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No. 13566

GOEWERMENSKENNISGEWINGS

ADMINISTRASIE: RAAD VAN AFGEVAARDIGDES

DEPARTEMENT VAN ONDERWYS EN KULTUUR

No. R. 2460 11 Oktober 1991

REGULASIES KRAGTENS DIE WET OP GEVORDERDE TEGNIESE ONDERWYS VIR INDIËRS, No. 12 VAN 1968

VERBETERINGSKENNISGEWING

Die volgende verbeterings aan Goewermentskennisgewing No. R. 342 in *Staatskoerant* No. 13029 van 22 Februarie 1991 word hierby vir algemene inligting gepubliseer:

(a) Vervang in die opskrif van die kennisgewing teenoor "No. R. 342" die woord "Februarie" deur die woord "Februarie".

(b) Vervang die eerste reël van die inleidingsparagraaf die woord "Adminstrasie" deur die woord "Administrasie".

(c) Vervang in die Engelse teks in die opskrif van Hoofstuk 1 die woord "PREPRESENTATIVES" deur die woord "REPRESENTATIVES".

(d) Skrap in regulasie 4 (e) in reël 3 die woord "sub-regulasie".

(e) Vervang in die Engelse teks van regulasie 12 (2) in reël 5 die woord "creditor" deur die woord "credit".

(f) Vervang in die Engelse teks van regulasie 14 (5) in reël 3 die woord "service" deur die woord "services".

(g) Vervang in die Engelse teks van regulasie 15 in reël 3 die woord "Goevernement" deur die woord "Government".

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GOVERNMENT NOTICES

ADMINISTRATION: HOUSE OF DELEGATES

DEPARTMENT OF EDUCATION AND CULTURE

No. R. 2460 11 October 1991

REGULATIONS UNDER THE INDIANS ADVANCED TECHNICAL EDUCATION ACT, No. 12 OF 1968

CORRECTION NOTICE

The following corrections to Government Notice No. R. 342 in *Gazette* No. 13029 of 22 February 1991 are hereby published for general information:

(a) Substitute in the Afrikaans text in the heading of the notice opposite "No. R. 342" for the word "Februarie" of the word "Februarie".

(b) Substitute in the Afrikaans text in the first line of the introductory paragraph for the word "Adminstrasie" of the word "Administrasie".

(c) Substitute in the heading of Chapter 1 for the word "PREPRESENTATIVES" of the word "REPRESENTATIVES".

(d) Delete in regulation 4 (e) in line 3 the word "sub-regulation".

(e) Substitute in regulation 12 (2) in line 5 for the word "creditor" of the word "credit".

(f) Substitute in regulation 14 (5) in line 3 for the word "service" of the word "services".

(g) Substitute in regulation 15 in line 3 for the word "Goevernement" of the word "Government".

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ADMINISTRASIE: VOLKSRAAD

DEPARTEMENT VAN PLAASLIKE BESTUUR, BEHUISING EN WERKE

No. R. 2429

11 Oktober 1991

PLAASLIKE RAAD VAN BLOUBERGSTRAND

VERORDENINGE INSAKE DIE WEGDOENING VAN RIOOLVUIL

Die Minister van Plaaslike Bestuur: Volksraad, kon- dig hierby, ingevolge die bepalings van regulasie 46 (5) van die Regulasies betreffende Plaaslike Rade, soos afgekondig by Goewermentskennisgewing No. R. 2517 van 9 Desember 1988, die verordening in die Bylae uiteengesit, wat deur die Plaaslike Raad van Blou- bergstrand aangeneem is, af.

BYLAE

BLOUBERGSTRAND PLAASLIKE RAAD

VERORDENINGE INSAKE DIE WEGDOENING VAN RIOOLVUIL

Woordbepaling

1. In hierdie verordeninge, tensy uit die samehang anders blyk, beteken—

“Raad” die Plaaslike Raad van Bloubergstrand en enige beampte of werknemer van die Raad aan wie die pligte of funksies wat ten opsigte van hierdie verorde- ning by die Raad berus, opgedra of gedelegeer is;

“tarief” die tarief van gelde soos van tyd tot tyd deur die Raad by besluit bepaal en soos vervat in artikel 2.

Tariewe

2. Die Raad onderneem die wegdoening van riool- vuil teen 'n tarief soos hierna uiteengesit:

(a) R25,00 per maand ten opsigte van elke enkel residensiële wooneenheid wat by die Raad se rioolstel- sel aangesluit is;

(b) R25,00 per maand ten opsigte van elke alge- mene residensiële wooneenheid wat by die Raad se rioolstelsel aangesluit is; en

(c) R25,00 per maand ten opsigte van elke twee toilet-punte of gedeelte daarvan, insluitend 'n urinaal, op enige perseel nie in subartikels (a) en (b) genoem nie en wat by die Raad se rioolnetwerk aangesluit is.

DEPARTEMENT VAN GESONDHEIDSDIENSTE EN WELSYN

No. R. 2438

11 Oktober 1991

WYSIGING VAN EERSTE BYLAE VAN REGULASIES BETREFFENDE TOELAES BETAALBAAR AAN IN- WONERS VAN REHABILITASIESENTRUMS

Die Minister van Begroting en van Welsyn, Behui- sing en Werke het kragtens artikel 52 van die Wet op die Misbruik van Afhanklikheidsvormende stowwe en Rehabilitasiesentrums, 1971 (Wet No. 41 van 1971), die Eerste Bylae van die regulasies afgekondig by Goewermentskennisgewing No. R. 2166 van 3 Desember 1971, gewysig soos uiteengesit in die Bylae.

ADMINISTRATION: HOUSE OF ASSEMBLY

DEPARTMENT OF LOCAL GOVERNMENT, HOUSING AND WORKS

No. R. 2429

11 October 1991

LOCAL COUNCIL OF BLOUBERGSTRAND

BY-LAWS RELATING TO SEWAGE DISPOSAL

The Minister of Local Government: House of Assem- bly hereby, in terms of the provisions of regulation 46 (5) of the Regulations regarding Local Councils, Gov- ernment Notice No. R. 2517 dated 9 December 1988 publishes the by-law set forth in the Schedule, which has been adopted by the Local Council of Blouberg- strand.

SCHEDULE

BLOUBERGSTRAND LOCAL COUNCIL

BY-LAWS RELATING TO SEWAGE DISPOSAL

Definition

1. In these by-laws, unless the context otherwise indicates—

“Council” means the Local Council of Blouberg- strand and any officer or employee of the Council to whom has been delegated the duties and functions vesting in the Council in relation to these by-laws;

“tariff” the tariff of charges as determined by resolu- tion by the Council from time to time and as contained in section 2.

Tariffs

2. The Council shall undertake the disposal of sewerage at a rate as set out forth hereinafter:

(a) R25,00 per month in respect of each single resi- dential dwelling unit connected to the Council's sewer network.

(b) R25,00 per month in respect of each general residential dwelling unit connected to the Council sewer network.

(c) R25,00 per month for every two toilet points or part thereof, including a urinal, on any premises not stated in subsection (a) or (b) which is connected to the Council's sewer network.

DEPARTMENT OF HEALTH AND WELFARE

No. R. 2438

11 October 1991

AMENDMENT OF THE FIRST SCHEDULE OF THE REGULATIONS RELATING TO ALLOWANCES PAYABLE TO INMATES OF REHABILITATION CENTRES

The Minister of the Budget and of Welfare, Housing and Works has under section 52 of The Abuse of Dependence-producing Substances and Rehabilitation Centres Act, 1971 (Act No. 41 of 1971), amended the First Schedule to the regulations promulgated by Government Notice R. 2166 of 3 December 1971, as set out in the Schedule.

BYLAE

1. In hierdie Bylae, tensy uit die samehang anders blyk, beteken die uitdrukking "die Regulasies" die Regulasies afgekondig by Goewermenskennisgewing No. R. 2116 van 3 Desember 1971, soos gewysig by Goewermenskennisgewing No. R. 1812 van 9 September 1977, soos gewysig by Goewermenskennisgewing No. R. 584 van 30 Maart 1984.

2. Die Eerste Bylae van die Regulasies word deur die volgende Eerste Bylae vervang:

EERSTE BYLAE

SKALE VAN TOELAES BETAALBAAR INGEVOLGE ARTIKEL 45 VAN DIE WET OP DIE MISBRUIK VAN AFHANKLIKEIDSVORMENDE STOWWE EN REHABILITASIESENTRUMS, 1971 (WET No. 41 VAN 1971)

Kategorie	Bedrag wat aan inwoners betaal word	Bedrag wat ten opsigte van 'n tydperk van hoogstens 6 maande aan inwoners toegewys word en slegs by of na ontheffing of vrylating met vergunning aan inwoners betaal word
A	65 sent per dag	R1,00 per dag
B	56 sent per dag	R1,00 per dag
C	48 sent per dag	R1,00 per dag
D	40 sent per dag	R1,00 per dag

SCHEDULE

1. In this Schedule, unless the context indicates otherwise, the expression "the Regulations" means the Regulations published by Government Notice R. 2166 of 3 December 1971 as amended by Government Notice R. 1812 of 9 September 1977, as amended by Government Notice R. 584 of 30 March 1984.

2. The First Schedule of the Regulations is hereby substituted by the following First Schedule:

FIRST SCHEDULE

RATES OF ALLOWANCES PAYABLE IN TERMS OF SECTION 45 OF THE ABUSE OF DEPENDENCE-PRODUCING SUBSTANCES AND REHABILITATIONS CENTRE ACT, 1971 (ACT No. 41 OF 1971)

Category	Amount which shall be paid to inmates	Amount which shall be allocated to inmates in respect of a period not exceeding 6 months and which shall be paid to inmates on or after discharge or release on licence
A	65 cent per day	R1,00 per day
B	56 cent per day	R1,00 per day
C	48 cent per day	R1,00 per day
D	40 cent per day	R1,00 per day

DEPARTEMENT VAN FINANSIES

No. R. 2418

11 Oktober 1991

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE No. 1 (No. 1/1/407)

Kragtens artikel 48 van die Doeane- en Aksynswet, 1964, word Deel 1 van Bylae No. 1 by genoemde Wet hiermee gewysig in die mate in die Bylae hiervan aangetoon.

J. A. VAN WYK,

Adjunkminister van Finansies.

DEPARTMENT OF FINANCE

No. R. 2418

11 October 1991

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE No. 1 (No. 1/1/407)

Under section 48 of the Customs and Excise Act, 1964, Part 1 of Schedule No. 1 to the said Act is hereby amended to the extent set out in the Schedule hereto.

J. A. VAN WYK,

Deputy Minister of Finance.

BYLAE

Pos	Subpos	T. S.	Artikel Beskrywing	Statistiese Eenheid	Skaal van Reg	Annotasies
89.01 "89.01			Deur pos No. 89.01 deur die volgende te vervang: Kruisvaartskepe, ekskursiebote, veerbote, vragkepe, vragskuite en dergelike vaartuie vir die vervoer van persone of goedere.			
	8901.10	0	Kruisvaartskepe, ekskursiebote en dergelike vaartuie hoofsaaklik ontwerp vir die vervoer van persone; veerbote van alle soorte	getal	vry	
	8901.20	5	Tenkskepe	getal	vry	
	8901.30	8	Koelskepe (uitgesonderd dié van subpos No. 8901.20)	getal	vry	
	8901.90	7	Ander skepe vir die vervoer van goedere en ander skepe vir die vervoer van beide persone en goedere	getal	vry"	
89.04 "89.04			Deur pos No. 89.04 deur die volgende te vervang: Sleepbote en stootvaartuie.	getal	vry"	
89.05	8904.00	7	Deur subpos No. 8905.10 deur die volgende te vervang:			
	"8905.10	5	Baggerbote	getal	vry"	

Opmerking.—Die uitwerking van die wysiging is dat die skaal van reg op sekere skepe en bote van 20% na vry verlaag word.

SCHEDULE

Heading	Subheading	C. D.	Article Description	Statistical Unit	Rate of Duty	Annotations
89.01			By the substitution for heading No. 89.01 of the following:			
"89.01			Cruise ships, excursion boats, ferry-boats, cargo ships, barges and similar vessels for the transport of persons or goods.			
	8901.10	0	Cruise ships, excursion boats and similar vessels principally designed for the transport of persons; ferry-boats of all kinds	no.	free	
	8901.20	5	Tankers	no.	free	
	8901.30	8	Refrigerated vessels (excluding those of subheading No. 8901.20)	no.	free	
	8901.90	7	Other vessels for the transport of goods and other vessels for the transport of both persons and goods	no.	free"	
89.04			By the substitution for heading No. 89.04 of the following:			
"89.04	8904.00	7	Tugs and pusher craft.	no.	free"	
89.05			By the substitution for subheading No. 8905.10 of the following:			
	"8905.10	5	Dredgers	no.	free"	

Note.—The effect of the amendment is that the rate of duty on certain ships and boats is reduced from 20% to free.

No. R. 2419

11 Oktober 1991

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE No. 1 (No. 1/1/408)

Kragtens artikel 48 van die Doeane- en Aksynswet, 1964, word Deel 1 van Bylae No. 1 by genoemde Wet hiermee gewysig in die mate in die Bylae hiervan aangetoon.

J. A. VAN WYK,

Adjunkminister van Finansies.

No. R. 2419

11 October 1991

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE No. 1 (No. 1/1/408)

Under section 48 of the Customs and Excise Act, 1964, Part 1 of Schedule No. 1 to the said Act is hereby amended to the extent set out in the Schedule hereto.

J. A. VAN WYK,

Deputy Minister of Finance.

BYLAE

Pos	Subpos	T. S.	Artikel Beskrywing	Statistiese Eenheid	Skaal van Reg	Annotasies
96.07			Deur subpos No. 9607.1 deur die volgende te vervang:			
	"9607.1		Skuifsluitings:			
	9607.11	1	Met kettinghakies van onedelmetaal toegerus	m	40% of 50c/m	
	9607.19	2	Ander	m	40% of 50c/m"	
			Deur subpos No. 9607.20.50 deur die volgende te vervang:			
	".50	6	Skuifsluitingkettings of -some		40% of 50c/m"	

Opmerkings.—1. Die uitwerking van die wysiging is dat die skaal van reg op skuifsluitings en skuifsluitingkettings of -some van 40% na 40% of 50c/m gewysig word.

2. Skuifsluitingkettings of -some indeelbaar by subpos No. 9607.20.50, wat aan die vereistes van kortingitem 460.22 voldoen, kan by dié kortingitem met korting op reg geklaar word en die Raad van Handel en Nywerheid het vir dié doel gesertifiseer dat die wysiging van die skaal van reg as gevolg van 'n aansoek om tariefbeskerming is wat nie vooraf vir algemene inligting in die Staatskoerant gepubliseer is nie.

SCHEDULE

Head- ing	Subhead- ing	C. D.	Article Description	Statistical Unit	Rate of Duty	Annota- tions
96.07			By the substitution for subheading No. 9607.1 of the following: Slide fasteners:			
	"9607.1					
	9607.11	1	Fitted with chain scoops of base metal	m	40% or 50c/m	
	9607.19	2	Other	m	40% or 50c/m"	
			By the substitution for subheading No. 9607.20.50 of the following:			
	".50	6	Slide fastener chains or stringers		40% or 50c/m"	

Notes.—1. The effect of the amendment is that the rate of duty on slide fasteners and slide fastener chains or stringers is amended from 40% to 40% or 50c/m.

