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PROKLAMASIE

van die

Staatspresident van die Republiek van Suid-Afrika

No. R. 79, 1988

WYSIGING VAN AANGELEENTHEDE RAKENDE DIE
STAATSDIENS OPGEDRA AAN MINISTERS EN
ADMINISTRATEURS

Kragtens die bevoegdheid my verleen by artikel 6 (2) van die Wet op die Kommissie vir Administrasie, 1984 (Wet 65 van 1984), wysig ek hierby Deel A van die Bylae tot Proklamasie 88 van 1983, soos afgekondig in *Staatskoerant* 8745 van 1 Junie 1983, in die mate aangetoon in die Bylae hiervan.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Kaapstad, op hede die Tweede dag van Mei Eenduisend Negehonderd Agt-en-tagtig.

P. W. BOTHA,
Staatspresident.

Op las van die Staatspresident-in-Kabinet:

D. J. DE VILLIERS,

Minister van die Kabinet.

BYLAE

1. Vervang item 1 (b) van Afdeling IV deur die volgende item:

“(b) die bepaling van aanvangsalarisse op grond van óf kwalifikasies óf ondervinding óf ’n kombinasie daarvan waar sodanige kombinasie uitdruklik ten opsigte van bepaalde range gemagtig is en, waar toepaslik, salaris by diensverlating (kyk afdeling II/4 hierbo in verband met geskeduleerde departementele personeel);”.

PROCLAMATION

by the

State President of the Republic of South Africa

No. R. 79, 1988

AMENDMENT OF MATTERS INVOLVING THE
PUBLIC SERVICE ASSIGNED TO MINISTERS AND
ADMINISTRATORS

By virtue of the powers vested in me by section 6 (2) of the Commission for Administration Act, 1984 (Act 65 of 1984), I hereby amend Part A of the Annex to Proclamation 88 of 1983, as published in *Government Gazette* 8745 of 1 June 1983, to the extent indicated in the Annex hereto.

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

P. W. BOTHA,
State President.

By Order of the State President-in-Cabinet:

D. J. DE VILLIERS,

Minister of the Cabinet.

ANNEX

1. Substitute for item 1 (b) of Section IV the following item:

“(b) the determination of commencing salaries on the basis of qualifications or experience or a combination of these where such combination is expressly authorised in respect of certain ranks and, where applicable, on the basis of salary received on termination of service (see section II/4 above in respect of scheduled departmental personnel);”.

GOEWERMENSKENNISGEWINGS**DEPARTEMENT VAN FINANSIES**

No. R. 947

20 Mei 1988

STAATSTENDERRAAD**REGULASIES**

Die Minister van Finansies het kragtens artikel 13 van die Wet op die Staatstenderraad, 1968 (Wet 86 van 1968), die regulasies in die Bylae hiervan uitgevaardig.

BYLAE

1. In hierdie regulasies beteken "die Wet" die Wet op die Staatstenderraad, 1968 (Wet 86 van 1968), en het enige woord of uitdrukking waaraan 'n betekenis in die Wet geheg is, die betekenis aldus daaraan geheg en, tensy uit die samehang anders bly, beteken—

"aanbod" enige aanbod, met inbegrip van 'n tender of prysnotering, deur 'n persoon binne of buite die Republiek om 'n ooreenkoms bedoel in artikel 4 (1) (a) van die Wet aan te gaan;

"beperking" 'n beperking wat aan 'n persoon opgelê word en voortspruit uit 'n beslissing van die Raad in regulasie 3 (5) (a) of (f) bedoel;

"kontrakteur" enige persoon van wie 'n aanbod deur die Staat aangeneem is;

"streekstenderraad" 'n streekstenderraad bedoel in artikel 2A van die Wet;

"voorsitter", met betrekking tot die Raad of 'n streekstenderraad, die voorsitter bedoel in artikel 3 (2), saamgelees met artikel 12A, van die Wet of, in die omstandighede in eersbedoelde artikel beoog, die betrokke vise-voorsitter of ander voorsittende lid.

2. Behoudens die bepalinge van 'n wet van die Parlement mag leweransies en dienste vir en namens die Staat, die huur of verhuur van enigiets of die verkryging of verlenging van enige reg vir en namens die Staat en die vervreemding van roerende Staatsgoed slegs deur bemiddeling van die Raad verkry, gereël of vervreem word.

BEVOEGDHEDE VAN DIE RAAD

3. (1) Die Raad kan, behoudens die toepaslike bepalinge van enige wet van die Parlement, voorskrifte in verband met die verkryging van leweransies en dienste, die huur of verhuur van enigiets, of die verkryging of verlenging van enige reg en die vervreemding van roerende Staatsgoed aan Staatsdepartemente uitreik ten einde die doelstellings van die Wet te verwesenlik.

(2) Die Raad kan deskundige of tegniese advies inwin, en kan enige beampte of werknemer versoek om deskundige of tegniese advies te gee waar dit vir sodanige beampte of werknemer wettiglik geoorloof is om aan die Raad die verlangde advies te gee.

(3) Die Raad kan enige beampte of werknemer, of enige persoon in diens van 'n organisasie wat verteenwoordiging in die Raad het, aanwys as gekoopteerde lid van die Raad om in die tydelike afwesigheid van 'n lid die betrokke Staatsdepartement of ander organisasie te verteenwoordig: Met dien verstande dat sodanige gekoopteerde lid nie geregtig is om oor 'n saak onder bespreking te stem nie.

(4) Die Raad kan *ex post facto*-goedkeuring verleen aan enige optrede van 'n Staatsdepartement waardeur 'n bevoegdheid wat by die Wet of hierdie regulasies aan die Raad verleen is, uitgeoefen is, indien die Raad tevrede is dat sodanige optrede van die Staatsdepartement in omstandighede van nood of andersins in die beste belang van die Staat en sonder nalatigheid geskied het, mits die Staat nie as gevolg van die optrede skade gely het nie.

GOVERNMENT NOTICES**DEPARTMENT OF FINANCE**

No. R. 947

20 May 1988

STATE TENDER BOARD**REGULATIONS**

The Minister of Finance has, under section 13 of the State Tender Board Act, 1968 (Act 86 of 1968), made the regulations contained in the Schedule hereto.

SCHEDULE

1. In these regulations "the Act" means the State Tender Board Act, 1968 (Act 86 of 1968), and any word or expression to which a meaning has been assigned in the Act shall bear the meaning so assigned to it and, unless the context indicates otherwise—

"chairman", in relation to the Board or a regional tender board, means the chairman referred to in section 3 (2) read with section 12A of the Act or, in the circumstances contemplated in the first-mentioned section, the relevant vice-chairman or other presiding member;

"contractor" means any person from whom an offer has been accepted by the State;

"offer" means any offer, including a tender or quotation, by a person within or outside the Republic, for concluding an agreement referred to in section 4 (1) (a) of the Act;

"regional tender board" means a regional tender board referred to in section 2A of the Act;

"restriction" means a restriction that is imposed on any person and that arises from a decision of the Board referred to in regulation 3 (5) (a) or (f).

2. Subject to the provisions of any Act of Parliament supplies and services for and on behalf of the State, the hiring or letting of anything or the acquisition or granting of any right for and on behalf of the State and the disposal of movable State property shall be procured, arranged or disposed of only through the Board.

POWERS OF THE BOARD

3. (1) The Board may, subject to the applicable provisions of any Act of Parliament, issue directives to Government departments in regard to the procurement of supplies and services, the hiring or letting of anything, or the acquisition or granting of any right, and the disposal of movable Government property in order to achieve the objects of the Act.

(2) The Board may invite expert or technical advice, and may call upon any officer or employee to provide expert or technical advice in so far as it is legally permissible for such officer or employee to provide the required advice to the Board.

(3) The Board may appoint any officer or employee or any person in the service of any organisation represented on the Board as a co-opted member of the Board to represent in the temporary absence of a member, the Government department or other organisation concerned: Provided that such co-opted member shall not be entitled to vote on any matter under discussion.

(4) The Board may approve *ex post facto* any action of a Government department whereby any power conferred upon the Board by the Act or these regulations has been exercised, if the Board is satisfied that such action of the Government department took place in circumstances of emergency or otherwise was in the best interest of the State and was done without negligence, provided that the State has not suffered any damage as a result thereof.

(5) (a) Indien die Raad van oordeel is dat 'n persoon—

(i) 'n aanbod gewysig of teruggetrek het na die sluitingstyd van ontvangs van aanbiedinge maar voordat hy van die aanvaarding daarvan in kennis gestel is; of

(ii) versuim het om binne die tydperk in tendervoorwaardes bepaal, of die langer tydperk wat die Raad toegelaat het, 'n ooreenkoms te onderteken of sekerheid te stel wanneer dit van hom vereis is; of

(iii) in gebreke bly of gebly het om enige voorwaarde van 'n ooreenkoms na te kom, of 'n ooreenkoms op 'n onbevredigende wyse uitvoer of uitgevoer het; of

(iv) wat 'n ooreenkoms bedoel in artikel 4 (1) (a) van die Wet aangegaan het, omkoopgeld ten opsigte van die ooreenkoms beloof, aangebied of gegee het, of ten opsigte daarvan op 'n bedrieglike wyse of te kwader trou of op 'n ander onbehoorlike wyse opgetree het,

kan die Raad, benewens enige ander regs middel waaroor hy beskik, beslis dat gedurende die tydperk wat die Raad bepaal, geen aanbod van die betrokke persoon oorweeg word nie.

(b) Die Raad kan 'n beperking te eniger tyd wysig of ophef.

(c) Enige beperking deur die Raad aan 'n persoon opgelê, kan na goedvinde van die Raad ook van toepassing gemaak word op enige ander onderneming, of op 'n vennoot, bestuurder, direkteur of ander persoon, wat ten volle of gedeeltelik beheer oor die onderneming van eersbedoelde persoon uitoefen of uitgeoefen het of kan uitoefen, en met welke onderneming of persoon die eersbedoelde persoon na die oordeel van die Raad aktief geassosieer is of was.

(d) By die toepassing van hierdie subregulasie sluit die uitdrukking "persoon", in verband met enige beperking, ook 'n werknemer of agent van sodanige persoon in.

(e) Waar die Raad 'n beperking met betrekking tot die oorweging van 'n aanbod oplê, of sodanige beperking wysig of ophef, moet hy die ander tenderrade waarop hy mag besluit, alle Staatsdepartemente en, indien die Raad dit nodig ag, die Republiek se buitelandse verteenwoordigers, van enige besluit met betrekking tot sodanige beperking, opheffing of wysiging in kennis stel en dié rade, departemente en verteenwoordigers versoek om soortgelyke stappe ten opsigte van die betrokke persoon opgelê word ten opsigte van ooreenkomste met die Raad.

