he so works for longer than four hours, an amount which shall not be less than either an amount calculated at a rate of double his wage rate in respect of the whole time worked by him on such Sunday, or an amount equal to at least double the wage payable to him in respect of the time (excluding overtime) ordinarily worked by him on a week-day, whichever amount is the greater; or

(c) an amount calculated at a rate of not less than one and a third times his wage rate in respect of the whole time worked by him on such Sunday and grant him, within seven days of such Sunday, one day's leave and pay him in respect of such leave an amount of not less than the wage payable to him in respect of the time (excluding overtime) ordinarily worked by him on that day of the week.

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

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

(b) more than five days in a week, shall be deemed to have worked at least eight and a half hours on that day.

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

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

(b) partly on a public holiday as defined and partly on a Sunday;

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

(5) *Remuneration.*—Remuneration payable in terms of this clause to an employee, other than a casual employee, shall be paid to him not later than the pay-day next succeeding the day in respect of which such remuneration is payable. A casual employee shall be remunerated as set out in clause 4 (2).

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

(ii) 'n bedrag bereken teen 'n skaal van minstens een derde van sy loon ten opsigte van die hele tydperk wat hy op daardie dag gewerk het, en hom binne sewe dae na sodanige dag een dag verlof verleen en hom ten opsigte van sodanige verlof 'n bedrag van minstens die loon betaal wat betaalbaar is ten opsigte van die tyd (uitgesonderd oortyd) wat hy gewoonlik op daardie dag van die week werk.

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

(i) 'n bedrag bereken teen 'n skaal van minstens van sy loon ten opsigte van die hele tydperk wat hy op sodanige dag werk of 'n bedrag gelyk aan minstens die loon wat betaalbaar is aan hom ten opsigte van die tyd (uitgesonderd oortyd) wat hy gewoonlik op 'n werkdag werk, en net die grootste bedrag;

(ii) 'n bedrag bereken teen 'n skaal van minstens een derde van sy loon ten opsigte van die hele tydperk wat hy op sodanige dag werk, en hom binne sewe dae na sodanige dag een dag verlof verleen en hom ten opsigte van sodanige verlof 'n bedrag van minstens die loon betaal wat betaalbaar is ten opsigte van die tyd (uitgesonderd oortyd) wat hy gewoonlik op 'n werkdag werk.

(d) Wanneer 'n werknemer, uitgesonderd 'n los werknemer, op 'n openbare vakansiedag, soos omskryf, werk en sodanige dag op 'n Sondag val, moet hy vir sodanige werk besoldig word op die basis in subklousule (2) uiteengesit.

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

(a) indien hy aldus vir 'n tydperk van hoogstens vier uur werk, minstens die loon betaal wat betaalbaar is ten opsigte van die tyd (uitgesonderd oortyd) wat hy gewoonlik op 'n weekdag werk; of

(b) indien hy aldus vir 'n tydperk van meer as vier uur werk, 'n bedrag betaal van minstens 'n bedrag bereken teen 'n skaal van dubbel sy loon ten opsigte van die hele tydperk wat hy op sodanige Sondag werk, of 'n bedrag gelyk aan minstens dubbel die loon betaalbaar aan hom ten opsigte van die tyd (uitgesonderd oortyd) wat hy gewoonlik op 'n weekdag werk, en net die grootste bedrag;

(c) 'n bedrag bereken teen 'n skaal van minstens een en 'n derde maal sy loon ten opsigte van die hele tydperk wat hy op sodanige Sondag werk, en hom binne sewe dae na sodanige Sondag een dag verlof verleen en hom ten opsigte van sodanige verlof 'n bedrag van minstens die loon betaal wat betaalbaar is ten opsigte van die tyd (uitgesonderd oortyd) wat hy gewoonlik op daardie dag van die week werk.