2. Slide fastener chains or stringers of subheading No. 9607.20.50, which comply with the conditions of rebate item 460.22, may be entered under rebate of duty under that rebate item and for this purpose the Board of Trade and Industry has certified that the amendment of the rate of duty is as a result of an application for tariff protection not previously published in the *Government Gazette* for general information.

No. R. 2420

11 Oktober 1991

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE No. 3 (No. 3/156)

Kragtens artikel 75 van die Doeane- en Aksynswet, 1964, word Bylae No. 3 by genoemde Wet hiermee gewysig in die mate in die Bylae hiervan aangetoon.

J. A. VAN WYK,

Adjunkminister van Finansies.

No. R. 2420

11 October 1991

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE No. 3 (No. 3/156)

Under section 75 of the Customs and Excise Act, 1964, Schedule No. 3 to the said Act is hereby amended to the extent set out in the Schedule hereto.

J. A. VAN WYK,

Deputy Minister of Finance.

BYLAE

I Korting- item	II				III Mate van Korting	Annota- sies
	Tarief- pos	Korting- kode	T. S.	Beskrywing		
304.01				Deur kortingkode 03.00 by tariefpos No. 03.02 te skrap. Deur kortingkodes 02.00 en 03.00 by tariefpos No. 03.04 te skrap. Deur tariefpos No. 03.06 te skrap.		

Opmerking.—Die voorsienings vir 'n korting op reg op sekere vis en krap vir die vervaardiging van vis- en krapprodukte, word ingetrek.

SCHEDULE

I Rebate item	II				III Extent of Rebate	Annota- tions
	Tariff Heading	Rebate Code	C. D.	Description		
304.01				By the deletion of rebate code 03.00 to tariff heading No. 03.02. By the deletion of rebate codes 02.00 and 03.00 to tariff heading No. 03.04. By the deletion of tariff heading No. 03.06.		

Note.—The provisions for a rebate of duty on certain fish and crab for the manufacture of fish and crab products, are withdrawn.

No. R. 2421

11 Oktober 1991

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE No. 3 (No. 3/157)

Kragtens artikel 75 van die Doeane- en Aksynswet, 1964, word Bylae No. 3 by genoemde Wet hiermee gewysig in die mate in die Bylae hiervan aangetoon.

J. A. VAN WYK,

Adjunkminister van Finansies.

No. R. 2421

11 October 1991

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE No. 3 (No. 3/157)

Under section 75 of the Customs and Excise Act, 1964, Schedule No. 3 to the said Act is hereby amended to the extent set out in the Schedule hereto.

J. A. VAN WYK,

Deputy Minister of Finance.

BYLAE

I Korting- item	II			III Mate van Korting	Annota- sies
	Tarif- pos	Korting- kode	T. S.		
311.02				Deur kortingkode 01.00 by tariefpos No. 54.02 te skrap.	

Opmerking.—Die voorsiening vir 'n korting op reg op garing van poliësterfilamente, van 167 dtex met 68 filamente, nie gekleur nie, vir die vervaardiging van getekstureerde garings, word ingetrek.

SCHEDULE

I Rebate Item	II			III Extent of Rebate	Annota- tions
	Tariff Heading	Rebate Code	C. D.		
311.02				By the deletion of rebate code 01.00 to tariff heading No. 54.02.	

Note.—The provision for a rebate of duty on yarn of polyester filaments, of 167 dtex with 68 filaments, not dyed, for the manufacture of textured yarns, is withdrawn.

No. R. 2439

11 Oktober 1991

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE No. 1 (No. 1/1/411)

Kragtens artikel 48 van die Doeane- en Aksynswet, 1964, word Deel 1 van Bylae No. 1 by genoemde Wet hiermee gewysig in die mate van die Bylae hiervan aangetoon.

J. A. VAN WYK,

Adjunkminister van Finansies.

No. R. 2439

11 October 1991

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE No. 1 (No. 1/1/411)

Under section 48 of the Customs and Excise Act, 1964, Part 1 of Schedule No. 1 to the said Act is hereby amended to the extent set out in the Schedule hereto.

J. A. VAN WYK,

Deputy Minister of Finance.

BYLAE

Pos	Subpos	T. S.	Artikel Beskrywing	Statistiese Eenheid	Skaal van Reg	Annotasies
02.04			Deur subpos No. 0204.21 deur die volgende te vervang:			
	"0204.21	4	Karkasse en halfkarkasse	kg	20% of 440c/kg min 80%"	
			Deur subpos No. 0204.23 deur die volgende te vervang:			
	"0204.23	7	Ontbeen	kg	20% of 480c/kg min 80%"	
			Deur subpos No. 0204.41 deur die volgende te vervang:			
	"0204.41	3	Karkasse en halfkarkasse	kg	20% of 440c/kg min 80%"	
			Deur subpos No. 0204.43 deur die volgende te vervang:			
	"0204.43	6	Ontbeen	kg	20% of 480c/kg min 80%"	

Opmerking.—Die uitwerking van die wysiging is dat die skale van reg op vars, verkoelde of bevrore karkasse en halfkarkasse van skape en op ontbeende vleis van skape onderskeidelik van 20% of 400c/kg min 80% na 20% of 440c/kg min 80% en 20% of 480c/kg min 80% gewysig word.

SCHEDULE

Heading	Subheading	C. D.	Article Description	Statistical Unit	Rate of Duty	Annotations
02.04	"0204.21	4	By the substitution for subheading No. 0204.21 of the following: Carcasses and half-carcasses	kg	20% or 440c/kg less 80%"	
	"0204.23	7	By the substitution for subheading No. 0204.23 of the following: Boneless	kg	20% or 480c/kg less 80%"	
	"0204.41	3	By the substitution for subheading No. 0204.41 of the following: Carcasses and half-carcasses	kg	20% or 440c/kg less 80%"	
	"0204.43	6	By the substitution for subheading No. 0204.43 of the following: Boneless	kg	20% or 480c/kg less 80%"	

Note.—The effect of this amendment is that the rates of duty on fresh, chilled or frozen carcasses and half-carcasses of sheep and on frozen boneless meat of sheep are amended from 20% or 400c/kg less 80% to 20% or 440c/kg less 80% and 20% or 480c/kg less 80%, respectively.

No. R. 2440

11 Oktober 1991

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE No. 2 (No. 2/4)

Kragtens artikel 56 van die Doeane- en Aksynswet, 1964—

1. word Deel 1 van Bylae No. 2 by genoemde Wet hiermee gewysig, met terugwerkende krag tot 14 Junie 1991, in die mate in die Bylae hiervan aange-
toon; en

2. vervang die anti-dumpingreg nou opgelê die voor-
lopige heffing tot anti-dumpingreg afgekondig in
Goewermentskennisgewing R. 1366 van 14 Junie
1991.

J. A. VAN WYK,

Adjunkminister van Finansies.

No. R. 2440

11 October 1991

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE No. 2 (No. 2/4)

Under section 56 of the Customs and Excise Act,
1964—

1. part 1 of Schedule No. 2 of the said Act is hereby
amended, with retrospective effect to 14 June 1991, to
the extent set out in the Schedule hereto; and

2. the anti-dumping duty now imposed supersedes
the provisional charge to anti-dumping duty promul-
gated in Government Notice R. 1366 of 14 June 1991.

J. A. VAN WYK,

Deputy Minister of Finance.

BYLAE

I Item	II			III Korting- items	IV Ingevoer Vanaf of afkomstig Van	V Skaal van Anti- dumping Reg	VI Annota- sies
	Tarif- pos	Kode	T. S.				
211.11							
"211.11							
	6107.11	01.06	60				
	6108.21	01.06	64				
	6109.10	01.06	65				

Opmerking.—'n Anti-dumpingreg word opgelê op mans- of seunsonderbroeke en -knapbroekies, op vroue- of dogtersbroekies en knapbroekies en op T-hemde, frokkies en ander onderhemde, gebrei of gehekel, van katoen, ingevoer vanaf, afkomstig van of verskat deur die Volksrepubliek van Sjina, met terugwerkende krag tot 14 Junie 1991.

SCHEDULE

I Item	II				III Rebate Items	IV Imported From or originating In	V Rate of Anti- dumping Duty	VI Annotations
	Tariff Heading	Code	C. D.	Description				
211.11				By the insertion after item 211.09 of the following:				
"211.11"				Articles of apparel and clothing accessories, knitted or crocheted				
	6107.11	01.06	60	Men's or boys' underpants and briefs, knitted or crocheted, of cotton	301-399 and 401-499	People's Republic of China	100% with a maximum of 120c each	
	6108.21	01.06	64	Women's or girls' briefs and panties, knitted or crocheted, of cotton	301-399 and 401-499	People's Republic of China	125% with maximum of 100c each	
	6109.10	01.06	65	T-shirts, singlets and other vests, knitted or crocheted, of cotton	301-399 and 401-499	People's Republic of China	200% with a maximum of 350c each"	

Note.—An anti-dumping duty is imposed on men's or boys' underpants and briefs, on women's or girls' briefs and panties and on T-shirts, singlets and other vests, knitted or crocheted, of cotton, imported from, originating in or supplied by the People's Republic of China, with retrospective effect to 14 June 1991.

DEPARTEMENT VAN HANDEL EN NYWERHEID

No. R. 2432

11 Oktober 1991

WYSIGING VAN DIE SUIKERNYWERHEID- OOREENKOMS, 1979

Ek, David de Villiers Graaff, Adjunkminister van Handel en Nywerheid en Toerisme, handelende namens en in opdrag van die Minister van Handel en Nywerheid en Toerisme, publiseer hierby ingevolge artikel 4 (1) (c) van die Suikerwet, 1978 (Wet No. 9 van 1978), die wysigings in die Bylae hiervan uiteengesit wat kragtens en ooreenkomstig die bepalings van artikel 4 (1) (b) van genoemde Wet deur my aan die bepalings van die Suikernywerheidsooreenkoms, 1979, aangebring is.

D. DE V. GRAAFF,

Adjunkminister van Handel en Nywerheid en Toerisme.

BYLAE**DEFINISIES**

1. In hierdie Bylae beteken "die Ooreenkoms" die Suikernywerheidsooreenkoms, 1979, gepubliseer by Goewermmentskennisgewing No. R. 858 van 27 April 1979, soos gewysig by Goewermmentskennisgewings Nos. R. 1941 van 31 Augustus 1979, R. 2435 van 2 November 1979, R. 310 van 22 Februarie 1980, R. 864 van 25 April 1980, R. 905 van 2 Mei 1980, R. 1623 van 8 Augustus 1980, R. 1933 van 19 September 1980, R. 2041 van 3 Oktober 1980, R. 2514 van 5 Desember 1980, R. 255 van 13 Februarie 1981, R. 1185 van 5 Junie 1981, R. 2277 van 23 Oktober 1981, R. 2468 van 13 November 1981, R. 252 van 12 Februarie 1982, R. 1906 van 3 September 1982, R. 9 van 7 Januarie 1983, R. 852 van 29 April 1983, R. 1489 van 8 Julie 1983, R. 1740 van 5 Augustus 1983, R. 146 van 3 Februarie 1984, R. 261 van 17 Februarie 1984, R. 599 van 30 Maart 1984, R. 2827 van 28 Desember 1984, R. 1071 van 17 Mei 1985, R. 202 van 7 Februarie 1986, R. 463 van 14 Maart 1986, R. 792 van 25 April

DEPARTMENT OF TRADE AND INDUSTRY

No. R. 2432

11 October 1991

AMENDMENT OF THE SUGAR INDUSTRY AGREEMENT, 1979

I, David de Villiers Graaff, Deputy Minister of Trade and Industry and Tourism, acting on behalf of and on assignment by the Minister of Trade and Industry and Tourism, hereby, in terms of section 4 (1) (c) of the Sugar Act, 1978 (Act No. 9 of 1978), publish the amendments set out in the Schedule hereto, which have, under and in accordance with the provisions of section 4 (1) (b) of the said Act, been effected by me to the provisions of the Sugar Industry Agreement, 1979.

D. DE V. GRAAFF,

Deputy Minister of Trade and Industry and Tourism.

SCHEDULE**DEFINITIONS**

1. In this Schedule "the Agreement" means the Sugar Industry Agreement, 1979, published by Government Notice No. R. 858 of 27 April 1979, as amended by Government Notices Nos. R. 1941 of 31 August 1979, R. 2435 of 2 November 1979, R. 310 of 22 February 1980, R. 864 of 25 April 1980, R. 905 of 2 May 1980, R. 1623 of 8 August 1980, R. 1933 of 19 September 1980, R. 2041 of 3 October 1980, R. 2514 of 5 December 1980, R. 255 of 13 February 1981, R. 1185 of 5 June 1981, R. 2277 of 23 October 1981, R. 2468 of 13 November 1981, R. 252 of 12 February 1982, R. 1906 of 3 September 1982, R. 9 of 7 January 1983, R. 852 of 29 April 1983, R. 1489 of 8 July 1983, R. 1740 of 5 August 1983, R. 146 of 3 February 1984, R. 261 of 17 February 1984, R. 599 of 30 March 1984, R. 2827 of 28 December 1984, R. 1071 of 17 May 1985, R. 202 of 7 February 1986, R. 463 of 14 March 1986, R. 792 of 25 April 1986, R. 793 of 25 April 1986, R. 1260 of 27 June 1986, R. 1628 of 1 August 1986, R. 2075 of 26 September 1986, R. 636 of 27 March 1987,

1986, R. 793 van 25 April 1986, R. 1260 van 27 Junie 1986, R. 1628 van 1 Augustus 1986, R. 2075 van 26 September 1986, R. 636 van 27 Maart 1987, R. 1557 van 17 Julie 1987, R. 1971 van 11 September 1987, R. 558 van 25 Maart 1988, R. 637 van 8 April 1988, R. 722 van 15 April 1988, R. 1026 van 27 Mei 1988, R. 1103 van 10 Junie 1988, R. 1617 van 12 Augustus 1988, R. 1947 van 23 September 1988, R. 374 van 3 Maart 1989, R. 1325 van 23 Junie 1989 en R. 2057 van 29 September 1989.

WYSIGING VAN KLOUSULE 1 VAN DIE OOREENKOMS

2. Klousule 1 van die Ooreenkoms word hierby gewysig deur die volgende woordomskrywing na die woordomskrywing van "binnelandse mark" in te voeg:

"die Ooreenkoms" of "hierdie Ooreenkoms", die Suikernywerheids-ooreenkoms, 1979, soos gewysig, met inbegrip van alle Bylaes van die Ooreenkoms;"

WYSIGING VAN KLOUSULE 42 VAN DIE OOREENKOMS

3. Klousule 42 van die Ooreenkoms word hierby gewysig deur subklousule (1) deur die volgende subklousule te vervang:

"(1) Die verdeling van die opbrengs moet elke jaar ooreenkomstig die bepalings van Bylae B hiervan gedoen word. Vir alle riet wat gedurende 'n jaar deur 'n kweker aan 'n meulenaar gelewer word, moet betaal word, en die pryse moet vasgestel word deur betaling vir sukrose-in-riet deur die meulenaar ooreenkomstig die sukrosepryse soos vasgestel in Bylae B hiervan, en die metrieke ton sukrose in sodanige riet soos vasgestel ingevolge die bepalings van klousule 48 en Bylae C hiervan."