(6) Indien 'n ooreenkoms aangegaan is met 'n kontrakteur op grond van inligting deur hom verstrekte ten opsigte waarvan daar na die sluiting van bedoelde ooreenkoms bewys word dat dit onjuiste inligting was, kan die Raad, benewens enige ander regs middel waaroor hy beskik—

(a) op die kontrakteur enige onkoste en enige skade verhaal wat die Staat as gevolg van die sluiting van die ooreenkoms aangegaan of gely het, na gelang van die geval; of

(b) die ooreenkoms opsê en op die kontrakteur enige skade verhaal wat die Staat mag ly deur daarna minder gunstige reëlings te moet tref; en

(c) by skriftelike kennisgewing gerig aan die kontrakteur en per geregistreerde pos aan hom afgelewer, 'n boete van hoogstens 5 persent van die geldwaarde van die ooreenkoms aan die kontrakteur oplê.

PROSEDURE OP VERGADERINGS

4. (1) Die Raad vergader van tyd tot tyd op die datums en tye wat bepaal word deur die voorsitter van die Raad, en enige vergadering aldus belê, kan deur die voorsitter verdaag of uitgestel word.

(2) Vyf lede maak 'n kworum vir 'n vergadering van die Raad uit.

(5) (a) If the Board is of opinion that a person—

(i) has amended or withdrawn an offer after the closing time for receipt of offers but before he has been notified of its acceptance; or

(ii) has failed to sign a contract or to provide security within the period stipulated in the conditions of tender, or such extended period as the Board may allow, when required to do so; or

(iii) fails or has failed to comply with any of the conditions of an agreement, or performs or has performed unsatisfactorily under an agreement; or

(iv) who has concluded an agreement referred to in section 4 (1) (a) of the Act, has promised, offered or given a bribe, or has acted in respect thereof in a fraudulent manner or in bad faith or in any other improper manner,

the Board may, in addition to any other legal remedies it may have, resolve that no offer from the person concerned should be considered during such period as the Board may stipulate.

(b) The Board may at any time vary or rescind any restriction.

(c) Any restriction imposed on any person by the Board may at the discretion of the Board also be made applicable to any other enterprise, or to any partner, manager, director or other person, who wholly or partly exercises or exercised or may exercise control over the enterprise of the first-mentioned person, and with which enterprise or person the first-mentioned person is or was in the opinion of the Board actively associated.

(d) For the purposes of this subregulation the expression "person", in respect of any restriction, shall also include an employee or agent of such person.

(e) Where the Board imposes a restriction regarding the consideration of an offer, or varies or rescinds such restriction, it shall inform any other tender boards on which it may decide, all Government departments and, where the Board deems it necessary, the Republic's representatives abroad, of any resolution relative to such restriction or rescindment or variation, and request the said boards, departments and representatives to take similar steps in respect of the person concerned.

(f) Whenever it comes to the attention of the Board that any other tenderboard referred to in subregulation (e) has taken a decision referred to in subregulation (a) in respect of a person in respect of agreements similar to those contemplated in section 4 (1) (a) of the Act, the Board may resolve that a similar restriction be imposed by it on the person concerned in respect of agreements with the Board.

(6) If an agreement has been concluded with any contractor on the strength of information furnished by him in respect of which it is after the conclusion of such agreement proved that such information was incorrect the Board may, in addition to any other legal remedy it may have—

(a) recover from the contractor any costs, and any damages incurred or sustained, as the case may be, by the State as a result of the conclusion of the agreement; or

(b) terminate the agreement and recover from the contractor any damages which the State may suffer by having to make less favourable arrangements thereafter; and

(c) impose by written notice directed to the contractor and delivered to him by registered post, a penalty not exceeding 5 per cent of the monetary value of the agreement.

PROCEDURE AT MEETINGS

4. (1) The Board shall meet from time to time on such dates and at such times as determined by the chairman of the Board, and any meeting so convened may be adjourned or postponed by the chairman.

(2) Five members shall constitute a quorum for a meeting of the Board.

(3) (a) Behoudens die bepalings van die Wet en hierdie regulasies is 'n lid van die Raad wat teenwoordig is by 'n vergadering verplig om sy stem uit te bring ten opsigte van 'n aangeleentheid wat tot stemming gebring is en waarvoor die betrokke lid wettiglik 'n stem kan uitbring.

(b) In die geval van 'n staking van stemme op 'n vergadering van die Raad het die voorsitter van die vergadering 'n beraadslagende sowel as 'n beslissende stem.

(c) Die getal stemme vir of teen enige besluit moet in die notule van die vergadering aangedui word indien die vergadering aldus beslis. Enige lid kan eis dat sy stem insgelyks genotuleer word.

(4) By die oorweging van 'n aangeleentheid wat 'n Staatsdepartement of 'n ander organisasie raak wat in die Raad verteenwoordig word, is die lid van sodanige departement of organisasie nie geregtig om oor die betrokke aangeleentheid te stem nie.

(5) Die voorsitter van 'n vergadering kan beslis dat enige voorstel of aangeleentheid onder oorweging teruggetrek moet word voordat daarvoor gestem is.

(6) Alle besprekings op vergaderings van die Raad en alle aangeleenthede wat oorweeg en besluit wat geneem word deur die Raad, word as vertroulik behandel en mag nie deur 'n lid of gekoopteerde lid van die Raad, of 'n beampte, werknemer of enige persoon van wie verlang word om deskundige advies aan die Raad te gee soos bedoel in regulasie 3 (2), openbaar gemaak word sonder dat die toestemming van die Raad vooraf verkry en in die notule opgeteken is nie.

BESLUITTE VAN DIE RAAD

5. Wanneer aanbiedinge op uitnodiging van die Raad ingedien word met die doel om 'n ooreenkoms bedoel in artikel 4 (1) (a) van die Wet aan te gaan—

(a) is die Raad nie verplig om die laagste of enige aanbod aan te neem nie;

(b) kan die Raad, in 'n geval waar 'n aanbod op meer as een item betrekking het, sodanige aanbod ten opsigte van enige bepaalde item of items aanneem;

(c) kan die Raad enige aanbod aanneem ongeag die feit dat die aanbod nie as gevolg van 'n bepaalde tenderuitnodiging gedoen is nie, of nie voldoen aan die tendervoorwaardes van 'n bepaalde tenderuitnodiging ten opsigte waarvan die aanbod gedoen is nie.

BEKENDMAKING VAN BESLUITTE VAN DIE RAAD

6. Besluite van die Raad word aan die betrokkenes meegedeel deur beamptes en werknemers aangewys ingevolge artikel 12 van die Wet, of deur die lid of lede van die Raad wat die Raad aanwys.

AANSTELLING VAN KOMITEES DEUR DIE RAAD

7. (1) In die geval van 'n komitee deur die Raad ingevolge artikel 5 (1) van die Wet aangestel, maak 'n meerderheid van die lede van die komitee 'n kworum uit.

(2) Die bepalings van regulasies 4 (3) (a) en (c), (5) en (6), en 6, is *mutatis mutandis* op 'n komitee van die Raad van toepassing.

(3) In geval van 'n staking van stemme op enige vergadering van 'n komitee, moet die saak wat oorweeg word na die Raad verwys word vir uitsluitel.

VOORKEUR

8. By die oorweging van die toekenning van ooreenkomste kan die Raad, ten opsigte van goedere in die Republiek geproduseer, vervaardig of gemonteer, of ten opsigte van goedere wat in enige ander klas val, voorkeur toestaan op die grondslag wat die Minister van tyd tot tyd bepaal.

(3) (a) Subject to the provisions of the Act and these regulations, any member of the Board present at a meeting shall be obliged to cast a vote in respect of any matter which is being put to the vote and in respect of which the member concerned may legally cast a vote.

(b) In the event of an equality of votes at a meeting of the Board the chairman of the meeting shall have a casting vote as well as a deliberative vote.

(c) The number of members voting for or against any resolution shall be entered in the minutes of the meeting if so decided by the meeting. Any member may demand that his vote be likewise recorded.

(4) When a matter affecting a Government department or other organisation represented on the Board is under consideration, the member of such department or organisation shall not be entitled to vote on the matter concerned.

(5) The chairman of a meeting may decide that any proposal or matter under discussion shall be withdrawn before it has been put to the vote.

(6) All discussions at Board meetings and all matters considered and decisions arrived at by the Board shall be treated as confidential and shall not be disclosed by any member or co-opted member of the Board, or an officer, employee or any other person invited to provide the Board with expert advice referred to in regulation 3 (2), unless the prior approval of the Board has been obtained and recorded in the minutes.

DECISIONS OF THE BOARD

5. When, at the invitation of the Board, offers are submitted for the purpose of concluding an agreement referred to in section 4 (1) (a) of the Act—

(a) the Board shall not be obliged to accept the lowest or any offer;

(b) the Board may, where an offer relates to more than one item, accept such offer in respect of any specific item or items;

(c) the Board may accept any offer notwithstanding the fact that the offer was not made in response to any particular tender invitation, or does not comply with the tender conditions set out in any specific tender invitation in respect of which the offer has been made.

NOTIFICATION OF DECISIONS OF THE BOARD

6. Decisions of the Board shall be conveyed to the persons concerned by officers and employees appointed in terms of section 12 of the Act, or by the member or members of the Board designated by the Board.

APPOINTMENT OF COMMITTEES BY THE BOARD

7. (1) In the case of a committee appointed by the Board in terms of section 5 (1) of the Act, the majority of the members of such committee shall constitute a quorum.

(2) The provisions of regulations 4 (3) (a) and (c), (5) and (6), and (6), shall *mutatis mutandis* apply to a committee of the Board.

(3) In the event of an equality of votes at any meeting of a committee, the matter under consideration shall be referred to the Board for a decision.

PREFERENCE

8. When considering the award of agreements the Board may accord a preference in respect of goods produced, manufactured or assembled in the Republic, or in respect of goods falling into any other category, on the basis determined by the Minister from time to time.

STREEKSTENDERRADE

9. Die bepalings van regulasies 3 (2) en (3), 4, 5 (a) en (b), 6 en 8 is *mutatis mutandis* op 'n streekstenderraad van toepassing.

DIVERSE BEPALINGS

10. (1) Die regulasies afgekondig by Goewermenskennisgewing R. 139 van 30 Januarie 1981 word hierby herroep.

(2) Enigiets wat gedoen is kragtens 'n bepaling van 'n regulasie wat by subregulasie (1) herroep word en wat kragtens 'n bepaling van hierdie regulasies gedoen sou kon word, word geag kragtens laasbedoelde bepaling gedoen te wees.