(3) *Vergoeding vir 'n los werknemer vir werk op 'n openbare vakansiedag of 'n Sondag.*—Wanneer ook al 'n los werknemer op 'n openbare vakansiedag, soos omskryf, of 'n Sondag werk, moet sy werkgever hom ten opsigte van daardie dag 'n bedrag betaal bereken teen 'n skaal van minstens dubbel sy uurloon ten opsigte van elke uur of gedeelte van 'n uur wat hy op daardie dag werk: Met dien verstande dat die verwysing hierin na werk op Sondag nie van toepassing is nie op 'n werknemer in 'n aaneenlopende bedrywigheid en dat by die toepassing van hierdie subklousule 'n los werknemer in 'n bydryfsinrigting waarin die werknemer gewoonlik op—

(a) hoogstens vyf dae per week werk, geag word minstens nege en 'n kwart uur op daardie dag te gewerk het; en

(b) meer as vyf dae per week werk, geag word minstens agt en 'n half uur op daardie dag te gewerk het.

(4) *Vergoeding van werk gedeeltelik op 'n openbare vakansiedag of 'n Sondag.*—Wanneer ook al 'n werknemer 'n tydperk werk wat—

(a) gedeeltelik op 'n openbare vakansiedag, soos omskryf, of op 'n Sondag en gedeeltelik op enige ander dag val; of

(b) gedeeltelik op 'n openbare vakansiedag, soos omskryf, en gedeeltelik op 'n Sondag val,

word die here tydperk vir die doel van die berekening van die vergoeding betaalbaar aan sodanige werknemer geag gewerk te gewees het op die dag waarop die grootste gedeelte van daardie werkdag val.

(5) *Besoldiging.*—Besoldiging betaalbaar ingevolge hierdie klousule aan 'n werknemer, uitgesonderd 'n los werknemer, moet aan hom betaal word nie later nie as die eerste betaaldag na die dag ten opsigte waarvan sodanige beloning betaalbaar is. 'n Los werknemer moet besoldig word soos uiteengesit in klousule 4 (2).

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

9. PIECE-WORK

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

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

(2) An employer shall keep posted up in a conspicuous place in his establishment a schedule of the rates referred to in subclause (1) or he may in lieu thereof supply the employee with a letter signed by himself, or on his behalf, setting out the said rates.

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

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

10. PROHIBITION OF EMPLOYMENT

An employer shall not—

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

11. UNIFORMS, OVERALLS AND PROTECTIVE CLOTHING

An employer shall supply and maintain in serviceable and clean condition, free of charge, any gumboots, cap, uniform, overall or other protective clothing which he requires his employee to wear or which by any law he is required to provide for his employee, and any such article shall remain the property of the employer: Provided that an employer may require an employee to wash or to wash and iron any such article in the employee's own time, in which event the employer shall pay the employee an allowance of not less than R1 per week for each week in respect of which he is required to wear the article.

12. TERMINATION OF CONTRACT OF EMPLOYMENT

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

- (a) An employer or his employee, other than a casual employee, who desires to terminate the contract of employment, shall give—
 - (a) during the first four weeks of employment, not less than one work-day's notice;
 - (v) after the first four weeks of employment, not less than one week's notice

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

- (i) one work-day's notice, the daily wage,
- (ii) one week's notice, the weekly wage,

the employee is receiving at the time of such termination: Provided that this shall not affect—

- (aa) the right of an employer or his employee to terminate the contract without notice for any cause recognised by law as sufficient;
- (ab) any written agreement between an employer and his employee which provides for a period of notice of equal duration on both sides and for longer than that prescribed in this clause;
- (ac) the operation of any forfeitures or penalties which by law may be applicable in respect of an employee who deserts:

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

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

9. STUKWERK

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

- (a) 'n werknemer, uitgesonderd 'n los werknemer, vir elke week waarin stukwerk verrig word, minstens die bedrag wat die werkgever sodanige werknemer vir daardie week sou moes betaal het as hy hom op die basis van tyd gewerk betaal het;
- (b) 'n los werknemer, vir elke dag waarop stukwerk verrig word, minstens die bedrag wat vir die werkgever sodanige werknemer vir daardie dag sou moes betaal het as hy hom op die basis van tyd gewerk betaal het.