SKRAPPING VAN KLOUSULE 43 VAN DIE OOREENKOMS

4. Klousule 43 van die Ooreenkoms word hierby geskrap, en alle gelde wat op 31 Maart 1990 tot krediet van die Gelykmakingsfonds (wat vantevore ingevolge klousule 43 van die Ooreenkoms ingestel is) aangeteken staan, word aan die Kwekersvereniging vir gebruik of verdeling deur die gemelde Vereniging, na sy goeddunke, oorbetaal.

WYSIGING VAN KLOUSULE 45 VAN DIE OOREENKOMS

5. Klousule 45 van die Ooreenkoms word hierby gewysig deur in subklousule (6) die uitdrukking "klousule 46 (1) (iii)", waar dit ook al voorkom, deur die uitdrukking "klousule 46 (3)" te vervang.

VERVANGING VAN KLOUSULE 46 VAN DIE OOREENKOMS

6. Klousule 46 van die Ooreenkoms word hierby deur die volgende klousule vervang:

"Betaling vir sukrose-in-riet"

46. Betalings wat meulenaars aan kwekers ingevolge klousule 42 (1) moet doen, moet op die volgende grondslag geskied:

(1) Voorlopige betalings moet gedoen word 30 dae na die laaste dag van elke maand waarin riet gelewer word, en die bedrag van elke voorlopige betaling moet nie minder wees nie as die totaal van die produk wat

R. 1557 of 17 July 1987, R. 1971 of 11 September 1987, R. 558 of 25 March 1988, R. 637 of 8 April 1988, R. 722 of 15 April 1988, R. 1026 of 27 May 1988, R. 1103 of 10 June 1988, R. 1617 of 12 August 1988, R. 1947 of 23 September 1988, R. 374 of 3 March 1989, R. 1325 of 23 June 1989 and R. 2057 of 29 September 1989.

AMENDMENT OF CLAUSE 1 OF THE AGREEMENT

2. Clause 1 of the Agreement is hereby amended by the insertion after the definition of "sugar cane" of the following definition:

"the Agreement" or "this Agreement" means the Sugar Industry Agreement, 1979, as amended, and includes all the Schedules to that Agreement;"

AMENDMENT OF CLAUSE 42 OF THE AGREEMENT

3. Clause 42 of the Agreement is hereby amended by the substitution for subclause (1) of the following subclause:

"(1) Each year the distribution of proceeds shall be made in accordance with the provisions of Schedule B hereto. All cane delivered by a grower to a miller during the year shall be paid for and the prices shall be determined by a payment for sucrose in the cane by the miller in accordance with the sucrose prices as determined in Schedule B hereto, and the metric tons of sucrose in such cane as determined in terms of the provisions of clause 48 and Schedule C hereto."

REPEAL OF CLAUSE 43 OF THE AGREEMENT

4. Clause 43 of the Agreement is hereby repealed and all monies standing to the credit of the Equalisation Fund (previously established in terms of clause 43 of the Agreement) as at 31 March 1990 shall be paid over to the Growers' Association for use or distribution by the said Association in its discretion.

AMENDMENT OF CLAUSE 45 OF THE AGREEMENT

5. Clause 45 of the Agreement is hereby amended by the substitution in subclause (6) for the expression "clause 46 (1) (iii)", wherever it appears, of the expression "clause 46 (3)".

SUBSTITUTION OF CLAUSE 46 OF THE AGREEMENT

6. The following clause is hereby substituted for clause 46 of the Agreement:

"Payment for sucrose in cane"

46. Payments by millers to growers due under the provisions of clause 42 (1) shall be made on the following basis:

(1) Provisional payments shall be made 30 days after the last day of each month in which cane is delivered, and the amount of each provisional payment shall be not less than the sum of the product obtained by multiplying 90 per cent of the estimated price per metric ton of sucrose in cane, as determined under the provisions of Schedule B for the immediately preceding month, by the respective accumulated A Pool and B

verkry word deur 90 persent van die geskatte prys per metrieke ton suikrose-in-riet, soos ingevolge Bylae B vir die onmiddellik voorafgaande maand bepaal, met die onderskeie opgelope A-poel- en B-poel-suikroseleweringe van elke kweker vanaf die begin van die jaar tot en met die laaste dag van die maand ten opsigte waarvan die betaling verskuldig is, te vermenigvuldig, min die totaal van alle voorlopige betalings voorheen ingevolge hierdie subklousule vir die betrokke jaar aan hom gedoen.

(2) 'n Finale betaling moet op 31 Maart in elke jaar gedoen word, en die bedrag van die finale betaling is die totaal van die produk wat verkry word deur die prys per metrieke ton suikrose-in-riet, soos finaal ingevolge Bylae B vir daardie jaar bepaal, met die onderskeie opgelope A-poel- en B-poel-suikroseleweringe van elke kweker gedurende sodanige jaar te vermenigvuldig, min die totaal van alle voorlopige betalings voorheen aan sodanige kweker ten opsigte van die betrokke jaar gedoen, met inbegrip van die rente ingevolge subparagraaf (3) bereken.

(3) By elke meul word retensierentewaardes bereken per ton A-poel- en B-poel-suikrose, onderskeidelik, wat in elke geval die totaal is van 'n berekening vir elke maand gedurende die jaar waarin riet gelewer is, gedeel deur die totale tonnemaat A-poel- en B-poel-suikrose, onderskeidelik, wat deur kwekers verbonde aan daardie meul gedurende die jaar gelewer is, welke berekening afsonderlik ten opsigte van A-poel- en B-poel-suikrose ooreenkomstig die volgende formule gedoen word:

$$V \times (W - M) \times \frac{P}{12} \times Z,$$

in welke formule—

(a) "V" die totale kumulatiewe metrieke ton suikrose gelewer vanaf die begin van die jaar tot en met die laaste dag van die betrokke maand verteenwoordig;

(b) "W" die prys per metrieke ton suikrose-in-riet soos ingevolge Bylae B finaal vir daardie jaar bepaal, verteenwoordig;

(c) "M" die geskatte prys per metrieke ton suikrose-in-riet wat gebruik is as basis by die bepaling van die voorlopige betaling vir die betrokke maand, min die retensiegeld deur meulenaars afgetrek, verteenwoordig;

(d) "P" die tydperk in maande tot die volgende betaling (normaalweg een maand, uitgesonderd die tydperk tussen die laaste voorlopige betaling en 31 Maart) verteenwoordig; en

(e) "Z" die beswaarde gemiddelde van die daaglikse minimum rentekoerse ten opsigte van bankoortrekkings vorderbaar deur die Suikervereniging se bankiere vanaf 1 Maart in die vorige jaar tot 28 Februarie in die betrokke jaar, min 0,5 persent, verteenwoordig;

met dien verstande egter dat elke meul daarop geregtig is om 'n afsonderlike retensierentewaarde ten opsigte van die suikroseleweringe van sy Klein Kwekers *mutatis mutandis* ooreenkomstig hierdie subklousule 46 (3) te bereken.

Pool sucrose deliveries of each grower from the commencement of the year up to and including the last day of the month in respect of which the payment is due, less the total of all provisional payments previously made to him in respect of the year concerned in terms of this subclause.

(2) A final payment shall be made on 31 March in each year, and the amount of the final payment shall be the sum of the product obtained by multiplying the price per metric ton of sucrose in cane, as finally determined under the provisions of Schedule B for that year, by the respective accumulated A Pool and B Pool sucrose deliveries of each grower during such year, less the total of all provisional payments previously made to such grower in respect of the year concerned, including interest calculated in terms of subparagraph (3).

(3) At each mill there shall be calculated retention interest values per ton of A Pool and B Pool sucrose, respectively, which in each case shall be the total of a calculation for each month during the year in which cane was delivered, divided by the total tons of A Pool and B Pool sucrose, respectively, delivered by the growers attached to that mill during the year, which calculation shall be made separately in respect of A Pool and B Pool sucrose, according to the following formula:

$$V \times (W - M) \times \frac{P}{12} \times Z,$$

in which formula—

(a) "V" represents the total cumulative metric tons sucrose delivered from the commencement of the year up to and including the last day of the month concerned;

(b) "W" represents the price per metric ton of sucrose in cane as finally determined for that year under the provisions of Schedule B;

(c) "M" represents the estimated price per metric ton of sucrose in cane used as a basis in determining the provisional payment for the month concerned, less the retention deduction by millers;

(d) "P" represents the period of time in months until following payment (normally one month, except for the period between last provisional payment and 31 March); and

(e) "Z" represents the weighted average of the daily minimum bank overdraft rates chargeable by the Sugar Association's bankers from 1 March in the preceding year to 28 February in the year concerned, less 0,5 per cent;

provided, however, that each mill shall be entitled to calculate a separate retention interest value in respect of the sucrose deliveries of its Small Growers *mutatis mutandis* in accordance with this subclause 46 (3).

(4) Die retensierentebetalings aan elke kweker word bereken deur die tonnemaat A-poel- en B-poel- suikrose deur elke kweker gelewer met die onderskeie retensierentewaardes per ton suikrose vir die meul waaraan die kweker verbonde is te vermenigvuldig.

(5) By die toepassing van hierdie subklousule beteken "gelewer", ten opsigte van suikrose of riet, enige lewering deur 'n kweker wat aan die betrokke meul verbonde is."

VERVANGING VAN KLOUSULE 60 VAN DIE OOREENKOMS

7. Klousule 60 van die Ooreenkoms word hierby deur die volgende klousule vervang:

"Prysstabilisasiefonds"

60. (1) Daar moet 'n Suikernywerheid-prysstabilisasiefonds ingestel word met die uitsluitlike doel om 'n groter mate van finansiële stabiliteit van jaar tot jaar vir meulenaars en kwekers te bewerkstellig. Die Prysstabilisasiefonds moet deur SASEXCOR ooreenkomstig Bylae A van hierdie Ooreenkoms en sodanige regulasies of voorskrifte as wat die Suikervereniging van tyd tot tyd mag bepaal, geadministreer word.

"Die Klein Rietkwekers se Finansiële Hulpfonds"

(2) Daar moet 'n Klein Rietkwekers se Finansiële Hulpfonds ingestel word met die doel om daardie kwekers te help wat in aanmerking kom, soos van tyd tot tyd deur die Suikervereniging bepaal, en die Fonds wat aldus ingestel is, moet deur die Suikervereniging ooreenkomstig sodanige regulasies of voorskrifte as wat die Suikervereniging van tyd tot tyd mag bepaal, geadministreer word."

VERVANGING VAN KLOUSULE 61 VAN DIE OOREENKOMS

8. Klousule 61 van die Ooreenkoms word hierby deur die volgende klousule vervang:

"Ontwikkelingsfonds"

61. (1) Daar moet 'n Suikernywerheidontwikkelingsfonds ingestel word met die doel om die ontwikkeling van suikerproduksie te bevorder en die algehele ekonomie van die Nywerheid te verbeter ooreenkomstig reëlins wat die Suikervereniging bepaal, en die Fonds wat aldus ingestel is, moet deur die Suikervereniging geadministreer word ooreenkomstig sodanige voorskrifte of regulasies as wat die Suikervereniging van tyd tot tyd mag bepaal.

(2) Vir die finansiering van die Suikernywerheidontwikkelingsfonds kan die Suikervereniging ingevolge die bepalinge van klousules 56 en 57 van hierdie Ooreenkoms sodanige bedrag per metrieke ton produksie suiker wat verkoop word, hef soos van tyd tot tyd deur die Suikervereniging vasgestel mag word."

(4) The retention interest payments to each grower shall be calculated by multiplying the tonnage of A Pool and B Pool sucrose delivered by each grower by the respective retention interest value per ton of sucrose for the mill to which the grower is attached.

(5) For the purpose of this subclause, "delivered", in regard to sucrose or cane, shall mean any delivery by a grower attached to the mill concerned."

SUBSTITUTION OF CLAUSE 60 OF THE AGREEMENT

7. The following clause is hereby substituted for clause 60 of the Agreement:

"Price Stabilisation Fund"

60. (1) There shall be established a Sugar Industry Price Stabilisation Fund for the sole purpose of introducing a greater measure of financial stability for millers and growers from year to year. The Price Stabilisation Fund shall be administered by SASEXCOR in accordance with the provisions of Schedule A to this Agreement, and in accordance with such regulations or directives as the Sugar Association may from time to time determine.

"Small Cane Growers' Financial Aid Fund"

(2) There shall be established a Small Cane Growers' Financial Aid Fund for the purpose of assisting those growers who may be eligible, as determined by the Sugar Association from time to time, and the Fund so established shall be administered by the Sugar Association in accordance with such regulations or directives as the Sugar Association may from time to time determine."

SUBSTITUTION OF CLAUSE 61 OF THE AGREEMENT

8. The following clause is hereby substituted for clause 61 of the Agreement:

"Development Fund"

61. (1) There shall be established a Sugar Industry Development Fund for the purpose of promoting the development of sugar production and improving the overall economy of the Industry in accordance with arrangements determined by the Sugar Association, and the Fund so established shall be administered by the Sugar Association in accordance with such directives or regulations as the Sugar Association may from time to time determine.

(2) For the purpose of financing the Sugar Industry Development Fund the Sugar Association, in terms of the provisions of clauses 56 and 57 of this Agreement, may impose such levy per metric ton of sugar output sold as it may from time to time determine."

VERVANGING VAN KLOUSULE 71 VAN DIE OOREENKOMS

9. Klousule 71 van die Ooreenkoms word hierby deur die volgende klousule vervang:

"Poelstelsel"

71. (1) Daar word hierby vir die Suikernywerheid 'n stelsel wat as die Poelstelsel, Bylaes F en H, bekend staan, vir die beheer van produksie van suikernywerheidprodukte, en die beskikking daarvoor en die bepaling van die pryse daarvan, ooreenkomstig die bepalings van hierdie Ooreenkoms ingestel.

(2) Ingeval enige botsing of teenstrydigheid tussen enige bepaling van Bylae B, F of H, aan die een kant, en enige bepaling van hierdie Ooreenkoms, aan die ander kant, blyk, geld die betrokke bepaling van Bylae B, F of H tot die mate van sodanige botsing of teenstrydigheid.

(3) Daar ontstaan geen eis om skade of vergoeding nie ten opsigte van enige persoon, ongeag of sodanige persoon 'n persoon is vir wie hierdie Ooreenkoms bindend is of nie, bloot op grond van die wysigings van hierdie Ooreenkoms en die Bylaes daarvan wat ingevolge Goewermentskenningsgewing R. 1071, gedateer 17 Mei 1985, of ingevolge hierdie Goewermentskenningsgewing bewerkstellig is.