KANTOOR VAN DIE KOMMISSIE VIR ADMINISTRASIE

No. R. 966

20 Mei 1988

BYLAE

Hierby word vir algemene inligting bekendgemaak dat die Staatspresident kragtens artikel 35 van die Staatsdienswet, 1984 (Wet 111 van 1984), die ondergenoemde regulasies uitgevaardig het:

Die Staatsdiensregulasies gepubliseer by Goewermenskennisgewing 2047 van 11 Desember 1959, soos gewysig, word hierby verder gewysig deur—

(a) regulasie D1.1 deur die volgende regulasie te vervang:

“D1.1 Behoudens die bepalings van regulasie D2 en uitgesonderd waar in hierdie hoofstuk ander spesiale voorsiening gemaak word, of tensy herberg of verblyftoelae van Regeringsweë op 'n ander manier verskaf of betaal word, of waar 'n beampte of werknemer tydens sy afwesigheid van sy hoofkwartier by sy tuiste tuisgaan, kan die departementshoof aan 'n beampte of werknemer wat vir 'n tydperk van 24 uur of langer noodwendig van sy hoofkwartier in amptelike diens in die Republiek, in die Gebied, in die Caprivi-strook of in Botswana afwesig is, insluitende die reistyd, verblyftoelae betaal teen die tariewe wat die Tesourie op aanbeveling van die Kommissie goedkeur.”

(b) regulasie D1.2 deur die volgende regulasie te vervang:

“D1.2 Behoudens waar in hierdie hoofstuk ander spesiale voorsiening gemaak word, of tensy herberg of verblyftoelae van Regeringsweë op 'n ander manier verskaf of betaal word, kan die departementshoof aan 'n beampte of werknemer wat vir 'n tydperk van minder as 24 uur in die Republiek, in die Gebied, in die Caprivi-strook of in Botswana van sy gewone werkplek en sy tuiste in amptelike diens afwesig is, redelike werklike uitgawes terugbetaal wat hy noodwendig aan herberg moes aangaan.”

(c) regulasie D1.3 deur die volgende regulasie te vervang:

“D1.3 Die departementshoof kan aan 'n beampte of werknemer wat in amptelike diens van sy hoofkwartier afwesig is en in verband daarmee buite die Republiek, die Gebied, die Caprivi-strook en Botswana vertoef, dié spesiale toelae betaal of uitgawes aan herberg terugbetaal teen tariewe en volgens voorskrifte wat die Tesourie op aanbeveling van die Kommissie goedkeur.”

REGIONAL TENDER BOARDS

9. The provisions of regulations 3 (2) and (3) 4, 5 (a) and (b), 6, and 8 shall *mutatis mutandis* apply to a regional tender board.

MISCELLANEOUS

10. (1) The Regulations published by Government Notice R. 139 of 30 January 1981 are hereby withdrawn.

(2) Anything done under a provision of a regulation which is withdrawn by subregulation (1) and which could have been done under a provision of these regulations shall be deemed to have been done under the last-mentioned provision.

OFFICE OF THE COMMISSION FOR ADMINISTRATION

No. R. 966

20 May 1988

ANNEXURE

For general information it is hereby notified that the State President has, under the powers vested in him by section 35 of the Public Service Act, 1984 (Act 111 of 1984), made the following regulations:

The Public Service Regulations, published under Government Notice 2047 of 11 December 1959, as amended, are hereby further amended by—

(a) the substitution of regulation D1.1 by the following regulation:

“D1.1 Subject to the provisions of regulation D2 and save where other special provision is made in this chapter, or unless accommodation or subsistence allowance is otherwise provided or paid by the Government, or where an officer or employee during his absence from his headquarters stays at his home, the head of the department may pay to an officer or employee who is necessarily absent from his headquarters for a period of 24 hours or longer on official duty in the Republic, in the Territory, in the Caprivi Strip or in Botswana, including the travelling time, subsistence allowance at the rates approved by the Treasury on the recommendation of the Commission.”

(b) the substitution of regulation D1.2 by the following regulation:

“D1.2 Save where other special provision is made in this chapter or unless accommodation or subsistence allowance is otherwise provided or paid by the Government, the head of the department may reimburse an officer or employee who is absent from his normal place of work and his home for a period of less than 24 hours, on official duty in the Republic, in the Territory, in the Caprivi Strip or in Botswana reasonable actual expenditure necessarily incurred by him on accommodation.”

(c) the substitution of regulation D1.3 by the following regulation:

“D1.3 The head of the department may pay to an officer or employee who is absent from his headquarters on official duty and who sojourns outside the Republic, the Territory, the Caprivi Strip and Botswana in connection therewith, the special allowances, or refund to him expenditure on accommodation, at rates and in accordance with directions approved by the Treasury on the recommendation of the Commission.”

**DEPARTEMENT VAN LANDBOU-
EKONOMIE EN -BEMARKING**

No. R. 973

20 Mei 1988

BEMARKINGSWET, 1968 (WET 59 VAN 1968)

OLIESADESKEMA.—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 Oliesaderaad bedoel in artikel 6 van die Oliesadeskema gepubliseer by Proklamasie R. 73 van 1982, soos gewysig, kragtens artikels 20 en 21 van genoemde Skema die Bylae by Goewermentskennisgewing R. 1839 van 23 Augustus 1985, soos gewysig, verder gewysig het in die mate in die Bylae uiteengesit; en

(b) genoemde wysiging 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 Goewermentskennisgewing R. 1839 van 23 Augustus 1985, soos gewysig deur Goewermentskennisgewings R. 937 van 16 Mei 1986, R. 2371 van 14 November 1986, R. 976 van 30 April 1987 en R. 608 van 31 Maart 1988, word hierby verder gewysig deur Tabela 1 en 2 daarvan deur die volgende Tabela te vervang:

**DEPARTMENT OF AGRICULTURAL
ECONOMICS AND MARKETING**

No. R. 973

20 May 1988

(MARKETING ACT, 1968 (ACT 59 OF 1968))

OILSEEDS 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 Oilseeds Board referred to in section 6 of the Oilseeds Scheme published by Proclamation R. 73 of 1982, as amended, has under sections 20 and 21 of the said Scheme further amended the Schedule to Government Notice R. 1839 of 23 August 1985, as amended, to the extent set out in the Schedule; and

(b) the said amendment has 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. 1839 of 23 August 1985, as amended by Government Notices R. 937 of 16 May 1986, R. 2371 of 14 November 1986 and R. 976 of 30 April 1987 and R. 608 of 31 March 1988, is hereby further amended by the substitution for Tables 1 and 2 thereof of the following Tables:

"TABEL 1/TABLE 1

Soort oliesade Kind of oilseeds	Heffing per ton op— Levy per ton on—		Spesiale heffing per ton op— Special levy per ton on—	
	ingevoerde oliesade imported oilseeds	plaaslik geproduseerde oliesade locally produced oilseeds	ingevoerde oliesade imported oilseeds	plaaslik geproduseerde oliesade locally produced oilseeds
1	2	3	4	5
	R	R	R	R
1. Gedopte grondbone/Shelled groundnuts	7,38	29,50	2,88	11,50
2. Ongedopte grondbone/Unshelled groundnuts	5,35	21,39	2,09	8,34
3. Sonneblomsaad/Sunflower seed	2,00	8,00	1,50	6,00
4. Sojabone/Soya beans	1,75	7,00	1,00	4,00

TABEL 2/TABLE 2

Soort oliesade Kind of oilseeds	Spesiale heffing per ton Special levy per ton
1	2
Grondbone vir eetdoeleindes/Groundnuts for edible purposes	R7,50"

DEPARTEMENT VAN MANNEKRAG

No. R. 960

20 Mei 1988

WERKLOOSHEIDVERSEKERINGSWET, 1966**WYSIGING VAN REGULASIES**

Die Minister van Mannekrag het kragtens artikel 62 van die Werkloosheidversekeringswet, 1966 (Wet 30 van 1966), die regulasies uiteengesit in die Bylae uitgevaardig.

BYLAE

1. In hierdie Regulasies beteken "die Regulasies" die Regulasies, afgekondig by Goewermentskennisgewing R. 849 van 29 April 1983 en gewysig deur Goewermentskennisgewings R. 1235 van 17 Junie 1983, R. 2613 van 2 Desember 1983, R. 2775 van 21 Desember 1984, R. 2487 van 8 November 1985, R. 901 van 16 Mei 1986, R. 1114 van 6 Junie 1986, R. 2427 van 21 November 1986, R. 2161 van 2 Oktober 1987, R. 2412 van 30 Oktober 1987, R. 2667 van 4 Desember 1987 en R. 419 van 11 Maart 1988.

2. Regulasie 10 van die Regulasies word hierby gewysig deur subregulasie (8) te skrap.

3. Regulasie 11 van die Regulasies word hierby gewysig—

(a) deur subregulasie (4) deur die volgende subregulasie te vervang:

"(4) (a) Die mediese sertifikate op Aanhangsels UF 86, UF 87 en UF 140 moet ingevul en onderteken word deur die mediese praktisyn, chiropraktisyn of homeopaat wat die applikant behandel het: Met dien verstande dat 'n eisebeampte kan vereis dat 'n applikant deur 'n mediese beampte, mediese praktisyn, chiropraktisyn of homeopaat wat die eisebeampte aangewys het, ondersoek word.

(b) Die koste van 'n mediese ondersoek wat kragtens paragraaf (a) deur 'n eisebeampte vereis word, is ten laste van die Werkloosheidversekeringsfonds."; en

(b) deur subregulasie (5) deur die volgende subregulasie te vervang:

"(5) Indien die aard van die siekte in die mediese sertifikaat wat deel uitmaak van Aanhangsel UF 86, UF 87 of UF 140, vaag of as 'n "siekte-entiteit" of "simp-toomkompleks" beskryf kan word, moet die bydraer 'n kliniese verslag van die mediese praktisyn, chiropraktisyn of homeopaat verstrek wat die simptome en aard van die siekte beskryf waaraan die bydraer ly.".

4. Hierdie Regulasies tree op 1 Junie 1988 in werking.

DEPARTMENT OF MANPOWER

No. R. 960

20 May 1988

UNEMPLOYMENT INSURANCE ACT, 1966**AMENDMENT OF REGULATIONS**

The Minister of Manpower has under section 62 of the Unemployment Insurance Act, 1966 (Act 30 of 1966), made the regulations set out in the Schedule.

SCHEDULE

1. In these Regulations "the Regulations" means the Regulations, published under Government Notice R. 849 of 29 April 1983, and amended by Government Notices R. 1235 of 17 June 1983, R. 2613 of 2 December 1983, R. 2775 of 21 December 1984, R. 2487 of 8 November 1985, R. 901 of 16 May 1986, R. 1114 of 6 June 1986, R. 2427 of 21 November 1986, R. 2161 of 2 October 1987, R. 2412 of 30 October 1987, R. 2667 of 4 December 1987 and R. 419 of 11 March 1988.