(2) 'n Werkgever moet 'n lys van die tariewe in subklousule (1) bedoel, op 'n opsigtelike plek in sy bedryfsinrigting opgeplak hou of hy kan in plaas daarvan aan die werknemer 'n brief besorg wat deur of namens hom onderteken is en waarin genoemde tariewe uiteengesit word.

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

(4) Ondanks andersluidende bepalings in hierdie klousule word daar nie van 'n werkgever vereis om 'n los werknemer kennis te gee van sy voorneme om 'n stukwerkstelsel in te voer of af te skaf of te wysig nie.

10. VERBOD OP INDIENSNEMING

'n Werkgever mag nie—

- (1) iemand onder die leeftyd van 15 jaar in diens neem nie;
- (2) van 'n vroulike werknemer vereis of haar toelaat om gedurende die tydperk beginnende vier weke voor die verwagte datum van haar bevalling en eindigende agt weke na die datum van haar bevalling te werk nie.

11. UNIFORMS, OORPAKKE EN BESKERMENDE KLERE

'n Werkgever moet alle rubberstewels, musse, uniforms, oorpakke of ander beskermende kleres wat hy van sy werknemer vereis om te dra of wat hy ingevolge enige wet verplig is om aan sy werknemer te verskaf, gratis verskaf en in 'n bruikbare en sindelike toestand hou, en enige sodanige artikel bly die eiendom van die werkgever: Met dien verstande dat 'n werkgever van 'n werknemer kan vereis om sodanige artikel in die werknemer se eie tyd te was of te was en te stryk, in welke geval die werkgever die werknemer 'n toelae moet betaal van minstens R1 per week vir elke week ten opsigte waarvan daar van hom vereis word om die artikel te dra.

12. BEÏNDIGING VAN DIENSKONTRAK

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

- (a) gedurende die eerste vier weke diens, minstens een werkdag kennis;
- (b) na die eerste vier weke diens, minstens een week kennis,

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

- (i) een werkdag kennisgewing, minstens die dagloon, en
- (ii) een week kennisgewing, minstens die weekloon

wat die werknemer ten tyde van sodanige beëindiging ontvang: Met dien verstande dat—

- (aa) die reg van 'n werkgever of sy werknemer om die kontrak op 'n regseldige grond sonder kennisgewing te beëindig;
- (ab) 'n skriftelike ooreenkoms tussen 'n werkgever en sy werknemer waarin voorsiening gemaak word vir 'n kennisgewingstermyn wat vir albei partye ewe lank is en langer is as dié wat in hierdie klousule voorgeskryf word;
- (ac) die werking van 'n verbeuring of boete wat wetlik van toepassing is op 'n werknemer wat dros;

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

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

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

(a) on leave granted in terms of clause 6 or on sick leave granted in terms of clause 7 or owing to incapacity in the circumstances set out in clause 7 (4) (a) or (b) where such absences amount in the aggregate to not more than 15 weeks in any period of 12 consecutive months' employment with the same employer; and

(b) on military service, except where an employee otherwise requests and his employer agrees thereto in writing.

(4) Unless an employer has waived the notice prescribed in subclause (1) or an employee leaves his employment without having given and served such notice or without having paid his employer in lieu of notice and in so doing the employee was acting within his legal rights, the employer may appropriate to himself, from any moneys which he owes to such employee by virtue of any provision of this determination, an amount of not more than that which the employee would have had to pay him in lieu of notice: Provided that where an employer has so appropriated an amount in lieu of notice the employee shall be deemed to have paid the employer to that extent in lieu of notice.

13. CERTIFICATE OF SERVICE

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

CERTIFICATE OF SERVICE

I/We.....
carrying on trade in the Woodworking Industry at
hereby certify that Identity No.
was employed by me/us from the day
of 19..... to the day
of 19..... as (*)

At the termination of employment this employee's wage was R

Signature of employer or authorised
representative

Date

(*) State class in which employee was wholly or mainly engaged, eg. clerk, Grade I employee, general worker.