(4) Enige reg wat deur enige persoon gehou word in of op enige kwota wat ingevolge Hoofstuk 2 van hierdie Ooreenkoms voor 1 Mei 1985 uitgereik is, word geag 'n ooreenstemmende reg te wees in en op die betrokke A-poel-kwota en B-poel-vergunning wat daarop betrekking het, of die betrokke Klein Kwekersgeregtigdheid, na gelang van die geval, ingestel ingevolge Bylae F, saamgelees met Bylae H, ter vervanging van sodanige kwota en reg of riet te lewer."

WYSIGING VAN BYLAE B VAN DIE OOREENKOMS

10. Bylae B van die Ooreenkoms word hierby gewysig deur—

(a) in subparagraaf (4) van paragraaf 2 die uitdrukking "en die Gelykmakingsfonds in klousule 43 van die Ooreenkoms bedoel" te skrap;

(b) in paragraaf (2) (a) van paragraaf 4 die uitdrukking "Minister" deur die uitdrukking "Suikervereniging" te vervang;

(c) (i) in subparagraaf (4) (a) van paragraaf 8 die uitdrukking "gelewer staan" deur die uitdrukking "gelewer staan; en" te vervang;

(ii) subparagraaf (4) (b) van paragraaf 8 te skrap; die huidige subparagraaf (4) (c) word subparagraaf (4) (b);

(iii) in subparagraaf (5) (c) van paragraaf 8 die uitdrukking "uitgesonderd Klein Kwekers" te skrap;

(iv) subparagraaf (8) (b) van paragraaf 8 te skrap; die huidige subparagraaf (8) (c) en (8) (d) word onderskeidelik (8) (b) en (8) (c);

(v) subparagraaf (10) van paragraaf 8 deur die volgende subparagraaf te vervang:

"(10) Die prys per metrieke ton suikrose-in-riet betaalbaar aan 'n Klein Kweker wat aan 'n meul verbonde is, is die A-poel-suikroseprys ingevolge subparagraaf (6) en (9) bepaal."

SUBSTITUTION OF CLAUSE 71 OF THE AGREEMENT

9. The following clause is hereby substituted for clause 71 of the Agreement:

"Pool System"

71. (1) There is hereby established for the Sugar Industry a system, known as the Pool System, Schedules F and H, for the control of production of sugar industry products and the disposal and determination of the prices thereof, in accordance with the provisions of this Agreement.

(2) In the event of any conflict or inconsistency appearing between any provision of Schedule B, F or H, on the one hand, and any provision of this Agreement, on the other hand, the provision of Schedule B, F or H in question shall prevail to the extent of such conflict or inconsistency.

(3) No claim for damages or compensation shall arise in respect of any person, whether such person is a person upon whom this Agreement is binding or not, merely by virtue of the amendments to this Agreement and the Schedules thereto effected in terms of Government Notice R. 1071 dated 17 May 1985, or in terms of this Government Notice.

(4) Any right held by any person in or to any quota issued in terms of Chapter 2 of this Agreement prior to 1 May 1985, shall be deemed to be a corresponding right in and to the relative A Pool quota and B Pool allowance relating thereto, or the Small Grower Entitlement concerned, as the case may be, established in substitution for such quota and right to deliver cane in terms of Schedule F, read with Schedule H."

AMENDMENT OF SCHEDULE B TO THE AGREEMENT

10. Schedule B to the Agreement is hereby amended—

(a) by the deletion in subparagraph (4) of paragraph 2 of the expression "and the Equalisation Fund referred to in Clause 43 of the Agreement";

(b) by the substitution in subparagraph (2) (a) of paragraph 4 for the expression "Minister" of the expression "Sugar Association";

(c) (i) by the substitution in subparagraph (4) (a) of paragraph 8 for the expression "delivered." of the expression "delivered; and";

(ii) by the deletion in paragraph 8 of subparagraph (4) (b), the present subparagraph (4) (c) becoming subparagraph (4) (b)

(iii) by the deletion in subparagraph (5) (c) of paragraph 8 of the expression", other than Small Growers,";

(iv) by the deletion in paragraph 8 of subparagraph (8) (b), the present subparagraphs (8) (c) and (8) (d) becoming (8) (b) and (8) (c), respectively;

(v) by the substitution in paragraph 8 for subparagraph (10) of the following subparagraph:

"(10) The price per metric ton of sucrose in cane payable to a Small Grower attached to a mill shall be the A Pool sucrose price determined in terms of subparagraphs (6) to (9)."

(d) in subparagraaf (1) van paragraaf 9 die uitdrukking "A-poel-, B-poel en Klein Kwekers-sukrosepryse" deur die uitdrukking "A-poel- en B-poel-sukrosepryse" te vervang;

(e) in paragraaf 10 na subparagraaf (4) (b) die volgende item in te voeg:

"(c) Sukrose wat gelewer word om 'n tekort in die basiese kwotasleweringsreg wat ingevolge paragraaf 9 van Bylae H gekoop is aan te vul, moet by die herverdeling van die meulopbrengs in ag geneem word"; en

(f) paragraaf 12 te skrap.

SKRAPPING VAN BYLAE D VAN DIE OOREENKOMS

11. Bylae D van die Ooreenkoms word hierby geskrap.

WYSIGING VAN BYLAE F VAN DIE OOREENKOMS

12. Bylae F van die Ooreenkoms word hierby gewysig deur—

(a) (i) subparagraaf (1) (e) (ii) en (1) (i) van paragraaf 1 deur onderskeidelik die volgende subparagraaf te vervang:

"(1) (e) (ii) ten opsigte van 'n Klein Kweker, die sukrose-in-riet geproduseer deur 'n Klein Kweker ter nakoming van die bepalings van die Ooreenkoms"; en

"(1) (i) 'Klein Kweker'—

(i) 'n kweker wat op 1 April 1990 as 'n Klein Kweker in die Kwekersregister geregistreer was;

(ii) 'n kweker wat kragtens die bepalings van paragraaf 4 van hierdie Bylae 'n Klein Kweker word; en

(iii) 'n kweker wat kragtens die bepalings van paragraaf 5 van Bylae H 'n Klein Kweker word en wat kragtens die bepalings van hierdie Bylae saamgelees met Bylae H 'n Klein Kweker bly";

(ii) in paragraaf 1 die volgende items na subparagraaf (1)(n) by te voeg—

"(o) 'vrytoegangsgebied' die gebied in paragraaf 5 (3) (a) van Bylae H bedoel;

(p) 'Vrytoegangsgebied-Klein Kweker' 'n Klein Kweker wie se geregistreerde grond in 'n vrytoegangsgebied geleë is";

(b) (i) subparagraaf (4) van paragraaf 4 deur die volgende subparagraaf te vervang;

"(4) Sonder die instemming van die Sentrale Raad—

(a) is geen persoon geregtig om 'n Klein Kweker te wees of te word nie ten opsigte van grond waaraan 'n A-poel-kwota te eniger tyd gekoppel was;

(b) is geen persoon geregtig om, regstreeks of onregstreeks, meer as een Klein Kwekergeregtigdheid te hê of te beheer nie;

(c) is nie meer as een Klein Kweker geregtig om riet van dieselfde geregistreerde grond te lewer nie.

Vir doeleindes van paragraaf 4 (4) (a) beteken die woord 'grond'—

(i) Waar die betrokke A-poel-kwotahouer die grond waaraan die betrokke A-poel-kwota verbonde is, besit of besit het, die grond soos in die grondbrief daarvan beskryf; en

(d) by the substitution in subparagraph (1) of paragraph 9 for the expression "A Pool, B Pool and Small Grower" of the expression "A Pool and B Pool";

(e) by the addition in paragraph 10 after subparagraph (4) (b) of the following item:

"(c) Sucrose delivered to fulfil any shortfall in basic quota delivery right, purchased in terms of paragraph 9 of Schedule H, shall be taken into account in the redistribution of milling proceeds."; and

(f) by the deletion of paragraph 12.

REPEAL OF SCHEDULE D TO THE AGREEMENT

11. Schedule D to the Agreement is hereby repealed.

AMENDMENT OF SCHEDULE F TO THE AGREEMENT

12. Schedule F to the Agreement is hereby amended—

(a) (i) by the substitution for subparagraphs (1) (d) (ii) and (1) (l) of paragraph 1 of the following subparagraphs, respectively:

"(1) (d) (ii) in respect of a Small Grower, means the sucrose in cane produced by a Small Grower in compliance with the provisions of the Agreement"; and

"(1) (l) 'Small Grower' means—

(i) a grower registered as a Small Grower in the Growers' Register as at 1 April 1990;

(ii) a grower who becomes a Small Grower in accordance with the provisions of paragraph 4 of this Schedule; and

(iii) a grower who becomes a Small Grower in accordance with the provisions of paragraph 5 of Schedule H and who remains a Small Grower in accordance with the provisions of this Schedule read with Schedule H";

(ii) by the insertion in paragraph 1 after subparagraph (1) (g) of the following items—

"(gA) 'free entry area' means the area referred to in paragraph 5 (3) (a) of Schedule H;

(gB) 'free entry area Small Grower' means a Small Grower whose registered land is located in a free entry area";

(b)(i) by the substitution in paragraph 4 for subparagraph (4) of the following subparagraph:

"(4) Without the consent of the Central Board—

(a) no person shall be entitled to be, or to become, a Small Grower in respect of land to which an A Pool quota has at any time attached;

(b) no person shall hold or control, directly or indirectly, more than one Small Grower Entitlement;

(c) not more than one Small Grower shall be entitled to deliver cane from the same registered land.

For the purposes of paragraph 4 (4) (a) then word 'land'—

(i) where the relevant A Pool quota holder owns or owned the land to which the relevant A Pool quota attached, shall mean the land as described in the Title Deed thereof; and

(ii) waar die betrokke A-poel-kwotahouer nie die eienaar is of was van die grond waaraan die betrokke A-poel-kwota verbonde is nie, maar die grond waaraan die betrokke A-poel-kwota verbonde is, kragtens 'n skriftelike instrument besit, bewoon of gebruik of besit het, bewoon het of gebruik het, die grond aldus besit, bewoon of gebruik soos in sodanige skriftelike instrument beskryf; en

(iii) waar die betrokke A-poel-kwotahouer die grond waaraan die betrokke A-poel-kwota verbonde is, op 'n ander wyse as ooreenkomstig subparagrafe (i) of (ii) besit, bewoon of gebruik of besit het, bewoon het of gebruik het, die grond op sodanige wyse beskryf as wat die Sentrale Raad mag bepaal;—

(ii) subparagraaf (5) van paragraaf 4 deur die volgende subparagraaf te vervang:

“(5) Wanneer 'n Klein Kweker—

(a) wat nie 'n vryetoegangsgebied- Klein Kweker is nie aansoek by die Sentrale Raad doen; of

(b) oor enige tydperk van twee opeenvolgende jare aan die betrokke meul meer as 'n gemiddelde van 150 ton suikrose per jaar lewer; of

(c) riet op sodanige oppervlakte grond plant dat met inagneming, onder andere, van die tydperke waarvoor sodanige Klein Kweker riet aan die meul lewer, die Sentrale Raad van mening is dat die Klein Kweker waarskynlik meer as 150 ton suikrose per jaar vanaf sodanige oppervlakte oor enige tydperk van twee opeenvolgende jare sal lewer;

dan, in die geval van 'n aansoek ingevolge subparagraaf (5) (a), kan die Sentrale Raad, en in die omstandighede in subparagrafe (5) (b) of (5) (c) uiteengesit, na gelang van die geval, moet die Sentrale Raad, tensy hy van mening is dat daar buitengewone omstandighede bestaan wat die Klein Kweker van die toepassing van subparagrafe (5) (b) of (5) (c), na gelang van die geval, behoort uit te sluit, aan sodanige Klein Kweker 'n basiese kwota ten opsigte van sodanige Klein Kweker se grond uitreik, besonderhede van welke kwota en grond in die Kwekersregister aangeteken moet word, en by die registrasie van sodanige kwota en geregistreerde grond hou die Klein Kweker op om 'n Klein Kweker te wees, en word hy daarna nie toegelaat om sonder die toestemming van die Sentrale Raad 'n Klein Kweker te word nie. Enige registrasie van 'n kwota ingevolge hierdie subparagraaf is geldig vanaf 'n datum wat deur die Sentrale Raad bepaal word, of, by gebrek aan sodanige bepaling, vanaf die aanvang van die jaar wat volg op die jaar waarin sodanige kwota geregistreer is.”;

(iii) subparagraaf (6) van paragraaf 4 deur die volgende subparagraaf te vervang:

“(6) Indien die omskepping in basiese kwota soos deur subparagraaf (5) of paragrafe 29 (4), 32 (1) of 32 (4) (a) beoog—

(a) die gevolg is van enige van die omstandighede in subparagraaf (5) (a), of paragrafe 29 (4), 32 (1) of 32 (4) (a) beskryf, word die basiese kwota wat aan sodanige kweker uitgereik word ooreenkomstig die volgende formule bereken:

$$Q = T \times X\%$$

(ii) where the relevant A Pool quota holder is not or was not the owner of the land to which the relevant A Pool quota attached, but holds, occupies or uses or held, occupied or used the land to which the relevant A Pool quota attached under a written instrument, shall mean the land so held, occupied or used as described in such written instrument; and

(iii) where the relevant A Pool quota holder holds, occupies or uses or held, occupied or used the land to which the relevant A Pool quota attached otherwise than in accordance with subparagraphs (i) or (ii), shall mean the land as described in such manner as the Central Board may determine.”;

(ii) by the substitution in paragraph 4 for subparagraph (5) of the following subparagraph:

“(5) Whenever a Small Grower—

(a) not being a free area Small Grower makes application to the Central Board; or

(b) over any period of two consecutive years delivers to the Mill concerned more than an average of 150 tons sucrose per year; or

(c) plants cane upon such an area of land that having regard, *inter alia*, to the periods over which such Small Grower delivers cane to the Mill, the Central Board is of the opinion that the Small Grower is likely to produce more than 150 tons sucrose per year from such area over any period of two consecutive years;

then, in the case of an application under subparagraph (5) (a) the Central Board may, and in the circumstances set out in subparagraphs (5) (b) or (5) (c), as the case may be, shall, unless the Central Board is of the opinion that exceptional circumstances exist which should exclude the Small Grower from the application of subparagraph (5) (b) or (5) (c), as the case may be, issue to such Small Grower a basic quota in respect of such Small Grower's land, details of which quota and land shall be entered in the Grower's Register, and upon registration of such quota and registered land the Small Grower shall cease to be a Small Grower, and shall thereafter not be permitted to become a Small Grower without the consent of the Central Board. Any registration of quota in terms of this subparagraph shall be effective from a date determined by the Central Board or, failing such determination, from the beginning of the year following the year in which such quota is registered.”;

(iii) by the substitution in paragraph 4 for subparagraph (6) of the following subparagraph:

“(6) If the conversion to basic quota as contemplated by subparagraph (5) or paragraphs 29 (4), 32 (1) or 32 (4) (a) is—

(a) as a consequence of any of the circumstances described in subparagraph (5) (a), or paragraphs 29 (4), 32 (1) or 32 (4) (a), the basic quota to be issued to such grower shall be calculated in accordance with the following formula:

$$Q = T \times X\%$$

waar—

'Q' die basiese kwota wat aan sodanige Klein Kweker toegeken staan te word, verteenwoordig;

'T' die rekenkundige gemiddelde van die twee hoogste opeenvolgende sukreseleweringe wat deur die Klein Kweker gedurende die voorafgaande vyf jare behaal is, verteenwoordig: Met dien verstande dat indien die Sentrale Raad van oordeel is dat die Klein Kweker se leweringe in enige betrokke jaar of jare onvanpas was die Sentrale Raad geregtig is om vir doeleindes van 'T' die Klein Kweker se leweringe in enige sodanige betrokke jaar of jare te bepaal;

'X%' die rekenkundige gemiddelde van die onderskeie persentasies van die totale A-poel-leweringe deur kwotakwekers tot die totale leweringe deur sodanige kwekers aan alle meule in die suikernywerheid ten opsigte van dieselfde twee opeenvolgende jare wat van toepassing is vir doeleindes om 'T' te bepaal, verteenwoordig;

(b) die gevolg is van die omstandighede in subparagraaf (5) (b) en (5) (c) beskryf, is die basiese kwota wat aan sodanige kweker uitgereik staan te word eenhonderd-en-vyftig ton sukrese: Met dien verstande egter dat waar sodanige basiese kwota voor 30 September 1990 uitgereik word, die basiese kwota wat aan sodanige Klein Kweker uitgereik staan te word *mutatis mutandis* bereken word ooreenkomstig die formule in subparagraaf (6) (a) uiteengesit.”;

(iv) subparagraaf (8) van paragraaf 4 deur die volgende subparagraaf te vervang:

“(8) Vanaf 'n datum ses maande na die promulgasie van hierdie bepalings het geen kweker wat die houër van 'n A-poel-kwota is en geen meulenaar of raffineerder, behalwe met die toestemming van die Sentrale Raad, enige voordelige belang in—

(a) 'n Klein Kweker of 'n Klein Kwekergeregtigheide, of

(b) enige rietproduserende onderneming wat deur 'n Klein Kweker bestuur word nie, of

(c) enige rietproduserende onderneming waarin 'n Klein Kweker 'n regstreekse of onregstreekse wesenlik voordelige belang het nie.