2. Regulation 10 of the Regulations is hereby amended by the deletion of subregulation (8).

3. Regulation 11 of the Regulations is hereby amended—

(a) by the substitution for subregulation (4) of the following subregulation:

"(4) (a) The medical certificates on Annexures UF 86, UF 87 and UF 140, shall be completed and signed by the medical practitioner, chiropractor or homeopath by whom the applicant has been treated: Provided that a claims officer may require an applicant to be examined by a medical officer, medical practitioner, chiropractor or homeopath nominated by the claims officer.

(b) The costs of a medical examination required by a claims officer under paragraph (a) shall be charged against the Unemployment Insurance Fund."; and

(b) by the substitution for subregulation (5) of the following subregulation:

"(5) If the nature of the illness can be described in the medical certificate forming part of Annexure UF 86, UF 87 or UF 140 in uncertain terms or as "disease-entity" or "symptom-complex", the contributor shall furnish a clinical report from the medical practitioner, chiropractor or homeopath describing the symptoms and nature of the complaint from which such contributor is suffering.".

4. These Regulations shall come into operation on 1 June 1988.

UIF Serial No.
WVF Volg Nr.

UF 74 SEE NOTES OVERLEAF
SIEN INLIGTING OP KEERSY

WERKLOOSHEIDVERSEKERINGSWET, 1966
AANSOEK OM SIEKTEVOORDELE INGEVOLGE ARTIKEL 38

5. Persoons-/Identiteits-/Bewysboeknommer
Identity/Reference book number

Aan die Eisebeampte, Departement van Mannekrag
To the Claims Officer, Department of Manpower

Aan die Eisebeampste, Departement van Mannekrag
To the Claims Officer, Department of Manpower

1. Hierby doen ek aansoek om voordede ingevolge artikel 36 van die Werkloosheidversekeringswet, 1966, en verklaar ek dat ek van tot as gevolg van siekte nie in staat is om te werk nie en dat ek gedurende daardie tydperk nie op een derde of meer van my gewone verdiensde geregtig was of dit van enige werkgever ontvang het nie. Ek verklaar verder dat die inligting wat ek op hierdie vorm verskrek in alle opsigte juis en korrek is. Ek is daarvan bewus dat dit 'n misdryf is om 'n valsde verklaring op hierdie vorm te doen. and correct in every respect. I am aware of the fact that it is an offence to make a false statement on this form.

4. Adres/Address

GOVERNMENT GAZETTE, 20 MAY 1988

WERKLOOSHEIDVERSEKERINGSWET, 1966 / UNEMPLOYMENT INSURANCE ACT, 1966

AANSOEK OM VERDERE SIEKTEVOORDELE INGEVOLGE ARTIKEL 38(9)
APPLICATION FOR FURTHER ILLNESS BENEFITS IN TERMS OF SECTION 38(9)

5. Persoons-/Identiteits-/Bewysboeknr/Identity/Ref. Book No.

U.F. VOLG NR.
U.F. SERIAL NO.

AAN DIE EISEBEAMPTTE, DEPARTEMENT VAN MANNEKRAG
TO THE CLAIMS OFFICER, DEPARTMENT OF MANPOWER

TEL. NO.

1. Hierby doen ek aansoek om verdere voordele ingevolge artikel 36(9) van die Werkloosheidsversegingswet, 1966, en verklaar ek dat ek van _____ tot _____ as gevolg van siekte nie in staat was om te werk nie en dat ek I hereby apply for further benefits in terms of section 36(9) of the Unemployment Insurance Act, 1966, and declares that from _____ to _____ I was not capable of working due to illness and that during gedurende daardie tydperk nie op een derde of meer van my gewone verdienste geregtig was of dit van enige werkgegewas ontvang het nie. Ek verklaar verder dat die inligting wat ek op hierdie vorm verskrek in alle opsigte juist that period I was not entitled to, nor did I receive from any employer one third or more of my normal earnings. I further declare that the information given by me in this form is true and correct in every respect. I am aware of the fact en korrek is. Ek is daarvan bewus dat dit 'n misdryf is om 'n valse verklaring op hierdie vorm te doen. that it is an offence to make a false statement on this form.
4. Adres/Address _____

[illegible]

No. R. 970

20 Mei 1988

WET OP ARBEIDSVERHOUDINGE, 1956

BOUNYWERHEID, WORCESTER EN WES-BOLAND.—
WYSIGING VAN HOOFDOOREENKOMS

Ek, Pieter Theunis Christiaan du Plessis, Minister van Mannekrag verklaar hierby—

(a) kragtens artikel 48 (1) (a) van die Wet op Arbeidsverhoudinge, 1956, dat die bepalings van die Ooreenkoms (hierna die Wysigingsooreenkoms genoem) wat in die Bylae hiervan verskyn en betrekking het op die Onderneming, Nywerheid, Bedryf of Beroep in die opskrif by hierdie kennisgewing vermeld, met ingang van die tweede Maandag na die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 22 Februarie 1990 eindig, bindend is vir die werkgewersorganisasie en die vakvereniging wat die Wysigingsooreenkoms aangegaan het en vir die werkgewers en werknemers wat lede van genoemde organisasie of vereniging is; en

(b) kragtens artikel 48 (1) (b) van genoemde Wet, dat die bepalings van die Wysigingsooreenkoms, uitgesonderd dié vervat in klousule 1 (1) (a), met ingang van die tweede Maandag na die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 22 Februarie 1990 eindig, bindend is vir alle ander werkgewers en werknemers as dié genoem in paragraaf (a) van hierdie kennisgewing wat betrokke is by of in diens is in genoemde Onderneming, Nywerheid, Bedryf of Beroep in die gebiede in klousule 1 van die Wysigingsooreenkoms gespesifiseer.

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

BYLAE

NYWERHEIDSRAAD VIR DIE BOUNYWERHEID, WORCESTER
EN WES-BOLAND

OOREENKOMS

ooreenkomstig die Wet op Arbeidsverhoudinge, 1956, gesluit deur en aangegaan tussen die

Master Builders' and Allied Trades Association, West Cape
(hierna die "werkgewers" of die "werkgewersorganisasie" genoem), aan die een kant, en die

Building Workers' Union

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

wat die partye is by die Nywerheidsraad vir die Bounywerheid, Worcester en Wes-Boland,

om die Hoofdooreenkoms, gepubliseer by Goewermentskennisgewing R. 270 van 13 Februarie 1987, soos gewysig deur Goewermentskennisgewing R. 1816 van 28 Augustus 1987, te wysig.

1. TOEPASSINGSBESTEK

(1) Hierdie Ooreenkoms moet nagekom word—

(a) deur alle werkgewers en alle werknemers wat by die Bounywerheid betrokke of daarin werksaam is en wat lede is van onderskeidelik die werkgewersorganisasie en die vakvereniging;

(b) in die landdrosdistrikte Hopefield, Piketberg, Vredenburg en Worcester en in die munisipale gebied van Moorreesburg.

(2) Ondanks subklousule (1), is hierdie Ooreenkoms—

(a) van toepassing slegs op dié klasse werknemers vir wie lone in die Ooreenkoms gepubliseer in Goewermentskennisgewing R. 270 van 13 Februarie 1987 soos gewysig, voorgeskryf is;

(b) van toepassing op vakleerlinge en kwekelinge-slegs vir sover dit nie strydig is met die Wet op Mannekragopleiding, 1981, of met voorwaardes of kennisgewings wat daarkragtens voorgeskryf of bestel is nie;

(c) nie van toepassing nie op universiteitstudente en gegradueerdes in die bouwetenskap en konstruksietoetsighouers, konstruksieopmeters en ander persone wat besig is met die praktiese werk ter voltooiing van hul akademiese opleiding;

(d) nie van toepassing op algemene voormanne nie.

No. R. 970

20 May 1988

LABOUR RELATIONS ACT, 1956

BUILDING INDUSTRY, WORCESTER AND WEST
BOLAND.—AMENDMENT OF MAIN AGREEMENT

I, Pieter Theunis Christiaan du Plessis, Minister of Manpower, hereby—

(a) in terms of section 48 (1) (a) of the Labour Relations Act, 1956, declare that the provisions of the Agreement (hereinafter referred to as the Amending Agreement) which appears in the Schedule hereto and which relates to the Undertaking, Industry, Trade or Occupation referred to in the heading to this notice, shall be binding, with effect from the second Monday after the date of publication of this notice and for the period ending 22 February 1990, upon the employers' organisation and the trade union which entered into the Amending Agreement and upon the employers and employees who are members of the said organisation or union; and

(b) in terms of section 48 (1) (b) of the said Act, declare that the provisions of the Amending Agreement, excluding those contained in clause 1 (1) (a), shall be binding, with effect from the second Monday after the date of publication of this notice and for the period ending 22 February 1990, upon all employers and employees, other than those referred to in paragraph (a) of this notice, who are engaged or employed in the said Undertaking, Industry, Trade or Occupation in the areas specified in clause 1 of the Amending Agreement.

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

SCHEDULE

WORCESTER AND WEST BOLAND BUILDING INDUSTRIAL
COUNCIL

AGREEMENT

in accordance with the provisions of the Labour Relations Act, 1956, made and entered into by and between the

Master Builders' and Allied Trades Association, West Cape
(hereinafter referred to as the "employers" or the "employers' organisation"), of the one part, and the

Building Workers' Union

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

being the parties to the Worcester and West-Boland Building Industrial Council,

to amend the Main Agreement published under Government Notice R. 270 of 13 February 1987, as amended by Government Notice R. 1816 of 28 August 1987.

1. SCOPE OF APPLICATION

(1) The terms of this Agreement shall be observed—

(a) by all employers and by all employees engaged or employed in the Building Industry who are members of the employers' organisation and the trade union respectively;

(b) in the Magisterial Districts of Hopefield, Piketberg, Vredenburg and Worcester and in the Moorreesburg municipal area.

(2) Notwithstanding the provisions of subclause (1), the terms of this Agreement shall—

(a) only apply to those classes of employees for whom wages are prescribed in the Agreement published under Government Notice R. 270 of 13 February 1987 as amended;

(b) apply to apprentices and trainees only in so far as they are not inconsistent with the provisions of the Manpower Training Act, 1981, or any conditions prescribed or any notice served in terms thereof;

(c) not apply to university students and graduates in building science and construction supervisors, construction surveyors and other such persons doing practical work in the completion of their academic training;

(d) not apply to general foremen.