14. LOG-BOOK

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

DAILY LOG

Name of employer
Name of driver Registration No. of vehicle
Date
Time of starting work
Time of finishing work
Number of hours worked
Meal intervals from to
Particulars of any accident or delay
Name(s) of employee(s) accompanying driver

Signature of driver

Date

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

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

(3) Die kennisgewing by subklousule (1) voorgeskryf, moet op 'n werk-dag geskied: Met dien verstande dat die kennisgewingstermyn nie mag saamval nie met, en die kennisgewing nie mag geskied nie gedurende, 'n werknemer se afwesigheid—

(a) met verlof ingevolge klousule 6 verleen of met siekteverlof ingevolge klousule 7 verleen of weens ongeskiktheid in die omstandighede in klousule 7 (4) (a) of (b) uiteengesit, waar sodanige afwesigheid altesaam hoogstens 15 weke in 'n tydperk van 12 agtereenvolgende maande diens by dieselfde werkgever beloop; en

(b) vir militêre diens, behalwe waar 'n werknemer anders versoek en die werkgever skriftelik daartoe instem.

(4) Tensy 'n werkgever afgesien het van die kennisgewing in subklousule (1) voorgeskryf of indien 'n werknemer sy diens verlaat sonder om sodanige kennis te gee en die kennisgewingstermyn uit te dien of sonder om sy werkgever te betaal in plaas van kennis te gee, en sodanige optrede binne sy wetlike regte was, kan die werkgever uit enige geld wat hy sodanige werknemer uit hoofde van 'n bepaling van hierdie vasstelling skuld, hom 'n bedrag toeëien van hoogstens dié wat die werknemer hom sou moes betaal het in plaas van kennis te gee: Met dien verstande dat wanneer 'n werkgever hom aldus 'n bedrag toeëien het in plaas van kennisgewing, daar geag word dat die werknemer die werkgever betaal het in plaas van kennis te gee.

13. DIENSSERTIFIKAAT

Uitgesonderd waar 'n werknemer dros of waar die werknemer 'n los werknemer is, moet die werkgever by beëindiging van 'n dienskontrak die werknemer van 'n dienssertifikaat voorsien, wenslik in onderstaande vorm, waarin die volle name van die werkgever en die werknemer, die klas van die werknemer, die aanvangsdatum en die datum van beëindiging van die kontrak en die loon van die werknemer op die datum van sodanige beëindiging vermeld word.

DIENSSERTIFIKAAT

Ek/Ons.....
wat die Houtverwerkingsnywerheid beoefen te
verklaar hierby dat Identiteitsnommer
in my/ons diens was van die dag van 19..... tot die dag van 19..... as (*)

By diensbeëindiging was hierdie werknemer se loon R

Handtekening van werkgever of
gemagtigde verteenwoordiger

Datum

(*) Meld die klas waarin die werknemer uitsluitlik of hoofsaaklik in diens was, bv. klerk, graad I-werknemer, algemene werker.

14. LOGBOEK

(1) 'n Werkgever moet sy drywer voorsien van 'n logboek wat so verdoenlik die volgende vorm het:

DAAGLIKSE LOG

Naam van werkgever
Naam van drywer Registrasienommer van voertuig
Datum
Tyd waarop werk begin het
Tyd waarop werk gestaak is
Getal ure gewerk
Etenspouses van tot
Besonderhede omtrent enige ongeluk of vertraging
Naam/name van werknemer(s) wat drywer vergesel het

Handtekening van drywer

Datum

(2) Elke drywer moet in die logboek in subklousule (1) bedoel, oor elke dag se werk 'n daaglikse log in duplo hou en binne 24 uur na voltooiing van die werk waarop dit betrekking het, 'n kopie daarvan by sy werkgever indien.