Sonder om die algemeenheid van die woorde 'voordelige belang' te beperk, word hulle geag in te sluit—

— enige belang as prinsipaal, aandeelhouer, lid of vennoot in, of

— enige belang wat die uitwerking het van eiendomsreg, van die geheel of 'n gedeelte van enige van die dinge in (a), (b) of (c) hierbo bedoel,”;

(v) subparagraaf (9) van paragraaf 4 deur die volgende subparagraaf te vervang:

“Mandaatpoelgrond

(9) Alle oppervlakte grond wat aangeteken is in die mandaatregister wat deur die Sentrale Raad gehou word en wat beskikbaar is vir toekenning aan Klein Kwekers soos op 1 April 1990 word soos volg gehanteer:

(a) die totale omvang van die oppervlakte grond hierin bedoel wat op 1 April 1990 nog nie aan individuele Klein Kwekers onder die jurisduksie van óf die KwaZulu

where:

'Q' represents the basic quota to be allocated to such Small Grower;

'T' represents the arithmetic average of the highest two consecutive sucrose deliveries achieved by the Small Grower during the preceding five years: Provided that, where the Central Board is of the opinion that the Small Grower's deliveries in any relevant year or years were inappropriate, the Central Board shall be entitled to determine, for purposes of 'T', the Small Grower's deliveries in any such relevant year or years;

'X%' represents the arithmetic average of the respective percentages of total A Pool deliveries by quota growers to total deliveries by such growers to all mills in the sugar industry in respect of the same two consecutive years applicable for purposes of establishing 'T';

(b) as a consequence of the circumstances described in subparagraphs (5) (b) or (5) (c), the basic quota to be issued to such grower shall be one hundred and fifty tons sucrose: Provided, however, that where such basic quota is issued prior to 30 September 1990 the basic quota to be issued to such Small Grower shall be calculated *mutatis mutandis* in accordance with the formula set out in subparagraph (6) (a).”;

(iv) by the substitution in paragraph 4 for subparagraph (8) of the following subparagraph:

“(8) From a date six months after the promulgation of these provisions, no grower who is the holder of any A Pool quota and no miller or refiner shall, save with the consent of the Central Board, have any beneficial interest in—

(a) any Small Grower or Small Grower Entitlement, or

(b) any cane producing operation conducted by any Small Grower, or

(c) any cane producing operation in which any Small Grower has any direct or indirect material beneficial interest; and

Without limiting the generality of the words 'beneficial interest' they shall be deemed to include—

— any interest as principal, shareholder, member or partner in, or

— any interest having the effect of ownership of the whole or of a part of any of the things referred to in (a), (b) or (c) above,”;

(v) by the substitution in paragraph 4 for subparagraph (9) of the following subparagraph:

“Mandate Pool Land

(9) All areas of land entered in the register of mandates maintained by the Central Board and which are available for allocation to Small Growers as at 1 April 1990 shall be dealt with as follows:

(a) the aggregate extent of the area of land herein referred to which as at 1 April 1990 has not been allotted to individual Small Growers under the jurisdic-

of die KaNgwane Departement van Landbou en Bosbou toegeken is nie maak met ingang van 1 April 1990 die "Mandaatpoel" uit en word as sodanig deur die Sentrale Raad aangeteken;

(b) die totale omvang van die oppervlakte grond van alle Klein Kwekers wie se grond ooreenkomstig subparagraaf (10) aan registrasie onttrek is as gevolg van nie-nakoming van lewerings vir die jare 1986-87, 1987-88 1988-89 en 1989-90 word by die Mandaatpoel gevoeg en word aangeteken as synde verbonde aan die meul waaraan die Klein Kweker wie se grond aldus aan registrasie onttrek is, voorheen verbonde was;

(c) die oppervlakte grond wat die Mandaatpoel uitmaak, is aan die Sentrale Raad beskikbaar vir gebruik en toekenning deur die Sentrale Raad aan Klein Kwekers buite enige vryetoegangsgebied vir sodanige doeleindes en tot sodanige mate as wat die Sentrale Raad mag bepaal: Met dien verstande dat—

(i) toekennings van oppervlaktes grond vir aanplanting van riet aan Klein Kwekers gemaak moet word ten opsigte van die betrokke meul waaraan enige sodanige "Mandaatpoel"-oppervlaktes in die gemelde mandaatregister verbonde was; en

(ii) geen toekenning van oppervlaktes grond vir rietaanplanting aan Klein Kwekers gemaak mag word nie wat binne die jurisduksie val van, en tensy sodanige toekenning aanbeveel is deur, die Minister van Landbou en Bosbou, KwaZulu, of die KaNgwane-Regeringsdiens, KaNgwane;

(d) sodanige oppervlaktes grond wat die "Mandaatpoel" uitmaak wat nie op 31 Maart 1995 aan Klein Kwekers toegeken was nie gekanselleer moet word, en geen verdere toekennings daaruit gemaak mag word nie.”;

(vi) die volgende subparagraaf by paragraaf 4 te voeg:

“(12) Die Sentrale Raad het die bevoegdheid om, ooreenkomstig die bepalings van paragraaf 35, oor enige kwessie of geskil tussen enige persone vir wie die Ooreenkoms bindend is en wat betrekking het op of voortspruit uit die bepalings van subparagrafe (4) of (8) te beslis.”;

(c) die volgende subparagraaf by paragraaf 5 te voeg:

“(4) Die Sentrale Raad moet 'n register hou van alle grond wat op enige tyd as geregistreerde grond geregistreer is.”;

(d) (i) subparagraaf (2) van paragraaf 8 deur die volgende subparagraaf te vervang:

“(2) Vanaf 1 Mei 1985 word van elke kweker wat in die Kwekersregister met 'n voorwaardelike of voorlopige kwota aangeteken is, vereis om sy totale basiese kwota, indien daar is, plus sy voorwaardelike kwota of voorlopige kwota, na gelang van die geval, te vervul in vier van enige vyf opeenvolgende jare wat binne 'n sewejaartydperk val, beginnende op die datum van registrasie van sodanige voorwaardelike kwota of voorlopige kwota, na gelang van die geval, en by sodanige vervulling word sy hele voorwaardelike kwota of voorlopige kwota, na gelang van die geval, in basiese kwota omskep.”;

tion of either the KwaZulu or KaNgwane Department of Agriculture and Forestry shall, as from 1 April 1990, form the Mandate Pool and shall be recorded as such by the Central Board;

(b) the aggregate extent of the area of land of all Small Growers whose land is deregistered in accordance with subparagraph (10) due to non-performance of deliveries for the years 1986-87, 1987-88, 1988-89 and 1989-90 shall be added to the Mandate Pool and shall be recorded as attaching to the mill to which the Small Grower, whose land was so deregistered, was formerly attached;

(c) the area of land forming the Mandate Pool shall be available to the Central Board for use and allocation by the Central Board to Small Growers outside of any free entry area for such purposes and to such extent as the Central Board may determine: Provided that—

(i) allocations of areas of land for planting cane shall be made to Small Growers in respect of the relevant mill to which any such "Mandate Pool" areas were attached in the said register of mandates; and

(ii) no allocation of areas of land for planting cane shall be made to Small Growers falling within the jurisdiction of, and unless such allocation has been recommended by, the Minister of Agriculture and Forestry, KwaZulu, or the KaNgwane Government Service, KaNgwane;

(d) such areas of land forming the "Mandate Pool" as have not been allocated to Small Growers as at 31 March 1995 shall be cancelled, and no further allocations shall be made therefrom.”;

(vi) by the addition of the following subparagraph to paragraph 4:

“(12) The Central Board shall have the power to determine, in accordance with the provisions of paragraph 35, any question or dispute between any persons upon whom the Agreement is binding which relates to or arises out of the provisions of subparagraphs (4) or (8).”;

(c) by the addition of the following subparagraph to paragraph 5:

“(4) The Central Board shall maintain a register of all land which has at any time been registered as registered land.”;

(d) (i) by the substitution in paragraph 8 for subparagraph (2) of the following subparagraph:

“(2) As from 1 May 1985 any grower who is recorded in the Growers' Register with a contingency or provisional quota shall be required to perform the total of his basic quota, if any, plus his contingency quota or provisional quota, as the case may be, in four years out of any five consecutive years falling within a period of seven years commencing upon the date of registration of such contingency quota or provisional quota, as the case may be, and upon such performance the whole of his contingency quota or provisional quota, as the case may be, shall be translated into basic quota.”;

(ii) subparagraaf (3) van paragraaf 8 deur die volgende subparagraaf te vervang:

“(3) Ingeval die vervullingvereistes in subparagraaf (2) bedoel nie nagekom word nie, moet die hoeveelheid van genoemde voorwaardelike kwota of voorlopige kwota, na gelang van die geval, wat gelyk is aan die werklike gemiddelde produksie ten opsigte van sodanige kweker se basiese kwota, indien daar is, plus sodanige voorwaardelike kwota of voorlopige kwota, na gelang van die geval, gedurende die beste vier uit vyf opeenvolgende jare binne genoemde sewejaartydperk, min die hoeveelheid van sodanige kweker se basiese kwota, indien daar is, by verstryking van die genoemde tydperk van sewe jaar in basiese kwota omskep word.”;

(iii) subparagraaf (4) van paragraaf 8 deur die volgende subparagraaf te vervang:

“(4) Die bepalinge van subparagraaf (2) en (3) is insgelyks van toepassing in die geval waar ’n kweker in die Kwekersregister aangeteken is of aangeteken word met beide ’n voorlopige kwota en ’n voorwaardelike kwota of waar ’n kweker op verskillende tye aangeteken is of aangeteken word met twee of meer voorlopige of voorwaardelike kwotas: Met dien verstande dat indien die vervulling in subparagraaf (2) beoog nie bereik word nie—

(a) waar die betrokke kwotas op verskillende tye geregistreer is, lewerings in elke jaar wat sodanige kweker se basiese kwota te bowe gaan (indien daar is) agtereenvolgens toegeken word aan die oudste van die betrokke voorwaardelike of voorlopige kwota of kwotas; of

(b) waar die betrokke kwotas op dieselfde tyd geregistreer word, lewerings in elke jaar wat sodanige kweker se basiese kwota te bowe gaan, in verhouding tot voorlopige kwota en voorwaardelike kwota toegeken word.”;

(iv) subparagraaf (5) van paragraaf 8 deur die volgende subparagraaf te vervang:

“(5) Indien die Sentrale Raad, op ’n appél deur ’n kweker, vind dat enige tekort in suikroselewerings die gevolg was van abnormale omstandighede wat volgens die Sentrale Raad se oordeel buite die kweker se beheer was, kan die Sentrale Raad, ondanks die bepalinge van subparagraaf (2), (3) en (4), sodanige verligting as wat hy mag bepaal, toestaan.”;

(e) in paragraaf 10 (1) (a) die uitdrukking “1990/1991-jaar” deur die uitdrukking “1995/1996-jaar” te vervang;

(f) subparagraaf (2) van paragraaf 11 deur die volgende subparagraaf te vervang:

“(2) Vanaf die aanvang van die 1990–91-jaar en op elke vyfde verjaring daarna, ken die Suikervereniging, tensy hy anders besluit, alle kwota wat in trust in die naam van die Sentrale Raad gehou word aan alle kwekers toe wat A-poel-kwota by die aanvang van die jaar waarin sodanige toekenning van krag word, hieronder in hierdie paragraaf en in paragraaf 15 (4) (c) (ii) “die betrokke datum” genoem, ooreenkomstig die bepalinge van hierdie paragraaf toe: Met dien verstande dat indien enige kwotatoekenning ingevolge paragraaf 10 (5) op enige ander tyd as dié vermeld in hierdie subparagraaf gemaak word, alle sodanige kwota wat in trust gehou word, gelyktydig daarmee toegeken word, tensy die Suikervereniging anders besluit.”;

(ii) by the substitution in paragraph 8 for subparagraph (3) of the following subparagraph:

“(3) If the performance contemplated in subparagraph (2) is not achieved, the amount of the said contingency quota or provisional quota, as the case may be, as is equal to the actual average production in respect of such grower’s basic quota, if any, plus such contingency quota or provisional quota, as the case may be, during the best four out of five consecutive years within the said seven-year period, less the amount of such grower’s basic quota, if any, shall, at the expiry of the said period of seven years, be translated into basic quota.”;

(iii) by the substitution in paragraph 8 for subparagraph (4) of the following subparagraph:

“(4) The provisions of subparagraphs (2) and (3) shall apply equally in the case where a grower is or becomes recorded in the Growers’ Register with both a provisional quota and a contingency quota or where a grower is or becomes recorded at different periods in time with two or more provisional or contingency quotas: Provided that, if the performance contemplated in subparagraph (2) is not achieved—

(a) where the relevant quotas are registered at different points in time, deliveries in each year in excess (if any) of such grower’s basic quota shall be allocated successively to the oldest or older of the relevant provisional or contingency quota or quotas; or

(b) where the relevant quotas are registered at the same time, deliveries in each year in excess of such grower’s basic quota shall be allocated *pro rata* to contingency quota and provisional quota.”;

(iv) by the substitution in paragraph 8 for subparagraph (5) of the following subparagraph:

“(5) If the Central Board, upon an appeal by a grower, finds that any shortfall in deliveries of sucrose was due to abnormal circumstances which in the opinion of the Central Board were beyond the grower’s control, the Central Board may, notwithstanding the provisions of subparagraphs (2), (3) and (4), grant such relief as the Central Board may determine.”;

(e) by the substitution in paragraph 10 (1) (a) for the expression “1990/1991 year” of the expression “1995/1996 year”;

(f) by the substitution in paragraph 11 for subparagraph (2) of the following subparagraph:

“(2) With effect from the commencement of the 1990–91 year and on every fifth anniversary thereafter, the Sugar Association shall, unless it decides otherwise, allocate all quota held in trust in the name of the Central Board to all growers holding A Pool quota at the commencement of the year in which such allocation becomes effective, hereinafter in this paragraph and in paragraph 15 (4) (c) (ii) referred to as “the relevant date”, in accordance with the provisions of this paragraph: Provided that if any allocation of quota is made in terms of paragraph 10 (5) at any time other than that stated in this subparagraph all such quota held in trust shall, unless the Sugar Association decides otherwise, be allocated concurrently therewith.”;

(g) paragraaf 12 deur die volgende paragraaf te vervang:

"B-poel-toelating

12. (1) Behoudens die bepalings van Bylae F, en meer in die besonder paragrawe 6, 14 en 24 daarvan, is kwekers wat A-poel-kwota het, met die goedkeuring van die ontvangende meul, geregtig om in elke jaar B-poel-riet te lewer wat 'n suikrosemassa oplewer van nie meer as 140% (eenhonderd-en-veertig persent) van die suikrosemassa van die A-poel-kwota wat op naam van die betrokke kweker geregistreer is, of sodanige groter massa as wat die Suikervereniging van tyd tot tyd mag bepaal, op voorwaarde dat sodanige riet gekweek word op grond wat behoorlik ooreenkomstig die bepalings van die Ooreenkoms geregistreer is.