1. KLOUSULE 31.—SIEKEFONDS VIR DIE BOUNYWERHEID

Vervang subklousule 6 (a) en (b) deur die volgende:

“(6) *Siektebystand*.—(a) 'n Lid wat weens siekte of 'n ongeluk nie sy werk kan verrig nie is op siektebystand geregtig ooreenkomstig ondervermelde bepalings:

(i) In 'n siklus van 1 jaar, wat op 1 Januarie elke jaar 'n aanvang neem, is die volgende bystand betaalbaar:

12 dae teen 75 persent,

13 dae teen 50 persent,

105 dae teen 33 persent

van die minimum basiese voorgeskrewe loon.

(ii) Bystand moet betaal word ten opsigte van normale werkdae sowel as ten opsigte van die openbare vakansiedae ten opsigte waarvan werknemers geregtig is op besoldiging ingevolge klousule 16A van hierdie Ooreenkoms indien die bedoelde openbare vakansiedag op 'n normale werkdag val.

(iii) Ondanks subparagrafe (i) en (ii) hiervan, kwalifiseer 'n lid vir bystand uit die fonds slegs nadat hy vir drie of meer agtereenvolgende normale werkdae ongeskik vir werk deur 'n mediese praktisyn gesertifiseer is weens siekte of 'n ongeluk, en geen bystand word betaal ten opsigte van die eerste twee sodanige normale werkdae waarvoor die lid ongeskik vir werk gesertifiseer is nie.

Vir die toepassing van subparagraaf (iii) hiervan, word die openbare vakansiedae in klousule 16A van hierdie Ooreenkoms bedoel, geag normale werkdae te wees.

(b) 'n Werknemer wat in aanmerking kom vir die bystand in paragraaf (a), is daarop geregtig om van die Fonds 'n seël te ontvang soos in die Ooreenkoms vir sy kategorie voorgeskryf, vir elke tydperk van vier agtereenvolgende werkdae waarin hy as gevolg van siekte of besering nie kon werk nie. Geen seël moet vir die tydperk van die amptelike jaarlikse bou-reses uitgereik word nie.

Namens die partye hede die 1ste dag van Maart 1988 onderteken.

D. L. ILLMER,
Voorsitter.

R. G. SIMMONS,
Ondervoorsitter.

N. J. KRUGER,
Sekretaris.

No. R. 971

20 Mei 1988

WET OP ARBEIDSVERHOUDINGE, 1956**CHEMIKALIEËNWERHEID (KAAP).—HERNUWING VAN HOOFOOREENKOMS**

Ek, Pieter Theunis Christiaan du Plessis, Minister van Mannekrag, verklaar hierby, kragtens artikel 48 (4) (a) (ii) van die Wet op Arbeidsverhoudinge, 1956, dat die bepalings van Goewermentskennisgewings R. 328 van 20 Februarie 1981, R. 2273 van 23 Oktober 1981, R. 405 van 5 Maart 1982, R. 1866 van 3 September 1982, R. 1980 van 16 September 1983, R. 1704 van 10 Augustus 1984, R. 2624 van 22 November 1985 en R. 1064 van 15 Mei 1987, van krag is vanaf die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 31 Desember 1988 eindig.

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

1. CLAUSE 31.—SICK PAY FUND FOR THE BUILDING INDUSTRY

Substitute the following for subclause 6 (a) and (b):

“(6) *Sick benefits*.—(a) A member who by reason of sickness or accident is unable to follow his employment shall be entitled to sick benefits in accordance with the following provisions:

(i) In a cycle of one year, commencing on 1 January every year, the following benefits shall be payable:

12 days at 75 per cent,

13 days at 50 per cent,

105 days at 33 per cent

of the minimum basic wage prescribed.

(ii) Benefits shall be paid in respect of normal working days and in respect of the public holidays in respect of which employees are entitled to remuneration in terms of clause 16A of this Agreement, should the referred public holiday fall on a normal working day.

(iii) Notwithstanding the provisions of subparagraphs (i) and (ii) hereof, a member shall only be entitled to benefits from the Fund when he has been certified, by a medical practitioner, unable to work due to sickness or accident for three or more consecutive normal working days, and no benefits shall be paid in respect of the first two of such normal working days for which the member has been certified unable to work.

For the purposes of subparagraph (iii) hereof, the public holidays referred to in clause 16A of this Agreement shall be deemed to be normal working days.

(b) An employee who is eligible for the benefits in paragraph (a) shall be entitled to receive from the Fund a stamp as prescribed in the Agreement for his category, for every period of four consecutive days which he is unable to work on account of sickness or injury. No stamp shall be issued in respect of the period of the official annual building recess.”

Signed on behalf of the parties this 1st day of March 1988.

D. L. ILLMER,
Chairman.

R. G. SIMMONS,
Vice-Chairman.

N. J. KRUGER,
Secretary.

No. R. 971

20 May 1988

LABOUR RELATIONS ACT, 1956**CHEMICAL INDUSTRY (CAPE).—RENEWAL OF MAIN AGREEMENT**

I, Pieter Theunis Christiaan du Plessis, 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. 328 of 20 February 1981, R. 2273 of 23 October 1981, R. 405 of 5 March 1982, R. 1866 of 3 September 1982, R. 1980 of 16 September 1983, R. 1704 of 10 August 1984, R. 2624 of 22 November 1985 and R. 1064 of 15 May 1987, to be effective from the date of publication of this notice and for the period ending 31 December 1988.

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

No. R. 972

20 Mei 1988

WET OP ARBEIDSVERHOUDINGE, 1956

CHEMIKALIEËNYWERHEID (KAAP).—WYSIGING
VAN HOOFOOREENKOMS

Ek, Pieter Theunis Christiaan du Plessis, Minister van Mannekrag, verklaar hierby—

(a) kragtens artikel 48 (1) (a) van die Wet op Arbeidsverhoudinge, 1956, dat die bepalings van die Ooreenkoms wat in die Bylae hiervan verskyn en betrekking het op die Onderneming, Nywerheid, Bedryf of Beroep in die opskrif by hierdie kennisgewing vermeld, met ingang van die tweede Maandag na die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 31 Desember 1988 eindig, bindend is vir die werkgewersorganisasie en die vakvereniging wat genoemde Ooreenkoms aangegaan het en vir die werkgewers en werknemers wat lede van genoemde organisasie of vereniging is; en

(b) kragtens artikel 48 (1) (b) van genoemde Wet, dat die bepalings van genoemde Ooreenkoms, uitgesonderd dié vervat in klousule 1 (1) (a), met ingang van die tweede Maandag na die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 31 Desember 1988 eindig, bindend is vir alle ander werkgewers en werknemers as dié genoem in paragraaf (a) van hierdie kennisgewing wat betrokke is by of in diens is in genoemde Onderneming, Nywerheid, Bedryf of Beroep in die gebiede in klousule 1 van genoemde Ooreenkoms gespesifiseer.

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

BYLAE

NYWERHEIDSRAAD VIR DIE CHEMIKALIEËNYWERHEID
(KAAP)

OOREENKOMS

ooreenkomstig die Wet op Arbeidsverhoudinge, 1956, gesluit deur en aangegaan tussen die

Cape Manufacturing Chemists' and Druggists' Association

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

Chemical and Allied Workers' Union

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

wat die partye is by die Nywerheidsraad vir die Chemikalieënywerheid (Kaap),

om die Hofooreenkoms, gepubliseer by Goewermenskennisgewing R. 328 van 20 Februarie 1981, soos gewysig en hernieu by Goewermenskennisgewing R. 2273 van 23 Oktober 1981, R. 405 van 5 Maart 1982, R. 1866 en R. 1867 van 3 September 1982, R. 1979 en R. 1980 van 16 September 1983, R. 1703 en R. 1704 van 10 Augustus 1984, R. 2623 en R. 2624 van 22 November 1985 en R. 1063 en R. 1064 van 15 Mei 1987, te wysig.

1. TOEPASSINGSBESTEK VAN OOREENKOMS

(1) Hierdie Ooreenkoms moet in die Chemikalieënywerheid (Kaap) nagekom word—

(a) deur alle werkgewers wat lede van die werkgewersorganisasie is en by die Chemikalieënywerheid betrokke is en deur alle werknemers wat lede van die vakvereniging is en in genoemde Nywerheid werksaam is;

(b) in die munisipale gebied van Kaapstad soos dit op 19 Oktober 1966 bestaan het en in die landdrostdistrikte Goodwood (uitgesonderd daardie gedeeltes wat ingevolge Goewermenskennisgewing 1882 van 3 Oktober 1975 vanaf die landdrostdistrik Die Kaap oorgeplaas is en uitgesonderd daardie gedeeltes wat ingevolge Goewermenskennisgewing 1611 van 3 September 1976 vanaf die landdrostdistrikte Die Kaap en Wynberg oorgeplaas is) en Bellville (uitgesonderd daardie gedeeltes wat ingevolge Goewermenskennisgewings 2102 en 173 van onderskeidelik 2 November 1945 en 9 Februarie 1973 vanaf die landdrostdistrik Wyn-

No. R. 972

20 May 1988

LABOUR RELATIONS ACT, 1956

CHEMICAL INDUSTRY (CAPE).—AMENDMENT OF
MAIN AGREEMENT

I, Pieter Theunis Christiaan du Plessis, Minister of Manpower, hereby—

(a) in terms of section 48 (1) (a) of the Labour Relations Act, 1956, declare that the provisions of the Agreement which appears in the Schedule hereto and which relates to the Undertaking, Industry, Trade or Occupation referred to in the heading to this notice, shall be binding, with effect from the second Monday after the date of publication of this notice and for the period ending 31 December 1988, upon the employers' organisation and the trade union which entered into the said Agreement and upon the employers and employees who are members of the said organisation or union; and

(b) in terms of section 48 (1) (b) of the said Act, declare that the provisions of the said Agreement, excluding those contained in clause 1 (1) (a), shall be binding, with effect from the second Monday after the date of publication of this notice and for the period ending 31 December 1988, upon all employers and employees, other than those referred to in paragraph (a) of this notice, who are engaged or employed in the said Undertaking, Industry, Trade or Occupation in the areas specified in clause 1 of the said Agreement.

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

SCHEDULE

INDUSTRIAL COUNCIL FOR THE CHEMICAL INDUSTRY

(CAPE)

AGREEMENT

in accordance with the provisions of the Labour Relations Act, 1956, made and entered into by and between the

Cape Manufacturing Chemists' and Druggists' Association

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

Chemical and Allied Workers' Union

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

being the parties to the Industrial Council for the Chemical Industry (Cape),

to amend the Main Agreement published under Government Notice R. 328 of 20 February 1981, as amended and renewed by Government Notices R. 2273 of 23 October 1981, R. 405 of 5 March 1982, R. 1866 and R. 1867 of 3 September 1982, R. 1979 and R. 1980 of 16 September 1983, R. 1703 and R. 1704 of 10 August 1984, R. 2623 and R. 2624 of 22 November 1985 and R. 1063 and R. 1064 of 15 May 1987.