(3) Die werkgever moet die kopie van die daaglikse log wat ingevolge subklousule (2) by hom ingedien is, minstens drie jaar lank na sodanige indiening bewaar.

15. ATTENDANCE REGISTER

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

15. PRESENSIEREGISTER

(1) 'n Werkgewer moet in sy bedryfsinrigting 'n presensieregister verskaf wat wesenlik onderstaande vorm het en waarin hy met ink of inktlood die naam en klas van elk van sy werknemers inskryf, en indien 'n werknemer nie kan skryf nie, moet sy werkgewer vir elke dag wat hy gewerk het en wel op dié dag namens hom die nodige inskrywings ten opsigte van (i) tot (vi) van subklousule 3 (a) doen en sodanige inskrywings onderteken.

ATTENDANCE REGISTER

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

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

PRESENSIEREGISTER

(Naam van werknemer)										(Klas van werknemer)									
Datum en dag van week		Inskrywing wat die werknemer moet doen										Opmerkings (as daar is)							
Jaar.....	Maand.....	Aanvangs-tyd van werk	Werkpouses						Ophoutyd van werk	Oortyd gewerk		Totale getal ure		Handtekening	Deur werknemer	Deur werkgever as werknemer afwesig was. Redes vir sy afwesigheid (moet deur werkgever geteken word)	Deur Inspekteur		
Datum	Dag van week		Aanvang van pouse	Werk hervat	Aanvang van pouse	Werk hervat	Aanvang van pouse	Werk hervat		Vanaf	Tot	Elke dag	Elke week						
1																			
2																			
3																			
4																			
5																			
6																			
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Opmerking.— Onder die hoofde "Aanvang van pouse" en "Werk hervat" in die kolom wat op "Werkpouses" betrekking het, voeg in hoe laat 'n pouse begin het en hoe laat werk hervat is. 'n Werknemer word geag in sy werk te wees vir enige pouse in sy werk indien dit die werknemer nie vrystaan om die bedryfsinrigting vir die hele pouse te verlaat nie.

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

No.....	Name of employee				
His class	Week ended 19.....				
Day	In	Out	In	Out	Total
Sunday.....	.h..	.h..	.h..	.h..	.h..
Monday.....	.h..	.h..	.h..	.h..	.h..
Tuesday.....	.h..	.h..	.h..	.h..	.h..
Wednesday.....	.h..	.h..	.h..	.h..	.h..
Thursday.....	.h..	.h..	.h..	.h..	.h..
Friday.....	.h..	.h..	.h..	.h..	.h..
Saturday.....	.h..	.h..	.h..	.h..	.h..

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

- (a) record in ink or indelible pencil in such attendance register referred to in subclause (1):
 - (i) The day of the week;
 - (ii) the time he commenced work;
 - (iii) the time of commencement and termination of all meal or other intervals which are not reckonable as ordinary hours of work;
 - (iv) the time of finishing work for the day;
 - (v) the time of commencement and termination of overtime worked for the day;
 - (vi) the total number of hours worked for the day; and
 - (vii) his signature;
- (b) in an establishment where a semi-automatic time recorder is provided, make an entry by means of such recorder on a card supplied in terms of subclause (2) to show the following:
 - (i) The time he commenced work;
 - (ii) the time of commencement and termination of all meal or other intervals, which are not reckonable as ordinary hours of work; and
 - (iii) the time of finishing work for the day.

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

(5) This clause shall not apply to—

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

(2) 'n Werkgewer kan in plaas van 'n presensieregister 'n halfoutomatiese tydregistreerder verskaf tesame met die nodige kaarte, wat sover doenlik onderstaande vorm moet hê, en hy moet aan elke werknemer so 'n kaart verskaf waarop die naam of nommer van die werknemer en die datum van die einde van die week waarvan dit gebruik word, aangedui word:

No.....	Naam van werknemer.....				
Sy klas	Week eindigende 19.....				
Dag	In	Uit	In	Uit	Totaal
Sondag.....	.h..	.h..	.h..	.h..	.h..
Maandag.....	.h..	.h..	.h..	.h..	.h..
Dinsdag.....	.h..	.h..	.h..	.h..	.h..
Woensdag.....	.h..	.h..	.h..	.h..	.h..
Donderdag.....	.h..	.h..	.h..	.h..	.h..
Vrydag.....	.h..	.h..	.h..	.h..	.h..
Saterdag.....	.h..	.h..	.h..	.h..	.h..