(2) Die Suikervereniging is daarop geregtig om van tyd tot tyd die Sentrale Raad te magtig om kwekers toe te laat om die beperkings ingevolge hierdie paragraaf opgelê, te oorskry."

(h) (i) subparagraaf (1) (d) van paragraaf 15 deur die volgende subparagraaf te vervang:

"(1) (d) die werklike lewerings aan 'n meul ooreenkomstig die Ooreenkoms in elke jaar van alle suikrosegewer deur die Klein Kwekers verbonde aan of afgewend na sodanige meul of by sodanige meul geakkommodeer by 'n sluiting ingevolge paragraaf 34;"

(ii) subparagraaf (4) van paragraaf 15 deur die volgende subparagraaf te vervang:

"(4) Meulgeregtighede—

(a) gee die meule die reg om A-poel-suiker te produseer ooreenkomstig die onderskeie Meulgeregtighede wat hulle van tyd tot tyd het; en

(b) word, ondanks die bepalings van subparagraaf (c) (ii), en tensy die Suikervereniging anders besluit, verminder, met die ooreenstemmende hoeveelheid van enige kwotas wat deur die Sentrale Raad in trust gehou word en nie met ingang van die 1995–96-jaar of elke vyfde verjaring daarvan soos in paragraaf 11 (2) beoog, toegeken word nie;

(c) wissel ooreenkomstig—

(i) enige hersiening van die A-poel ooreenkomstig die bepalings van paragrawe 10 en 11; en

(ii) wisselings of veranderings van tyd tot tyd in die samestellende dele van Meulgeregtighede in subparagraaf (1) bedoel, met inbegrip van oordragte van A-poel-kwotas tussen meule: Met dien verstande dat vir die doeleindes van berekening van die Meulgeregtigheid van enige meul, 'n vermindering in 'n kweker se basiese kwota ooreenkomstig paragraaf 9 nie veroorsaak dat die Meulgeregtigheid van die meul verminder nie tot die betrokke datum waarop enige hertoekenning van kwotas wat in trust gehou word ingevolge paragraaf 11 gemaak word." en

(iii) subparagraaf (5) van paragraaf 15 te skrap.

(g) by the substitution for paragraph 12 of the following paragraph:

"B Pool Allowance

12. (1) Subject to the provisions of Schedule F and, more particularly, paragraphs 6, 14 and 24 thereof, growers holding A Pool quota shall, with the agreement of the receiving mill, be entitled to deliver in each year B Pool cane yielding a sucrose mass not exceeding 140% (one hundred and forty per cent), of the sucrose mass of the A Pool quota registered in the name of the grower concerned, or such greater mass as the Sugar Association may from time to time determine, on condition that such cane is grown upon land duly registered in accordance with the provisions of the Agreement.

(2) The Sugar Association shall be entitled from time to time to authorise the Central Board to permit growers to exceed the limits imposed in terms of this paragraph."

(h) (i) by the substitution in paragraph 15 for subparagraph (1) (d) of the following subparagraph:

"(1) (d) the actual deliveries made to a mill in accordance with the Agreement in each year of all sucrose delivered by the Small Growers attached or diverted to such mill, or accommodated at such mill upon a closure in terms of paragraph 34;"

(ii) by the substitution in paragraph 15 for subparagraph (4) of the following subparagraph:

"(4) Mill Entitlements—

(a) shall entitle the mills to produce A Pool sugar commensurate with their respective Mill Entitlements as held from time to time; and

(b) shall, notwithstanding the provisions of subparagraph (c) (ii) and unless the Sugar Association otherwise decides, be reduced by the commensurate amount of any quotas held in trust by the Central Board and not allocated with effect from the 1995–96 year or each fifth anniversary thereof as contemplated by paragraph 11 (2);

(c) shall vary, in accordance with—

(i) any review of the A Pool pursuant to the provisions of paragraphs 10 and 11; and

(ii) variations or alterations from time to time in the constituent parts of Mill Entitlements referred to in subparagraph (1), including transfers of A Pool quotas authorised between mills: Provided that for the purposes of calculating the Mill Entitlement of any mill any reduction in the basic quota of a grower pursuant to paragraph 9 shall not operate to reduce the Mill Entitlement of the mill until the relevant date upon which any reallocation of quotas held in trust is made in terms of paragraph 11." and

(iii) by deletion of subparagraph (5) of paragraph 15.

BYVOEGING VAN BYLAE H

13. Die volgende Bylae word hierby na Bylae G by die Ooreenkoms gevoeg:

"Bylae H"**1. Doel**

Die doel van hierdie Bylae is om met die volgende te handel:

(1) Die uitreiking van bykomende basiese kwota aan kwekers wat A-poel-kwota het, as gevolg van die afskaffing van die kwekers se Gelykmakingsfonds.

(2) Die uitreiking van addisionele basiese kwota van 25 ton suikrose elk aan kwekers wat basiese kwota het.

(3) Die instelling van 'n nuwe klassifikasie van Klein Kwekers wat as vryetoegangsgebied- Klein Kwekers bekend staan en om verskillende sake in verband met sodanige vryetoegangsgebied- Klein Kwekers te hanteer.

(4) Die vestiging van 'n reg aan die kant van kwekers wat basiese kwota het en wat nie, in enige spesifieke jaar, in staat mag wees om sodanige basiese kwota te vervul nie, om aan andere hul reg om suikrose as A-poel-suikrose te lewer, te verkoop.

2. Vertolking

In hierdie Bylae, tensy die samehang anders aandui, beteken die woorde en uitdrukkings in paragraaf 1 van Bylae F omskryf dieselfde as in hierdie Bylae.

3. Toekenning van bykomende basiese kwota by die beëindiging van die Gelykmakingsfonds

(1) Op gesag van die Vereniging ken die Sentrale Raad bykomende basiese kwota aan kwekers toe ooreenkomstig en onderworpe aan die volgende bepalings van hierdie paragraaf.

(2) Sodanige bykomende basiese kwota word toegeken aan 'n kweker in subparagraaf (6) bedoel wat met A-poel-kwota in die Kwekersregister op 1 April 1990 geregistreer was en wie se gemiddelde rietlewering in die vier jare wat 1 April 1989 voorafgegaan het nie 13 500 ton per jaar oorskry nie of, indien enige sodanige kwekers nie kwota vir die betrokke vier jare gehad het nie, wie se gemiddelde rietlewering oor die betrokke jare waarin hy sodanige kwota gehad het nie 13 500 ton per jaar oorskry nie.

(3) Vir die doeleindes van hierdie paragraaf—

(a) word 'n kweker se gemiddelde lewerings bereken deur die totaal van sy rietlewering gedurende die betrokke jare deur die getal betrokke jare te deel;

(b) indien 'n kweker wat 'n A-poel-kwota het eers na die aanvang van die 1985/86-jaar 'n kweker met so 'n kwota word, word sy gemiddelde lewerings bereken deur sy totale lewerings gedurende die tydperk wat 1 April 1989 voorafgaan deur die betrokke getal jare te deel, bereken vanaf die jaar waarin hy vir die eerste keer 'n kweker met A-poel-kwota geword het;

(c) indien 'n kweker aan die begin van die 1985/86-jaar 'n A-poel-kwota gehad het maar in gebreke gebly het om suikerriet in enige van die vier jare wat 1 April 1989 voorafgegaan het, te lewer, word sodanige kweker se gemiddelde lewerings nogtans bereken deur sy totale lewerings oor die vier jare wat 1 April 1989 voorafgegaan het deur vier te deel;

ADDITION OF SCHEDULE H

13. The following Schedule is hereby added to the Agreement after Schedule G:

"Schedule H"**1. Purpose**

The purpose of this Schedule is to deal with the following:

(1) The issue to growers holding A Pool quota of additional basic quota consequent upon the abolition of the Growers' Equalisation Fund.

(2) The issue to growers holding basic quota of additional basic quota of 25 tons sucrose each.

(3) The establishment of a new classification of Small Growers known as free entry area Small Growers and to deal with various matters relating to such free entry area Small Growers.

(4) The establishment of a right on the part of growers holding basic quota who may not, in any particular year, be able to fulfil such basic quota, to sell to others their right to deliver sucrose as A Pool sucrose.

2. Interpretation

In this Schedule, unless the context otherwise indicates, words and expressions defined in paragraph 1 of Schedule F shall bear the same meaning in this Schedule.

3. Allocation of additional basic quota on termination of the Equalisation Fund

(1) On the authority of the Association the Central Board shall allocate additional basic quota to growers in accordance with and subject to the following provisions of this paragraph.

(2) Such additional basic quota shall be allocated to a grower referred to in subparagraph (6) who was registered with A Pool quota in the Growers' Register as at 1 April 1990 and whose average deliveries of cane in the four years preceding 1 April 1989 do not exceed 13 500 tons per year, or, if any such growers have not held quota for the four relevant years, whose average deliveries of cane over the relevant years during which he has held such quota do not exceed 13 500 tons per year.

(3) For purposes of this paragraph—

(a) a grower's average deliveries shall be calculated by dividing the aggregate of his cane deliveries during the relevant years by the number of years concerned;

(b) if a grower holding A Pool quota became such only after the beginning of the 1985/86 year, his average deliveries shall be calculated by dividing his total deliveries during the years preceding 1 April 1989 by the number of years concerned, calculated from the year in which he first became a grower holding A Pool quota;

(c) if a grower held A Pool quota at the beginning of the 1985/86 year, but failed to deliver sugar cane in any of the four years preceding 1 April 1989, such grower's average deliveries shall, nevertheless, be calculated by dividing his total deliveries over the four years preceding 1 April 1989 by four;

(d) waar 'n kweker se lewerings vir doeleindes van die Gelykmakingsfonds ingevolge die Ooreenkoms saamgevoeg is voor die promulgasie van hierdie bepalings dan word sodanige lewerings aldus saamgevoeg vir doeleindes van die berekening van sy gemiddelde lewerings ooreenkomstig hierdie paragraaf.

(4) Behoudens die bepalings van subparagraaf (11) word die hoeveelheid addisionele basiese kwota wat aan die betrokke kwekers toegeken staan te word, ooreenkomstig die volgende formule bereken:

$$Q = \frac{A \times C}{B}$$

waar:

"Q" gelyk is aan die addisionele basiese kwota wat toegeken staan te word ooreenkomstig hierdie Bylae uitgedruk in ton suikrose;

"A" gelyk is aan die gemiddelde rietlewerings van die betrokke kweker, bereken ooreenkomstig subparagrafe (2) en (3) hierbo, uitgedruk in ton;

"B" gelyk is aan 'n veronderstelde verskil van R130 (eenhonderd-en-dertig rand) per ton tussen die A-poel en B-poel-suikroseyse;

"C" gelyk is aan die vergoedingstarief uitgedruk in rand per ton riet, wat—

(1) ten opsigte van kwekers wie se gemiddelde lewerings, "A" in die gemelde formule, nie 3 500 ton riet per jaar oorskry nie, R0,40 (veertig sent) is; en

(2) ten opsigte van kwekers wie se gemiddelde lewerings, "A" in die gemelde formule, 3 500 ton of meer is ooreenkomstig die volgende formule bereken word:

$$C = \frac{(M1 - A) \times C1 - C2}{M2 - 1}$$

waar:

"C" gelyk is aan die betrokke vergoedingstarief;

"M1" gelyk is aan 13 500;

"M2" gelyk is aan 6 750;

"C1" gelyk is aan R0,40½ (veertig en 'n halwe sent);

"C2" gelyk is aan R0,20 (twintig sent); en

"A" gelyk is aan die betrokke kweker se gemiddelde rietlewerings uitgedruk in ton.

(5) Die hoeveelheid kwota verkry volgens die formule wat in subparagraaf (4) hierbo uiteengesit is, word tot volle ton afgerond.

(6) Die kwekers in subparagraaf (2) bedoel, is kwekers wat vir ontvangs van Gelykmakingsfondsbetalings onder Bylae D van die Ooreenkoms onmiddellik voor die herroeping van Bylae D en die bepalings van die Ooreenkoms wat daarop betrekking het, in aanmerking gekom het.

(7) Enige kwessie of geskil met betrekking tot of voortspruitend uit hierdie paragraaf waarvoor nie spesifiek elders hierin voorsiening gemaak word nie, of enige kwessie of geskil met betrekking tot die toekenning van addisionele basiese kwota uit hoofde hiervan word deur die Sentrale Raad beslis, wie se beslissing finaal en bindend vir alle betrokke partye is.

(d) where a grower's deliveries were combined for Equalisation Fund purposes in terms of the Agreement prior to the promulgation of these provisions, then such deliveries shall be so combined for purposes of calculating his average deliveries under this paragraph.