1. AREA AND SCOPE OF APPLICATION OF AGREEMENT

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

(a) by all employers who are members of the employers' organisation and are engaged in the Chemical Industry and by all employees who are members of the trade union and are employed in the said Industry;

(b) in the municipal area of Cape Town as it existed on 19 October 1966, and in the Magisterial Districts of Goodwood (excluding those portions which in terms of Government Notice 1882 of 3 October 1975 were transferred from the Magisterial District of The Cape and excluding those portions which in terms of Government Notice 1611 of 3 September 1976 were transferred from the Magisterial Districts of the Cape and Wynberg) and Bellville (excluding those portions which in terms of Government Notices 2102 and 173 of 2 November 1945 and 9 February 1973, respectively, were transferred from the Magisterial

berg oorgeplaas is), in daardie gedeeltes van die landdrostrikte Malmesbury en Stellenbosch wat voor die publikasie van onderskeidelik Goewermenskennisgewings 171 en 283 van 8 Februarie 1957 en 2 Maart 1962 binne die landdrostrik Bellville geval het en in daardie gedeelte van die landdrostrik Kuilsrivier wat voor die publikasie van Goewermenskennisgewing 661 van 19 April 1974 binne die landdrostrik Stellenbosch geval het, maar wat voor 2 Maart 1962 binne die landdrostrik Bellville geval het.

(2) Ondanks subklousule (1) is hierdie Ooreenkoms van toepassing slegs op werknemers vir wie lone in hierdie Ooreenkoms voorgeskryf word.

(3) Ondanks andersluidende bepalings in hierdie Ooreenkoms moet niks hierin vervat so uitgelê word dat dit werknemers wat minstens R21 400 per jaar verdien of werknemers wat in die algemeen in die Chemikalieënwyerheid as verkoopsvertegenwoordigers bekend staan, raak of op hulle van toepassing is nie: Met dien verstande dat hierdie subklousule nie klousule 16 raak nie.

2. KLOUSULE 1.—TOEPASSINGSBESTEK VAN OOREENKOMS

In subklousule (3), vervang die syfer "R18 600" deur die syfer "R21 400".

3. KLOUSULE 3.—WOORDOMSKRYWING

Vervang subklousule (4) (e) deur die volgende:

"(e) die uitvoering van klerklike werk wat hoofsaaklik of uitsluitlik skryf, tik, liasering of enige ander vorm van sodanige werk insluit, mits die werk onder regstreekse toesig geskied en nie gemoeid is met die ontwikkeling van oorspronklike gegewens nie, maar uitgesonderd werk soos in kategorie III (i) omskryf, en wat die volgende dek:

- (i) Kopietikwerk;
- (ii) liasering van verskillende soorte en stelle dokumente;
- (iii) vaslê van data vanaf invoerdokumente, deur die gebruik van 'n rekenaarterminal;
- (iv) ontvangs, sortering en voorbereiding van posstukke vir verspreiding en/of afsenddoeleindes;
- (v) vergelyking van verskeie dokumente soos kredietbriewe, fakture, aankoopbestellings, verskepingsdokumente en kosteberekenings; en
- (vi) telefoniswerk;"

4. KLOUSULE 4.—LONE

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

"(a) Werknemers, uitgesonderd los werknemers:

	Per uur	Weekliks	Maandeliks
	R	R	R
Kategorie I:			
Eerste ses maande.....	2,51	105,42	456,00
Daarna.....	2,747	115,39	500,00
Kategorie II:			
Eerste ses maande.....	2,747	115,39	500,00
Daarna.....	2,886	121,22	525,00
Kategorie III:			
Eerste ses maande.....	2,886	121,22	525,00
Daarna.....	3,032	127,36	551,00
Kategorie IV:			
Eerste ses maande.....	3,032	127,36	551,00
Daarna.....	3,36	141,12	611,00
Kategorie V:			
Eerste ses maande.....	3,77	158,34	685,00
Daarna.....	4,094	171,98	744,00
Kategorie VI:			
Eerste ses maande.....	5,974	250,90	1 086,00
Daarna.....	6,62	278,07	1 204,00."

(2) Vervang subklousule (9) (a) deur die volgende:

"(a) *Loonberekening.*—'n Werknemer, uitgesonderd 'n los werknemer, wat binne die werkkategorieë I tot VI val en wat onmiddellik voor die inwerkingtreding van hierdie Ooreenkoms in ontvangs was van 'n loon wat hoër was as die loon vir 'n werknemer in sy kategorie voorgeskryf, moet 'n loonsverhoging ontvang gelyk aan 16 persent van sy werklike loon: Met dien verstande dat geen werknemer minder mag ontvang as die nuwe minimum loon vir die kategorie waarin hy werksaam is nie."

District of Wynberg), in those portions of the Magisterial Districts of Malmesbury and Stellenbosch which, prior to the publication of Government Notices 171 and 283 of 8 February 1957 and 2 March 1962, respectively, fell within the Magisterial District of Bellville and in that portion of the Magisterial District of Kuils River which, prior to the publication of Government Notice 661 of 19 April 1974, fell within the Magisterial District of Stellenbosch but which, prior to 2 March 1962, fell within the Magisterial District of Bellville.

(2) Notwithstanding the provisions of subclause (1), the terms of this Agreement shall only apply in respect of employees for whom wages are prescribed in this Agreement.

(3) Notwithstanding anything to the contrary in this Agreement, nothing herein contained shall be construed as affecting or applying to employees earning not less than R21 400 per annum, nor to workers commonly known within the Chemical Industry as sales representatives: Provided that the provisions of this subclause shall not affect the provisions of clause 16.

2. CLAUSE 1.—AREA AND SCOPE OF APPLICATION OF AGREEMENT

In subclause (3), substitute the figure "R21 400" for the figure "R18 600".

3. CLAUSE 3.—DEFINITIONS

Substitute the following for subclause (4) (e):

"(e) the performance of clerical work which mainly or exclusively includes writing, typing, filing or any other form of such work, provided the performance of the work is done under direct supervision and is not concerned with the generation of original data, but excluding work described in category III (i), and which covers the following:

- (i) Copy typing;
- (ii) filing of various types and sets of documents;
- (iii) capturing data through use of a computer terminal from input documents;
- (iv) receiving, sorting, preparing mail for distribution and/or posting;
- (v) collating various documents such as credit notes, invoices purchase orders, shipping documents and costings; and
- (vi) telephonist duties;"

4. CLAUSE 4.—WAGES

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

"(a) Employees other than casual employees:

	Per hour	Weekly	Monthly
	R	R	R
Category I:			
First six months	2,51	105,42	456,00
Thereafter	2,747	115,39	500,00
Category II:			
First six months	2,747	115,39	500,00
Thereafter	2,886	121,22	525,00
Category III:			
First six months	2,886	121,22	525,00
Thereafter	3,032	127,36	551,00
Category IV:			
First six months	3,032	127,36	551,00
Thereafter	3,36	141,12	611,00
Category V:			
First six months	3,77	158,34	685,00
Thereafter	4,094	171,98	744,00
Category VI:			
First six months	5,974	250,90	1 086,00
Thereafter	6,62	278,07	1 204,00."

(2) Substitute the following for subclause (9) (a):

"(a) *Calculation of wages.*—An employee, other than a casual employee, falling within any of the employment Categories I to VI, who immediately prior to the coming into operation of this Agreement was in receipt of a higher wage than that prescribed for an employee of his wage category shall receive an increment equal to 16 per cent of his actual wage: Provided that no employee shall earn less than the new minimum wage for the category in which he is employed."

5. KLOUSULE 7.—WERKURE, GEWONE EN OORTYD- EN BESOLDIGING VIR OORTYD

Vervang subklausule (7) (b) deur die volgende:

“(b) aan sodanige werknemer 'n toereikende ete verskaf het voordat hy met die oortydwerk moet begin, of sodanige werknemer betyds R3,00 betaal het om hom in staat te stel om 'n ete te nuttig voordat hy met die oortydwerk moet begin;”.

6. KLOUSULE 8.—JAARLIKSE VERLOF EN OPENBARE VAKANSIEDAE

Vervang subklausule (1) deur die volgende:

“(1) Elke werknemer, uitgesonderd 'n werknemer kategorie III (I), wat een jaar ononderbroke diens by sy werkgever voltooi het, moet verlof soos volg toegestaan word:

(a) In die geval van 'n werknemer wat vyf jaar of minder ononderbroke diens by dieselfde werkgever voltooi het, minstens 15 werkdag;

(b) in die geval van 'n werknemer wat meer as vyf jaar en tot en met 10 jaar ononderbroke diens by dieselfde werkgever voltooi het, minstens 17 werkdag;

(c) in die geval van 'n werknemer wat meer as 10 jaar ononderbroke diens by dieselfde werkgever voltooi het, minstens 20 werkdag;

en hy moet ten opsigte van elke dag van sodanige verlof minstens die dagloon betaal word wat hy sou ontvang het as hy op sodanige dag gewerk het. Met dien verstande dat minstens 12 werkdag van die verlof wat ingevolge paragrawe (a), (b) en (c) toegestaan is, agtereenvolgend moet wees, en dat die res geneem moet word wanneer dit vir sowel die werkgever as die werknemer geleë is.”.

7. KLOUSULE 13.—BEEÏNDIGING VAN DIENSKONTRAK

Skrap subklausule (2).

8. Voeg die volgende nuwe klausule 13bis in:

“13 bis.—BELEID EN PROSEDURE IN VERBAND MET PERSONEELVERMINDERING/POSBSNOEIING

(1) *Bestek van die doel.*—(a) Die beleid en prosedure in verband met personeelvermindering en posbesnoeiing geld vir alle permanente werknemers vir wie lone in die Hoofooreenkoms van die Nywerheidsraad vir die Chemikalieënywerheid (Kaap) voorgeskryf word.

(b) Dit verseker billike behandeling van werknemers as hulle hul werk deur personeelvermindering of posbesnoeiing verloor.

(c) Hierdie beleid en prosedure kan deur 'n firma se bestaande beleid en prosedure vervang word indien die voordele wat aan die werknemer gebied word minstens dieselfde is.

(2) *Personeelvermindering.*—(a) *Woordomskriving.*—Personeelvermindering geskied wanneer werknemers hul werk verloor as gevolg van 'n daling in die ekonomiese sake van die organisasie. Werknemers in sekere poste verloor hul werk maar sodanige poste kan weer gevul word sodra die ekonomiese sake van die organisasie verbeter.