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

- (a) met ink of inktlood in die presensieregister in subklousule (1) bedoel, aanteken:
 - (i) Die dag van die week;
 - (ii) die tyd waarop hy begin werk het;
 - (iii) die tyd waarop alle etens- en ander pouses wat nie as gewone werkure gereken kan word nie, begin en geëindig het;
 - (iv) die ophoutyd van werk vir die dag;
 - (v) die tyd waarop oortyd vir die dag begin en geëindig het;
 - (vi) die totale getal ure wat vir die dag gewerk is; en
 - (vii) sy handtekening;
- (b) in 'n bedryfsinrigting waarin 'n halfoutomatiese tydregistreerder verskaf word, 'n inskrywing deur middel van sodanige registreerder doen op 'n kaart wat ingevolge subklousule (2) verskaf word en wat die volgende aandui:
 - (i) Die tyd waarop hy begin werk het;
 - (ii) die tyd waarop alle etens- en ander pouses wat nie as gewone werkure gereken kan word nie, begin en geëindig het; en
 - (iii) die ophoutyd van werk vir die dag.

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

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

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

No. R. 2694

19 December 1986

LABOUR RELATIONS ACT, 1956

DAIRY INDUSTRY, REPUBLIC OF SOUTH AFRICA.—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. 4 of 2 January 1981 R. 85 of 14 January 1983 and R. 2850 of 28 December 1984, to be effective from the date of publication of this notice and for the period ending 30 June 1987.

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

No. R. 2694

19 Desember 1986

WET OP ARBEIDSVERHOUDINGE, 1956

SUIWELNYWERHEID, REPUBLIEK VAN SUID-AFRIKA.—HERNUWING VAN HOOFOOREENKOMS

Ek, Mattheus Willem Johannes le Roux, Direkteur: Mannekrag, behoorlik daartoe gemagtig deur die Minister van Mannekrag, verklaar hierby, kragtens artikel 48 (4) (a) (ii) van die Wet op Arbeidsverhoudinge, 1956, dat die bepalinge van Goewermentskennisgewings R. 4 van 2 Januarie 1981, R. 85 van 14 Januarie 1983 en R. 2850 van 28 Desember 1984, van krag is vanaf die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 30 Junie 1987 eindig.

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

SOUTH AFRICAN TRANSPORT SERVICES

No. R. 2664

19 December 1986

PENSION REGULATIONS**SCHEDULE OF AMENDMENT**

Under the powers vested in me by section 4 (3) of the Railways and Harbours Pensions Act, 1971 (Act 35 of 1971), I, Hendrik Stephanus Johan Schoeman, Minister of Transport Affairs of the Republic of South Africa, do hereby, after consultation with the South African Transport Services Board, approve of the Pension Regulations, published in Government Notice R. 859 of 28 May 1971, as amended, being further amended as follows from 1 April 1986:

REGULATION 24

Substitute the following for paragraph (2) (i) (iii) (15):

- (15) From 1 July 1985 to 31 March 1986—335 per cent on (ii) (5).

Insert the following new paragraph (16):

- (16) From 1 April 1986—342 per cent on (ii) (5).