(4) Subject to the provisions of subparagraph (11) the amount of additional basic quota to be allocated to the relevant growers shall be determined in accordance with the following formula:

$$Q = \frac{A \times C}{B}$$

where:

"Q" equals the additional basic quota to be allocated in accordance with this Schedule expressed in tons sucrose;

"A" equals the average deliveries of cane of the grower in question calculated in accordance with subparagraphs (2) and (3) above, expressed in tons;

"B" equals a deemed differential of R130 (one hundred and thirty rand) per ton between the A and B Pool sucrose prices;

"C" equals the compensation rate expressed in rands per ton cane and which—

(1) in respect of growers whose average deliveries, "A" in the said formula, do not exceed 3 500 tons cane per year, shall be R0,40 (forty cents); and

(2) in respect of growers whose average deliveries, "A" in the said formula, are 3 500 tons or more, shall be calculated in accordance with the following formula:

$$C = \frac{(M1 - A) \times C1 - C2}{M2 - 1}$$

where:

"C" equals the relevant compensation rate;

"M1" equals 13 500;

"M2" equals 6 750;

"C1" equals R0,40½ (forty and one half cent);

"C2" equals R0,20 (twenty cents); and

"A" equals the average deliveries of cane of the grower in question expressed in tons.

(5) The amount of quota derived from the formula set out in subparagraph (4) above shall be rounded off into whole tons.

(6) The growers referred to in subparagraph (2) are growers who qualified for receipt of Equalisation Fund payments under Schedule D of the Agreement immediately prior to the repeal of Schedule D and the provisions of the Agreement relating thereto.

(7) Any question or dispute relating to or arising out of this paragraph not specifically provided for elsewhere herein, or any question or dispute relating to the allocation of additional basic quota pursuant hereto shall be determined by the Central Board, whose decision shall be final and binding on all parties concerned.

(8) Addisionele basiese kwota ingevolge hierdie paragraaf uitgereik, word met ingang van 1 April 1990 toegeken.

(9) Geen meulenaar-cum-planter kom vir enige addisionele basiese kwota ingevolge hierdie paragraaf in aanmerking nie.

(10) Waar kwotas vir doeleindes van die Gelykmakingsfonds ingevolge die Ooreenkoms saamgevoeg is voor die promulgasie van hierdie Bylae word die addisionele basiese kwota in verhouding tot die kwotas aldus saamgevoeg, toegeken.

(11) Vir doeleindes van die berekening van addisionele basiese kwota ooreenkomstig paragraaf (4) word al die betrokke kweker se rietleweringe in beide die A-poel en die B-poel in ag geneem.

4. Toekenning van addisionele basiese kwota van 25 ton suikrose

(1) Op gesag van die Vereniging ken die Sentrale Raad aan elke kweker 'n addisionele basiese kwota van 25 ton suikrose toe, onderworpe aan en ooreenkomstig die volgende bepalings van hierdie paragraaf.

(2) Sodanige kwota word toegeken aan—

(a) daardie kwekers wat op 31 Maart 1989 as houer van basiese kwota in die Kwekersregister aangeteken was; en

(b) daardie kwekers wat hul voorwaardelike en voorlopige kwotas op 1 April 1989 in basiese kwota omskep het; en

(c) daardie klein Kwekers wat hul Klein Kweker-geregthede soos op 1 April 1989 in basiese kwota laat omskep het.

(3) Ondanks die bepalings van subparagraaf (2) kom 'n kweker wat nie op 31 Maart 1989 'n houer van basiese kwota was nie maar na 31 Maart 1989 oordrag geneem het van die volle basiese kwota van enige ander kweker tesame met die betrokke geregisteerde grond en wat dieselfde kwotanommer in die Kwekersregister behou het, in aanmerking vir toekenning van die betrokke kwota, met uitsluiting van die kweker van wie sodanige basiese kwota oorgeplaas is.

(4) Enige kwessie of geskil met betrekking tot of voortspruitend uit hierdie paragraaf waarvoor nie spesifiek elders in hierdie Ooreenkoms voorsiening gemaak word nie, of enige kwessie of geskil met betrekking tot die toekenning van addisionele basiese kwota uit hoofde hiervan word deur die Sentrale Raad beslis wie se beslissing finaal en bindend vir alle betrokke partye is.

(5) Addisionele basiese kwota ingevolge hierdie paragraaf uitgereik, word met ingang van 1 April 1990 toegeken.

5. Vryetoegangsgebied—Klein Kweker

(1) Die Sentrale Raad teken, behoudens die bepalings van hierdie Bylae saamgelees met Bylae F, en ooreenkomstig die bepalings van subparagraaf (3), elke applikant as vryetoegangsgebied—Klein Kweker ten opsigte van 'n bepaalde meul aan, met dien verstande egter dat geen persoon geregtig is om so 'n kweker te word indien die Sentrale Raad van mening is dat sodanige persoon waarskynlik meer as 150 ton suikrose per jaar oor enige tydperk van twee agtereenvolgende jare sal produseer nie.

(8) Additional basic quota issued in terms of this paragraph shall be allocated with effect from 1 April 1990.

(9) No miller-cum-planter shall qualify for any additional basic quota in terms of this paragraph.

(10) Where quotas were combined for Equalisation Fund purposes, in terms of the Agreement prior to the promulgation of this Schedule, the additional basic quota shall be allocated *pro rata* to the quotas so combined.

(11) For purposes of calculating the allocation of additional basic quota pursuant to subparagraph (4) all of the relevant grower's deliveries of cane in both the A Pool and the B Pool shall be taken into account.

4. Allocation of additional basic quota of 25 tons sucrose

(1) On the authority of the Association the Central Board shall allocate to each grower an additional basic quota of 25 tons sucrose subject to and in accordance with the following provisions of this paragraph.

(2) Such quota shall be allocated to—

(a) those growers who were registered as holders of basic quota in the Growers' Register on 31 March 1989; and

(b) those growers who had converted their contingency or provisional quota to basic quota on 1 April 1989; and

(c) those Small Growers who had had their Small Grower Entitlements converted to basic quota as at 1 April 1989.

(3) Notwithstanding the provisions of subparagraph (2), a grower who was not a holder of basic quota on 31 March 1989, but who took transfer of the whole of any other grower's basic quota together with the registered land in question after 31 March 1989 and who retained the same quota number in the Growers' Register, shall qualify for allocation of the relevant quota to the exclusion of the grower from whom such basic quota has been transferred.

(4) Any question or dispute relating to or arising out of this paragraph and which is not specifically provided for elsewhere in the Agreement, or any question or dispute relating to the allocation of additional basic quota pursuant hereto shall be determined by the Central Board, whose decision shall be final and binding on all parties concerned.

(5) Additional basic quota issued in terms of this paragraph shall be allocated with effect from 1 April 1990.

5. Free entry area Small Growers

(1) The Central Board shall, subject to the provisions of this Schedule, read with Schedule F, and in accordance with the provisions of subparagraph (3), record any applicant as a free entry area Small Grower in respect of a particular mill, provided, however, that no person shall be entitled to become such a grower if the Central Board is of the opinion that such person is likely to produce more than 150 tons sucrose per year over any period of two consecutive years.

(2) Tensy die Sentrale Raad anders bepaal, is die datum waarop enige persoon 'n vrytoegangsgebied—Klein Kweker ingevolge hierdie paragraaf 5 word, die datum waarop die Sentrale Raad sodanige persoon as 'n vrytoegangsgebied—Klein Kweker ooreenkomstig die bepalings van subparagraaf (3) (d) registreer.

(3) 'n Persoon wat geregtig is om grond binne 'n vrytoegangsgebied te bewoon, is geregtig om by die Meulgroepraad van die betrokke meul aansoek te doen om 'n vrytoegangsgebied—Klein Kweker ten opsigte van sodanige meul ooreenkomstig die volgende bepalings te word:

(a) Die grond waarop sodanige kweker voornemens is om riet te kweek moet geleë wees binne 'n gebied van waar die leweringsafstand, gemeet langs gevestigde leweringsroetes, van die kweker se grond na die meul, nie 30 kilometer oorskry nie: Met dien verstande dat hierdie afstandbeperking in buitengewone gevalle deur die Meulgroepraad met die voorafgoedkeuring van die Sentrale Raad aangepas mag word ten einde logiese natuurlike grense wat deur die Meulgroepraad goedgekeur is, in ag te neem.

(b) Die kweker moet tot tevredenheid van die Meulgroepraad—

(i) bewys verstrek van sy reg om die grond waarop hy voornemens is om riet te kweek, te gebruik of te bewoon; en

(ii) waar die Klein Kweker wat aansoek doen die betrokke grond in eiendom besit, volle besonderhede verstrek van die grondbriefbeskrywing van die grond waarop hy riet wil kweek; of

(iii) waar die Klein Kweker wat aansoek doen die betrokke grond ingevolge 'n skriftelike instrument besit, bewoon of gebruik, volle besonderhede verstrek van die grond waarop hy riet wil kweek soos in sodanige skriftelike instrument beskryf; of

(iv) waar die Klein Kweker wat aansoek doen grond anders as ooreenkomstig items (ii) of (iii) besit, bewoon of gebruik, 'n verklaring verstrek ten opsigte van die oppervlakte grond waarop die Kweker riet wil verbou en die ligging daarvan.

(c) Die meul moet skriftelik instem om sodanige Klein Kweker se riet te ontvang.

(d) Indien die kriteria in subparagrafe (a), (b) en (c) uiteengesit, nagekom word, stel die Meulgroepraad die Sentrale Raad dienooreenkomstig in kennis en, behoudens die voorbehoud by subparagraaf (1) hierbo en behoudens die bepalings van paragrafe 4 (4) en 4 (8) van Bylae F, registreer die Sentrale Raad sodanige kweker as 'n Klein Kweker ten opsigte van die betrokke meul en, behoudens die bepalings van paragraaf 6 van hierdie Bylae, registreer die Sentrale Raad as geregistreerde grond die oppervlakte grond van sodanige Klein Kweker wat aansoek doen, waarvan die besonderhede ooreenkomstig paragraaf 6 verstrek is.

(4) Die bepalings van paragraaf 5 is, tensy die Suikervereniging anders besluit, nie van toepassing op enige meul wat na 1 April 1990 opgerig is nie.

(2) Unless the Central Board determines otherwise, the date upon which any person becomes a free entry area Small Grower in terms of this paragraph 5 shall be the date upon which the Central Board registers such person as a free entry area—Small Grower in accordance with the provisions of subparagraph (3) (d).

(3) Any person who is entitled to occupy land within a free entry area shall be entitled to apply to the Mill Group Board of the mill in question to become a free entry area Small Grower in respect of such mill in accordance with the following provisions:

(a) The land upon which such grower intends to grow cane must be located within an area from which the delivery distance, measured along established delivery routes, from the grower's land to the mill does not exceed 30 kilometres; Provided that this distance limitation may in exceptional circumstances be adjusted by the Mill Group Board with the prior approval of the Central Board so as to take account of logical natural boundaries approved by the Mill Group Board.

(b) The grower must furnish, to the satisfaction of the Mill Group Board—

(i) proof of his right to use or occupy the land upon which he intends to grow cane; and

(ii) where the applicant Small Grower owns the land in question, full particulars of the title deed description of the land upon which he desires to grow cane; or

(iii) where the applicant Small Grower holds, occupies or uses the land in question under a written instrument, full particulars of the land as described in such written instrument upon which he desires to grow cane; or

(iv) where the applicant Small Grower holds, occupies or uses land otherwise than in accordance with items (ii) or (iii), a statement as to the area of land upon which the Grower desires to grow cane and the location thereof.

(c) The mill must agree in writing to accept such Small Grower's cane.

(d) If the criteria set out in subparagraphs (a), (b) and (c) are met, the Mill Group Board shall advise the Central Board accordingly and the Central Board shall, subject to the proviso to subparagraph (1) above and subject to the provisions of subparagraphs 4 (4) and 4 (8) of Schedule F, register such grower as a Small Grower in respect of the mill in question and shall, subject to the provisions of paragraph 6 of this Schedule, register as registered land the area of land of such applicant Small Grower, details of which were furnished in accordance with paragraph 6.

(4) The provisions of paragraph 5 shall, unless the Sugar Association decides otherwise, not apply to any mill established after 1 April 1990.

6. Vryetoegangsgebied—Klein Kwekers: Registrasie van grond

Waar die grond van 'n Klein Kweker in 'n vryetoegangsgebied geleë is, is die spesifieke oppervlakte grond wat in die Kwekersregister ooreenkomstig paragraaf 6 (1) van Bylae F aangeteken staan te word—

(1) waar die vryetoegangsgebied—Klein Kweker die betrokke land in eiendom besit, die totale oppervlakte van sodanige grond soos in die Grondbrief daarvan beskryf; en

(2) waar die vryetoegangsgebied—Klein Kweker nie die eienaar van sodanige grond is nie maar sodanige grond ingevolge 'n skriftelike instrument besit, bewoon of gebruik, die totale oppervlakte van die grond soos in sodanige skriftelike instrument beskryf; en

(3) waar die vryetoegangsgebied—Klein Kweker die betrokke grond op 'n ander wyse as eienaar of ingevolge 'n skriftelike instrument besit, bewoon of gebruik, die oppervlakte grond soos op sodanige wyse beskryf as wat die Sentrale Raad mag bepaal: Met dien verstande dat 'n Klein Kweker wie se geregistreerde grond ooreenkomstig hierdie subparagraaf beskryf word, so lank as wat hy 'n Klein Kweker bly, geregtig is om riet te lewer vanaf al die grond wat die kweker geregtig is om te bewoon of te gebruik: Met dien verstande verder dat die Sentrale Raad geregtig is, as hy van oordeel is dat die voorgenoemde voorwaarde misbruik word, om 'n Klein Kweker te verbied om riet te lewer wat gekweek is op sodanige van die betrokke grond as wat die Sentrale Raad mag besluit.

7. Vryetoegangsgebied—Klein Kwekers: Oordrag van Klein Kwekergeregtigheid

Geen oordrag van enige Klein Kwekergeregtigheid van 'n Klein Kweker wie se geregistreerde grond binne 'n vryetoegangsgebied geleë is word na 28 Junie 1990 toegelaat nie tensy—

(i) sodanige oordrag ingevolge paragraaf 29 van Bylae F toegelaat word; en

(ii) die oordragnemer nie 'n houër van A-poel-kwota is nie.

8. Vryetoegangsgebied—Klein Kwekers: Permanente sluiting van meul

Benewens die bepalings van paragraaf 34 van Bylae F geld die volgende bepalings ten opsigte van 'n vryetoegangsgebied—Klein Kweker in die geval van die permanente sluiting van die meul waaraan hy verbonde is:

(1) Elke vryetoegangsgebied—Klein Kweker wat as sodanig by 'n meul wat sluit geregistreer is op die datum waarop die kennisgewing aan die Sentrale Raad gegee word soos in paragraaf 34 (1) van Bylae F bedoel, bly, ondanks die sluiting van die meul, 'n Klein Kweker, en met sodanige Klein Kweker en sy Klein Kwekergeregtigheid word gehandel ooreenkomstig paragraaf 34 van Bylae F saamgelees met hierdie paragraaf, en sodanige Klein Kweker word by sluiting van die betrokke meul, tensy sodanige kweker 'n vryetoegangsgebied—Klein Kweker verbonde aan 'n ander meul soos in subparagraaf (3) beoog, word, vir alle tersaaklike doeleindes van hierdie Bylae en Bylae F 'n Klein Kweker wat buite 'n vryetoegangsgebied geleë is.