(b) *Hoe om personeelvermindering vooruit te vermy.*—(i) Die werkgever moet alle redelike stappe doen om personeelvermindering te vermy sodra hy bewus word dat dit nodig mag wees.

(ii) Stappe om personeelvermindering te vermy moet die volgende insluit:

Staak nuwe inname;

bepark oortyd tot slegs uiters noodsaaklikheid;

werk kort-tyd;

oorweeg oorplasinge en/of heropleiding.

(iii) Die werkgever moet, bo en behalwe genoemde stappe, alle ander kostebesnoeiingsmoontlikhede deeglik ondersoek en toepas, indien moontlik.

(iv) Al bogenoemde stappe moet ten volle met die vakvereniging en die werknemerverteenwoordigers bespreek word.

(c) *Kennisgewing aan die vakvereniging en die werknemerverteenwoordigers.*—(i) Indien die werkgever, nadat alle nodige stappe teen personeelvermindering gedoen was, nog steeds glo dat personeelvermindering onvermydelik is, moet hy die vakvereniging en die werknemerverteenwoordigers van sy voorgenome personeelvermindering in kennis stel.

(ii) Kennis aan sodanige werknemers moet so gou moontlik, maar minstens twee weke voor sodanige personeelvermindering, geskied.

5. CLAUSE 7.—HOURS OF WORK, ORDINARY AND OVERTIME, AND PAYMENT FOR OVERTIME

Substitute the following for subclause (7) (b):

“(b) provided such employee with an adequate meal before he has to commence overtime; or paid such employee R3,00 in sufficient time to enable the employee to obtain a meal before overtime is due to commence;”.

6. CLAUSE 8.—ANNUAL LEAVE AND PUBLIC HOLIDAYS

Substitute the following for subclause (1):

“(1) Every employee, other than a Category III (I) employee, who has completed one year's continuous employment with his employer shall be granted leave as follows:

(a) In the case of an employee who has completed five years' or less continuous employment with the same employer, not less than 15 working days;

(b) in the case of an employee with more than five years' and up to 10 years' continuous service with the same employer, not less than 17 working days;

(c) in the case of an employee with more than 10 years' continuous service with the same employer, not less than 20 working days;

and shall be paid in respect of each day thereof not less than the daily wage which he would have received if he had worked on such day: Provided that of his leave granted in terms of paragraphs (a), (b) and (c) at least 12 working days shall run consecutively and the balance shall be taken in a manner suitable to both the employer and the employee.”.

7. CLAUSE 13.—TERMINATION OF CONTRACT OF EMPLOYMENT

Delete subclause (2).

8. Insert the following new clause 13bis:

“13 bis.—RETRENCHMENT/REDUNDANCY POLICY AND PROCEDURE

(1) *Scope of purpose.*—(a) This Retrenchment/Redundancy Policy and Procedure covers all permanent employees for whom wages are prescribed in the Main Agreement of the Industrial Council for the Chemical Industry (Cape).

(b) It ensures fair treatment to employees when jobs in which they were employed are lost due to retrenchment or redundancy.

(c) This policy and procedure may be superseded by any company's existing policy and procedure provided that the benefit offered to the employee are at least equal.

(2) *Retrenchment.*—(a) *Definition.*—Retrenchment occurs when employees lose their employment as a result of a downturn in the economic affairs of the organisation. Employees in certain positions lose their employment but these positions are likely to be filled if the economic affairs of the organisation improve.

(b) *Avoidance of Retrenchment in advance.*—(1) The employer shall take all reasonable steps to avoid retrenchments the moment he first becomes aware that this might be necessary.

(ii) Steps to avoid retrenchment shall include the following:

Suspend recruitment;

restrict overtime to bare essentials only;

work short-time;

consider transfers and/or retraining.

(iii) Over and above these steps, the employer shall fully explore and enter into all other cost-cutting exercises if possible.

(iv) All the above steps shall be fully discussed with the trade union and the employee representatives.

(c) *Notice to the trade union and the employee representatives.*—(i) If after having taken all the necessary steps to avoid retrenchment, the employer still believes that retrenchment is unavoidable, he shall inform the trade union and the employee representatives of intended retrenchments.

(ii) Notice to retrenchees shall be given at the earliest possible date, but not less than two weeks prior to their retrenchment.

(d) *Keuringsmaatstawwe*.—Die volgende maatstawwe moet deur werkgevers toegepas word wanneer besluit word watter werknemers hul werk weens personeelvermindering gaan verloor:

(i) Laaste in, eerste uit: met dien verstande dat 'n werknemer wat die nodige vaardighede besit in aanmerking geneem moet word;

(ii) werknemers wat pensioenouderdom bereik het;

(iii) werknemers wat vroeg kan aftree;

(iv) gedokumenteerde swak werkverrigting wat daartoe gelei het dat skriftelike waarskuwings aan die werknemer uitgereik is.

(e) *Implementering van personeelvermindering*.—(i) Geen kennis moet gegee word aan die werknemer(s) wat geaffekteer word alvorens die vakvereniging en die werknemerverteenwoordigers geraadpleeg was en die geleentheid gekry het om vertoë te rig rakende die betrokke werknemer(s) nie.

(ii) Werknemers het die reg om hul verteenwoordigers aanwesig te hê wanneer hulle van die personeelvermindering verwittig word.

(iii) 'n Werknemer wat ontevrede voel of meen dat hy onredelik behandel was, het die reg om vertoë tot die senior bestuur te rig.

(iv) Werknemers wat hierdeur geraak word, moet redelike kans gegee word om vir onderhoude vir werk te gaan, en die werkgever moet ook redelike stappe doen om alternatiewe werk vir sodanige werknemers te vind.

(v) Elke werknemer moet 'n dienssertifikaat gegee word wat aandui dat sy diens as gevolg van personeelvermindering beëindig was.

(vi) Die werkgever moet die werknemer help met die prosesering van die dokumentasie vir die doeleindes van die Werkloosheidsversekeringswet.

(vii) Die werkgever moet aan die vakvereniging en die werknemerverteenwoordigers 'n lys verskaf van werknemers wat as gevolg van personeelvermindering afgedank gaan word.

(f) *Onderneming herindiensneming*.—(i) Die werkgever moet die werknemers wat hul werk weens personeelvermindering in sy diens verloor het, weer in diens neem sodra 'n pos beskikbaar word. Sodanige werknemers moet eerste vir herindiensname in aanmerking geneem word, mits hy/sy teen sodanige tyd nog werkloos is.

(ii) Die werkgever moet die vakvereniging van alle vakante poste in kennis stel en die vakvereniging 'n redelike tyd toelaat om met die betrokke werknemers in verbinding te tree.

(3) *Posbesnoeiing*.—(a) *Woordomskrywing*.—Posbesnoeiing kom voor wanneer 'n pos permanent oorbodig word as gevolg van herorganisasie of tegnologiese verandering en gevolglik is daar geen moontlikheid dat werknemers wat hul werk as gevolg van posbesnoeiing verloor, in heel vorige poste herindiens geneem kan word nie.

(b) *Prosedure*.—(i) Voordat 'n maatskappy besluit om posbesnoeiing in te stel, moet hy alles in sy vermoë doen om alternatiewe werk in die maatskappy vir die werknemers wat deur die besluit geraak word, te identifiseer.

(ii) Alvorens posbesnoeiing ingestel word, moet vakvereniging en die Werknemerverteenwoordigers binne 'n redelike periode geraadpleeg word aangaande die prosedure wat gevolg moet word.

(iii) Die maatskappy moet die individuele werknemers wat deur die posbesnoeiing geraak word skriftelik in kennis stel dat hulle afgedank sal word, asook van die datum waarop die kennisgewing van hul diensbeëindiging in werking sal tree.

(iv) Die maatskappy moet, waar moontlik, die maksimum periode vir kennis toelaat, maar minstens een week in die geval van weekliks besoldigde en een maand in die geval van maandeliks besoldigde werknemers.

(4) *Uittree loon*.—(a) 'n Uittreeloan moet op die jare diens gebaseer word en 'n bybetaling wees bo en behalwe kennissgeld (indien van toepassing) en opgehoopte verlofgeld.

(b) Personeelverminderde en posbesnoëde werknemers moet een week se loon vir elke jaar diens tot 10 jaar diens, en twee weke se loon vir elke jaar diens na 10 jaar diens ontvang. Geen werknemer moet minder as twee weke se loon as uittreeloan ontvang nie.

9. KLOUSULE 17.—FONDSE VAN DIE RAAD

(1) In subklousule (1), vervang die syfer "12c" deur die syfer "14c" en die syfer "52c" deur die syfer "61c".

(2) Vervang subklousule (2) deur die volgende:

"(2) Hierdie klousule is van toepassing op almal, behalwe los werknemers soos in klousule 3 (8) omskryf, in diens van die Chemikalieënnywerheid soos in klousule 3 (9) van hierdie Ooreenkoms, omskryf."

(d) *Selection criteria*.—The employer shall use the following criteria in selecting employees for retrenchment:

(i) Last in, first out: Provided that the possession of the necessary skills may be taken into account;

(ii) employees of pensionable age;

(iii) employees who are able to take early retirement;

(iv) documented poor performance which has led to written warnings being issued.

(e) *Implementation of Retrenchment*.—(i) Notice to the affected employee shall not be given until full consultation with trade union and employee representatives has taken place and the opportunity to make representations concerning the employee has been given.

(ii) Employees shall have the right to have their representatives present when they are informed of the retrenchment.

(iii) Any employee who feels dissatisfied or unjustly treated shall have the right to make representations to senior management.

(iv) Affected employees shall be given reasonable opportunity to go for job interviews and the employer shall take all reasonable steps to find alternative employment.

(v) Each employee shall be given a service certificate indicating termination due to retrenchment.

(vi) The employer shall assist in processing the documentation for the purposes of the Unemployment Insurance Act.

(vii) The employer shall supply the trade union and employee representatives with a list of the employees to be retrenched.

(f) *Undertaking to re-employ*.—(i) The employer shall re-employ employees retrenched from his employ when vacancies arise. Such employees shall be considered first for reemployment, provided that he/she is unemployed at the time.

(ii) The employer shall inform the trade union of all vacancies and give a reasonable period of time for the trade union to contact the relevant employees.

(3) *Redundancy*.—(a) *Definition*.—Redundancy occurs when a position becomes permanently superfluous as a result of reorganisation or technological change, and, consequently, there is no possibility of employees who lose their employment through redundancy being re-employed in their previous positions.

(b) *Procedure*.—(i) Before taking the decision to instigate redundancies, the company shall do everything possible to identify alternative jobs within the company for employees affected.