SUID-AFRIKAANSE VERVOERDIENSTE

No. R. 2664

19 Desember 1986

PENSIOENREGULASIES**WYSIGINGSLYS**

Kragtens die bevoegdheid aan my verleen by artikel 4 (3) van die Spoorweg- en Hawepensioenwet, 1971 (Wet 35 van 1971), verleen ek, Hendrik Stephanus Johan Schoeman, Minister van Vervoerwese van die Republiek van Suid-Afrika, na raadpleging met die Raad van Suid-Afrikaanse Vervoerdienste, goedkeuring daaraan dat die Pensioenregulasies, gepubliseer in Goewermentskennisgewing R. 859 van 28 Mei 1971, soos gewysig, verder soos volg gewysig word vanaf 1 April 1986:

REGULASIE 24

Vervang paragraaf (2) (i) (iii) (15) deur die volgende:

- (15) Vanaf 1 Julie 1985 tot 31 Maart 1986—335 persent op (ii) (5).

Voeg die volgende nuwe paragraaf (16) in:

- (16) Vanaf 1 April 1986—342 persent op (ii) (5).

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CONTENTS

INHOUD

No.	Page No.	Gazette No.
GOVERNMENT NOTICES		
Agricultural Economics and Marketing, Department of		
<i>Government Notices</i>		
R. 2668	Marketing Act (59/1968): Regulations relating to the furnishing of security by distributors, milk processors and exempted producers to the Dairy Board: Amendment.....	1 10553
R. 2675	Marketing Act (59/1968): Deciduous Fruit Scheme: Levies and special levies: Amendment.....	2 10553
R. 2676	do.: Regulations relating to the grading, packing and marking of plums and prunes intended for sale in certain areas of the Republic of South Africa: Amendment.....	4 10553
R. 2677	do.: Regulations relating to the grading, packing and marking of pears intended for sale in certain areas of the Republic of South Africa: Amendment.....	5 10553
R. 2678	do.: Deciduous Fruit Scheme: Notice of proposed amendment.....	11 10553
R. 2679	do.: Dried Fruit Scheme: Levy and Special levy on dried fruit.....	12 10553
R. 2680	do.: Canning Fruit Scheme: Prohibition on the sale or processing of canning fruit.....	13 10553
R. 2681	do.: do.: Levy and special levy on canning fruit.....	15 10553
R. 2682	do.: do.: Minimum prices for canning fruit.....	16 10553
R. 2692	Wine, Other Fermented Beverages and Spirits Act (25/1957): Regulations relating to the production or manufacture, import, export and labelling of wine, other fermented beverages and spirits: Amendment.....	17 10553
R. 2695	Marketing Act (59/1968): Lucerne Seed Scheme: Maximum price for lucerne seed sold by cleaners.....	18 10553
R. 2696	do.: do.: Levy and special levy.....	19 10553
R. 2697	Egg Production Control Act (61/1970): Restriction on the keeping of laying hens.....	20 10553
R. 2698	do.: Regulations: Amendment.....	20 10553
Education and Training, Department of		
<i>Government Notices</i>		
R. 2669	University of Fort Hare Act (40/1969): Regulations.....	22 10553
R. 2670	do.: Statute.....	23 10553
Finance, Department of		
<i>Government Notices</i>		
R. 2671	Customs and Excise Act (91/1964): Amendment of Schedule 1 (No. 1/1/1263).....	33 10553
R. 2672	do.: Amendment of Schedule 1 (No. 1/1/1264).....	34 10553
R. 2673	do.: Amendment of Schedule 1 (No. 1/1/1265).....	34 10553
R. 2674	do.: Amendment of Schedule 3 (No. 3/888).....	35 10553
Manpower, Department of		
<i>Government Notices</i>		
R. 2666	Wage Act (5/1957): Amendment of Wage Determination 432: Plywood Industry, Certain Areas.....	36 10553
R. 2667	do.: Amendment of Wage Determination 405: Woodworking Industry, Republic of South Africa.....	39 10553
R. 2694	Labour Relations Act (28/1956): Dairy Industry, Republic of South Africa: Renewal of Main Agreement.....	63 10553
South African Transport Services		
<i>Government Notice</i>		
R. 2664	Railways and Harbours Pensions Act (35/1971): Pension Regulations: Schedule of amendment.....	64 10553

No.	Bladsy No.	Staatskoerant No.
GOEWERMENSKENNISGEWINGS		
Finansies, Departement van		
<i>Goewermenskennisgewings</i>		
R. 2671	Doeane- en Aksynswet (91/1964): Wysiging van Bylae 1 (No. 1/1/1263).....	33 10553
R. 2672	do.: Wysiging van Bylae 1 (No. 1/1/1264)...	34 10553
R. 2673	do.: Wysiging van Bylae 1 (No. 1/1/1265)...	34 10553
R. 2674	do.: Wysiging van Bylae 3 (No. 3/888).....	35 10553
Landbou-ekonomie en -bemarking, Departement van		
<i>Goewermenskennisgewings</i>		
R. 2668	Bemarkingswet (59/1968): Regulasies betreffende die verstrekking van sekuriteit deur distribueerders, melkprosesseerders en vrygestelde produsente aan die Suiwelraad: Wysiging.....	1 10553
R. 2675	Bemarkingswet (59/1968): Sagtevrugteskema: Heffings en spesiale heffings: Wysiging.....	2 10553
R. 2676	do.: Regulasies met betrekking tot die gradering, verpakking en merk van pruime en pruimedante bestem vir verkoop in sekere gebiede van die Republiek van Suid-Afrika: Wysiging.....	4 10553
R. 2677	do.: Regulasies met betrekking tot die gradering, verpakking en merk van pere bestem vir verkoop in sekere gebiede van die Republiek van Suid-Afrika: Wysiging.....	5 10553
R. 2678	do.: Sagtevrugteskema: Kennisgewing van voorgename wysiging.....	11 10553
R. 2679	do.: Droëvrugteskema: Heffing en spesiale heffing op droëvrugte.....	12 10553
R. 2680	do.: Skema vir Inmaakvrugte: Verbod op die verkoop of verwerking van inmaakvrugte....	13 10553
R. 2681	do.: do.: Heffing en spesiale heffing op inmaakvrugte.....	15 10553
R. 2682	do.: do.: Minimum pryse vir inmaakvrugte	16 10553
R. 2692	Wet op Wyn, Ander Gegiste Drank en Spirituallie (25/1957): Regulasies betreffende die produksie of vervaardiging, invoer, uitvoer en etikettering van wyn, ander gegiste drank en spirituelle: Wysiging.....	17 10553
R. 2695	Bemarkingswet (59/1968): Lusernasaadskema: Maksimum prys vir lusernasaad deur skoonmakers verkoop.....	18 10553
R. 2696	do.: do.: Heffing en spesiale heffing.....	19 10553
R. 2697	Wet op die Beheer van Eierproduksie (61/1970): Beperking op die aanhou van lêhenne.....	20 10553
R. 2698	do.: Regulasies: Wysiging.....	20 10553
Mannekrag, Departement van		
<i>Goewermenskennisgewings</i>		
R. 2666	Loonwet (5/1957): Wysiging van Loonvasstelling 432: Laaghoutnywerheid, Sekere Gebiede.....	36 10553
R. 2667	do.: Wysiging van Loonvasstelling 405: Houtverwerkingsnywerheid, Republiek van Suid-Afrika.....	39 10553
R. 2694	Wet op Arbeidsverhoudinge (28/1956): Suiwelnywerheid, Republiek van Suid-Afrika: Hernuwing van Hoofoorreenskoms.....	63 10553
Onderwys en Opleiding, Departement van		
<i>Goewermenskennisgewings</i>		
R. 2669	Wet op die Universiteit van Fort Hare (40/1969): Regulasies.....	22 10553
R. 2670	do.: Statuut.....	23 10553
Suid-Afrikaanse Vervoerdienste		
<i>Goewermenskennisgewing</i>		
R. 2664	Spoorweg- en Hawepensioenwet (35/1971): Pensioenregulasies: Wysigingslys.....	64 10553