(ii) Prior to redundancies being initiated, the trade union and employee representative shall be consulted within reasonable time regarding the procedure to be followed.

(iii) The individual employees affected shall be advised in writing of their selection for redundancy by their company and the date upon which the notice of termination of employment will start.

(iv) The company shall wherever possible provide the maximum amount of notice, but not less than one week for weekly-paid employees and one month for monthly-paid employees.

(4) *Severance pay*.—(a) Severance pay shall be based on length of service and shall be in addition to notice pay (if applicable) and accrued holiday pay.

(b) Retrenched and redundant employees shall receive one week's wages for every year of service up to 10 years' service and two week's wages for each year's service after 10 years. No employee shall receive less than two weeks' wages as severance pay.

9. CLAUSE 17.—COUNCIL FUNDS

(1) In subclause (1), substitute the figure "14c" for the figure "12c" and the figure "61c" for the figure "52c".

(2) Substitute the following for subclause (2):

"(2) The provisions of this clause shall apply to all persons, except casual employees as defined in clause 3 (8), employed in the Chemical Industry as defined in clause 3 (9) of this Agreement."

(3) Voeg die volgende nuwe subklousule (3) in na subklousule (2):

“(3) Indien enige bedrag wat ingevolge hierdie klousule verskuldig is aan die einde van die maand wat volg op die maand ten opsigte waarvan dit betaalbaar was nog nie deur die Nywerheidsraad ontvang is nie, is die werkgever onmiddellik aanspreeklik vir en moet hy rente betaal op sodanige bedrag of op sodanige kleiner bedrag wat nog nie betaal is nie, en wel teen die rentekoers wat in die Wet op die Voorgeskrewe Rentekoers, Wet 55 van 1975, soos gewysig, voorgeskrif is, bereken vanaf die sewende dag tot op die dag waarop betaling werklik deur die Nywerheidsraad ontvang word: Met dien verstande dat die Nywerheidsraad na goeëdunke sodanige rente in enige individuele geval, geheel of gedeeltelik kan kwytsteld. Indien die Nywerheidsraad enige onkoste aangaan of verplig word om invorderingskommissie te betaal as gevolg van die werkgever se versuim om enige betaling voor of op die vervaldatum te maak, is die werkgever dan ook onmiddellik aanspreeklik vir die betaling van al sodanige onkoste, van watter aard ook al soos tussen prokureur en klient, en alle invorderingskommissie en kan die Nywerheidsraad na goeëdunke enige betaling wat deur die werkgever gemaak word, gebruik om, eerstens sodanige onkomste, invorderingskommissie en rente te dek en daarna om die agterstallige hoofsom te verminder.”

10. KLOUSULE 22.—PENSIOENFONDS

(1) Voeg die volgende nuwe subklousule (3)*bis* in na subklousule (3):

“(3)*bis* Indien enige bedrag wat ingevolge hierdie klousule verskuldig is aan die einde van die maand wat volg op die maand ten opsigte waarvan dit betaalbaar is nog nie deur die Nywerheidsraad ontvang is nie, is die werkgever onmiddellik aanspreeklik vir en moet hy rente betaal op sodanige bedrag of sodanige kleiner bedrag wat nog nie betaal is nie, en wel teen die rentekoers wat in die Wet op die Voorgeskrewe Rentekoers, Wet 55 van 1975, soos gewysig, voorgeskrif is, bereken vanaf die sewende dag tot op die dag waarop betaling werklik deur die Nywerheidsraad ontvang word: Met dien verstande dat die Nywerheidsraad na goeëdunke sodanige rente in enige individuele geval geheel of gedeeltelik kan kwytsteld. Indien die Nywerheidsraad enige onkoste aangaan of verplig word om invorderingskommissie te betaal as gevolg van die werkgever se versuim om enige betaling voor of op die vervaldatum te maak, is die werkgever onmiddellik aanspreeklik vir die betaling van alle sodanige onkomste, van watter aard ook al soos tussen prokureur en klient, en alle invorderingskommissie, en kan die Nywerheidsraad na goeëdunke enige betaling wat deur die werkgever gemaak word gebruik om, eerstens, sodanige onkoste, invorderingskommissie en rente te dek en daarna om die agterstallige hoofsom te verminder.”

Namens die partye of hede die 26ste dag van Januarie 1988 te Kaapstad onderteken.

S. G. PENNEY,
Voorsitter.

J. HEEGER,
Ondervoorsitter.

p.p. **K. L. BARNES,**
Sekretaris.

DEPARTEMENT VAN ONTWIKKELINGS- HULP

No. R. 948

20 Mei 1988

VERKOOPPRYSE, AFLOSPAAIEMENTE, HUUR EN DIENSVORDERINGS TEN OPSIGTE VAN DORPE IN SWART GEBIEDE.—WYSIGING VAN GOEWERMENSKENNISGEWING R. 2624 VAN 29 DESEMBER 1978

Ek, Gerrit van Niekerk Viljoen, Minister van Onderwys en Ontwikkelingshulp, wysig hierby, kragtens die bevoegdheid my verleen by regulasie 5 (1) van Hoofstuk II van die Regulasies vir die Vervreemding van Trustgrond in Dorpe, 1988, afgekondig by Goewermenskennisgewing R. 402 van 9 Maart 1988, met ingang van die datum van afkondiging hiervan die Bylae van Goewermenskennisgewing R. 2624 van 29 Desember 1978, soos gewysig, in die mate uiteengesit in bygaande Bylae.

G. VAN N. VILJOEN,
Minister van Onderwys en Ontwikkelingshulp.

(3) Insert the following new subclause (3) after subclause (2):

“(3) Should any amount due in terms of this clause not be received by the Council by the end of the month following the month in respect of which it is payable, the employer shall forthwith be liable for and be required to pay interest on such amount or on such lesser amount as remains unpaid, at the rate prescribed by the Prescribed Rate of Interest Act, Act 55 of 1975, as amended, calculated from the seventh day until the day upon which payment is actually received by the Council: Provided that the Council shall be entitled in its absolute discretion to waive payment of such interest or part thereof in any individual instance. In the event of the Council incurring any costs or becoming obliged to pay any collection commission by reason of the failure of the employer to make any payment on or before the due date, the employer shall then also be liable to forthwith pay all such costs of whatever nature as between attorney and client and all such collection commission and the Council shall be entitled in its absolute discretion to allocate any payment by the employer, firstly in satisfaction of such costs, collection commission and interest and thereafter in reduction of the overdue capital amount.”

10. CLAUSE 22.—PENSION FUND

(1) Insert the following new subclause (3)*bis* after subclause (3):

“(3)*bis* Should any amount due in terms of this clause not be received by the Council by the end of the month following the month in respect of which it is payable, the employer shall forthwith be liable for and be required to pay interest on such amount or on such lesser amount as remains unpaid at the rate prescribed by the Prescribed Rate of Interest Act, Act 55 of 1975, as amended, calculated from the seventh day until the day upon which payment is actually received by the Council: Provided that the Council shall be entitled in its absolute discretion to waive payment of such interest or part thereof in any individual instance. In the event of the Council incurring any costs or becoming obliged to pay any collection commission by reason of the failure of the employer to make any payment on or before the due date, the employer shall then also be liable to forthwith pay all such costs of whatever nature as between attorney and client and all such collection commission, and the Council shall be entitled in its absolute discretion to allocate any payment by the employer, firstly in satisfaction of such costs, collection commission and interest, and thereafter in reduction of the overdue capital amount.”

Signed at Cape Town, on behalf of the parties, this 26th day of January 1988.

S. G. PENNEY,
Chairman.

J. HEEGER,
Vice-Chairman.

p.p. **K. L. BARNES,**
Secretary.

DEPARTMENT OF DEVELOPMENT AID

No. R. 948

20 May 1988

SELLING PRICES, REDEMPTION INSTALMENTS, RENT AND SERVICE CHARGES IN RESPECT OF TOWNSHIPS IN BLACK AREAS.—AMENDMENT OF GOVERNMENT NOTICE R. 2624 OF 29 DECEMBER 1978

I, Gerrit van Niekerk Viljoen, Minister of Education and Development Aid, hereby, under the powers vested in me by regulation 5 (1) of Chapter II of the Regulations for the Disposal of Trust Land in Towns, 1988, published under Government Notice R. 402 of 9 March 1988, amend, with effect from the date of publication hereof, the Schedule to Government Notice R. 2624 of 29 December 1978, as amended, to the extent set out in the accompanying Schedule.

G. VAN N. VILJOEN,
Minister of Education and Development Aid.

BYLAE**A. VERKOOPPRYS VAN PERSELE**

Afdeling A word gewysig deur na paragraaf (2) die volgende paragraaf in te voeg:

“(3) plus die nominale waarde van die infrastruktuur, waar die infrastruktuur die voorsiening van water, riolering en strate binne die woongebied verteenwoordig soos volg:

Nominale waarde van infrastruktuur:

	<i>Persele kleiner as 750 m²</i>		<i>Persele groter as 750 m²</i>	
	R		R	
(a) Water, riolering en teerstrate	2 400		4 000	
(b) Water, riolering en grondstrate	1 400		3 000	
(c) Water, putlatrines en grondstrate	1 200		2 200	
(d) Staankrane, riolering en grondstrate	1 300		2 200	
(e) Staankrane, putlatrines en grondstrate	1 200		1 850	
(f) Staankrane, putlatrines en strate slegs oopgeskraap	600		800:	

Met dien verstande dat indien elektrisiteit op 'n perseel beskikbaar is, 'n verdere bedrag van R1 300 by bostaande bedrae bygevoeg moet word ongeag die grootte van sodanige perseel.”

SCHEDULE**A. SELLING PRICES OF SITES**

Part A is amended by the insertion of the following paragraph after paragraph (2):

“(3) plus the nominal value of the infrastructure, where the infrastructure represents the provision of water, sewerage and streets within the residential area, shall be as follows:

Nominal value of infrastructure:

	<i>Sites smaller than 750 m²</i>		<i>Sites bigger than 750 m²</i>	
	R		R	
(a) Water, sewerage and tarred streets	2 400		4 000	
(b) Water, sewerage and gravel streets	1 400		3 000	
(c) Water, pit latrines and gravel streets ...	1 200		2 200	
(d) Pillar taps, sewerage and gravel streets	1 300		2 200	
(e) Pillar taps, pit latrines and gravel streets	1 200		1 850	
(f) Pillar taps, pit latrines and streets only graded	600		800:	

Provided that, if electricity is available on site, a further amount of R1 300 shall be added to the above amounts irrespective of the size of such site.”

DIE BLOMPLANTE VAN AFRIKA

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

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

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

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Verkoopbelasting moet by binnelandse bestellings ingesluit word.

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