(2) Elke sodanige Klein Kweker stel, sodra hy bewus word van die sluiting van die betrokke meul, die Sentrale Raad onmiddellik in kennis van die oppervlakte grond van sodanige Klein Kweker waarop riet gekweek is op die datum van die kennisgewing aan die Sentrale Raad in paragraaf 34 (1) van Bylae F bedoel en voor-

6. Free entry area Small Growers: Land registration

Where the land of a Small Grower is situated in a free entry area, the specific area of land to be registered in the Grower's Register in accordance with paragraph 6 (1) of Schedule F—

(1) shall, where the free entry area Small Grower owns the land in question, be the total area of such land as described in the Title Deed thereof; and

(2) shall, where the free entry area Small Grower is not the owner of such land, but holds, occupies or uses such land under a written instrument, be the total area of the land described in such written instrument; and

(3) shall, where the free entry area Small Grower holds, occupies or uses the land in question other than as owner or under a written instrument, be the area of land as described in such manner as the Central Board may determine: Provided that a Small Grower whose registered land is described in accordance with this subparagraph, shall, for so long as he remains a Small Grower, be entitled to deliver cane from all the land which the grower is entitled to occupy or use: Provided further that the Central Board shall be entitled, if it is of the view that the aforementioned proviso is being abused, to prohibit a Small Grower from delivering cane grown upon such of the relevant land as the Central Board may decide.

7. Free entry area Small Growers: Transfer of Small Grower Entitlement

No transfer of any Small Grower Entitlement of a Small Grower whose registered land is situated within a free entry area shall be permitted after 28 June 1990 unless—

(i) such transfer is permitted in terms of paragraph 29 of Schedule F; and

(ii) the transferee is not a holder of A Pool quota.

8. Free entry area Small Growers: Permanent closing down of mill

In addition to the provisions of paragraph 34 of Schedule F, the following provisions shall apply in respect of a free entry area Small Grower in the event of the permanent closure of the mill to which he is attached:

(1) Every free entry area Small Grower registered as such with a closing mill on the date of the giving of the notice to the Central Board referred to in paragraph 34 (1) of Schedule F, shall, notwithstanding the closure of the mill, remain a Small Grower, and such Small Grower and his Small Grower Entitlement shall be dealt with in accordance with paragraph 34 of Schedule F, read with this paragraph, and such Small Grower shall, upon the closure of the mill in question, unless such grower becomes a free entry area Small Grower attached to another mill as contemplated by subparagraph (3), for all relevant purposes of this Schedule and Schedule F, become a Small Grower situated outside of a free entry area.

(2) Every such Small Grower shall, upon becoming aware of the closure of the mill in question, promptly advise the Central Board of the area of land of such Small Grower on which cane was being grown at the date of the giving of the notice to the Central Board referred to in paragraph 34 (1) of Schedule F, and shall

sien die Sentrale Raad van voldoende inligting om hom in staat te stel om die oppervlakte grond wat met riet beplant is, te verifieer. Die geregistreerde grond van sodanige Klein Kweker, tensy sodanige Klein Kweker 'n vrytoegangsgebied—Klein Kweker verbonde aan 'n ander meul word soos in subparagraaf (3) hieronder bedoel, is dan die spesifieke oppervlakte grond waarop riet in werklikheid gekweek word, en word op sodanige wyse as wat die Sentrale Raad op dié tydstip bepaal, beskryf as synde geskik vir registrasiedoeleindes.

(3) Die akkommodasie van sodanige vrytoegangsgebied—Klein Kwekers by ander meule word hanteer soos volledig in hierdie subparagraaf (3) saamgelees met paragrafe 34 (5), 34 (6), 34 (7) en 34 (8) van Bylae F uiteengesit:

(a) Indien die geregistreerde grond van die vrytoegangsgebied—Klein Kweker nie binne die vrytoegangsgebied van 'n ander meul geleë is nie dan geld die bepalings van paragraaf 34 van Bylae F.

(b) Indien die geregistreerde grond van sodanige kweker binne die vrytoegangsgebied van 'n ander meul geleë is, is sodanige kweker aan sodanige Meul verbonde, en indien die geregistreerde grond van sodanige kweker binne die vrytoegangsgebied van meer as een ander Meul geleë is, is sodanige kweker verbonde aan sodanige ander van die voorgenoemde meule as wat die Sentrale Raad bepaal.

9. Verkoop van tekorte deur kwekers

(1) Indien 'n kweker wat 'n basiese kwota het gedurende enige jaar nie in staat is of moontlik nie in staat sal wees om aan die meul die totale massa van sy basiese suikrokwota te lewer nie is hy geregtig om die hele of enige gedeelte van die tekort in sodanige lewerings, hieronder in hierdie paragraaf 9 die "Tekort" genoem, aan 'n ander kweker wat A-Pool-kwota het, te verkoop, met dien verstande dat—

(a) die koper van die Tekort 'n A-Pool-kwota het wat aan dieselfde meul as die betrokke kwota van die verkoper verbonde is; en

(b) die verkoper nie later nie as 31 Januarie van die betrokke jaar 'n vorm wat deur die Sentrale Raad goedgekeur is en waarin besonderhede van die betrokke transaksie verskaf word, by die Meulgroep-raad indien; en

(c) behoudens die bepalings van subparagraaf (2), die Meulgroep-raad van die betrokke meul die betrokke verkoping goedkeur.

(2) Die betrokke Meulgroep-raad keur nie ooreenkomstig subparagraaf (1) (c) 'n verkoping van 'n Tekort goed nie tensy die Meulgroep-raad tevrede is dat die koper alreeds sodanige hoeveelhede riet gelewer het, of ooreenkomstig die koper se leweringskattings in staat sal wees om te lewer, as wat nodig is om die koper in staat te stel om sy A-Pool-kwota en die Tekort wat hy voornemens is om te koop, te vervul.

(3) Die uitwerking van 'n verkoping van Tekort ooreenkomstig hierdie paragraaf is dat—

(a) die koper, in sover enige B-Pool-suikro deur hom aan die betrokke meul in die betrokke jaar gelewer, nie meer is as die massa van die Tekort wat deur hom gekoop is nie, vir sodanige suikro betaal word asof sodanige suikro A-Pool-suikro uitmaak; en

provide the Central Board with sufficient information to enable it to verify the area of land under cane. The registered land of such Small Grower shall, unless such grower becomes a free entry area Small Grower attached to another mill as contemplated by subparagraph (3) below, thereupon be the specific area of land on which cane was actually being grown and shall be described in such manner as the Central Board shall at the time determine as being suitable for registration purposes.

(3) The accommodation of such free entry area Small Growers to other mills shall be dealt with as more fully set out in this subparagraph (3), read with paragraphs 34 (5), 34 (6), 34 (7) and 34 (8) of Schedule F:

(a) If the registered land of the free entry area Small Grower is not situated within the free entry area of another mill, then the provisions of paragraph 34 of Schedule F shall apply.

(b) If the registered land of such grower is situated within the free entry area of another mill, such grower shall be attached to such Mill, and if the registered land of such grower is situated within the free entry area of more than one other Mill such grower shall be attached to such other of the aforementioned mills as the Central Board shall determine.

9. Sale of shortfalls by growers

(1) If, during any year, any grower holding basic quota is or may be unable to deliver the total mass of his basic sucrose quota to the mill, he shall be entitled to sell the whole or any portion of the shortfall in such deliveries, hereinafter in this paragraph 9 called the "Shortfall", to another grower holding A Pool quota, provided that—

(a) the purchaser of the Shortfall holds an A Pool quota attached to the same mill as the relevant quota of the seller; and

(b) the seller lodges with the Mill Group Board by not later than 31 January of the year in question a form, approved by the Central Board, providing details of the transaction in question; and

(c) subject to the provisions of subparagraph (2), the Mill Group Board of the mill in question approves the relevant sale.

(2) The relevant Mill Group Board shall not in accordance with subparagraph (1) (c) approve any sale of Shortfall unless it is satisfied that the purchaser has already delivered, or will in accordance with the purchaser's delivery estimate be able to deliver, such quantities of cane as are necessary to enable the purchaser to fulfil his A Pool quota and the Shortfall he intends to purchase.

(3) The effect of any sale of Shortfall pursuant to this paragraph shall be that—

(a) the purchaser shall, in so far as any B Pool sucrose delivered by him to the mill in question in the relevant year is concerned is not greater than the mass of the Shortfall purchased by him, be paid for such sucrose as if such sucrose constituted A Pool sucrose; and

(b) sukroseleweringe aan die meul deur die koper ten opsigte van die Tekort aldus gekoop, nie as A-Poel-sukrose vir enige doeleindes hoegenaamd, behalwe vir betaling ooreenkomstig item (a), beskou word nie; en

(c) indien die kweker wat 'n Tekort verkoop het sukrose aan 'n meul lewer wat sodanige kweker se netto basiese kwota oorskry (dws sy basiese kwota min die Tekort verkoop)—

(i) sodanige oorskryding, ondanks sodanige verkoping, vir doeleindes van sodanige kweker se vervullingsverpligtings ingevolge paragrafe 8 en 9 van Bylae F, steeds as basiese, voorlopige of voorwaarde-like kwota, na gelang van die geval, beskou word; en

(ii) vir sodanige oorskryding, ondanks die bepalinge van subitem (i), teen die B-Poel-sukroseprys betaal word; en

(d) die verkoop van enige sodanige Tekort nie enige van die verkoper se vervullingsverpligtings ingevolge die Ooreenkoms verminder nie.

10. Uitleg

(1) Die bepalinge van hierdie Bylae H vul die bepalinge van die Ooreenkoms (met inbegrip van Bylae F) aan, en word tesame daarmee uitgelê.

(2) In geval van enige botsing tussen die bepalinge van hierdie Bylae H en die bepalinge van Bylae F—

(a) indien sodanige botsing voortspruit uit enige van die aangeleenthede in paragraaf 1 van hierdie Bylae H; saamgevat, geld die bepalinge van hierdie Bylae H; en

(b) behalwe soos in subparagraaf (2) (a) hierbo bepaal, geld die bepalinge van Bylae F."

14. Tensy anders hierin gemeld, word die wysigings aangebring ingevolge paragrafe 2 tot 13 van hierdie Bylae geag in werking te getree het op 1 April 1990.

No. R. 2433

11 Oktober 1991

WET OP IN- EN UITVOERBEHEER, 1963

Ek, Georg Marais, Minister van Handel en Nywerheid en Toerisme, vaardig hierby kragtens artikel 2 van die Wet op In- en Uitvoerbeheer, 1963 (Wet 45 van 1963), die regulasies uit wat in die Bylae hiervan vervat is.

G. MARAIS,

Minister van Handel en Nywerheid en Toerisme.

BYLAE

1. Die President van die Verenigde State van Amerika (VSA) het op 10 Julie 1991 "title III" van die "Comprehensive Anti-Apartheid Act" (CAAA) opgehef. Die CAAA het verhoed dat sekere staalprodukte van Suid-Afrikaanse oorsprong sedert 1986 na die VSA uitgevoer kon word. As gevolg van die opheffing van die CAAA kan Suid-Afrikaanse uitvoere van staalprodukte wat onder die CAAA geval het, nou weer hervat word. Met die oog op die hervatting van staaluitvoere na die VSA is daar op 4 en 5 September 1991 in Washington samesprekings gevoer tussen die Regering van die Republiek van Suid-Afrika en die Regering van die VSA.

(b) deliveries of sucrose to the mill by the purchaser in respect of the Shortfall so purchased shall not be regarded as A Pool sucrose for any purposes whatsoever other than for payment in accordance with item (a); and

(c) if the grower who has sold any Shortfall delivers sucrose to the mill which is in excess of such grower's net basic quota (that is his basic quota less the Shortfall sold) any such excess shall—

(i) notwithstanding such sale, continue to be regarded, for purposes of such grower's performance obligations under paragraphs 8 and 9 of Schedule F, as basic, provisional or contingency quota, as the case may be; and

(ii) notwithstanding the provisions of subitem (i) be paid for at the B Pool sucrose price; and

(d) the sale of any such Shortfall shall not reduce any of the seller's performance obligations in terms of the Agreement.

10. Interpretation

(1) The provisions of this Schedule H amplify the provisions of the Agreement (including Schedule F) and are to be construed in conjunction therewith.

(2) In the event of there being any conflict between any of the provisions of this Schedule H and the provisions of Schedule F then—

(a) if such conflict arises out of any of the matters summarised in paragraph 1 of this Schedule H the provisions of this Schedule H shall prevail; and

(b) save as provided in subparagraph (2) (a) above, the provisions of Schedule F shall prevail."

14. The amendments effected in terms of paragraphs 2 to 13 of this Schedule shall, unless otherwise stated herein, be deemed to have come into operation on 1 April 1990.

No. R. 2433

11 October 1991

IMPORT AND EXPORT CONTROL ACT, 1963

I, Georg Marais, Minister of Trade and Industry and Tourism, hereby, in terms of section 2 of the Import and Export Control Act, 1963 (Act 45 of 1963), promulgate the regulations contained in the Schedule hereto.

G. MARAIS,

Minister of Trade and Industry and Tourism.

SCHEDULE

1. The President of the United States of America (USA) lifted title III of the Comprehensive Anti-Apartheid Act (CAAA) on 10 July 1991. The CAAA prevented the export of certain steel products of South African origin to the USA since 1986. As a result of the lifting of the CAAA South African exports of steel products falling under the CAAA can be resumed. With a view to the resumption of steel exports to the USA consultations were held on 4 and 5 September 1991 in Washington between the Government of the Republic of South Africa and the Government of the USA.

2. In die lig van die gemelde samesprekings waartydens daar besondere klem geplaas is op die sensitiviteit van die VSA staalmarkt, vind die RSA regering dit nodig om die staalprodukte gelys in Bylae A aan 'n stelsel van uitvoermonitering te onderwerp.

3. Die prosedure wat sal geld ten opsigte van die toekenning van uitvoerpermitte is die volgende:

(a) Uitvoerpermitaansoeke moet gerig word aan die Direkoraat: Buitelandse Handelsbetrekkinge, Departement van Handel en Nywerheid, Privaatsak X84, Pretoria, 0001 [Telefaks No. (012) 322-0298].

(b) Die genoemde aansoek moet die volgende inligting bevat:

- Die naam en adres van die Suid-Afrikaanse uitvoerder.
- Die naam en adres van die invoerder in die VSA.
- Die Doeanetariefitems soos uiteengesit in Bylae A tot hierdie kennisgewing.
- Die tonnemaat (metrieke ton) sowel as die prys waarteen die produkte na die VSA uitgevoer staan te word.
- 'n Verklaring deur die uitvoerder dat die Algemene Uitvoeraanspringskema nie ten opsigte van die produkte wat na die VSA uitgevoer word, benut sal word nie.

(c) 'n Uitvoerpermit sal aan die uitvoerder deur die Direkoraat: In- en Uitvoerbeheer van die Departement van Handel en Nywerheid uitgereik word wat die volgende besonderhede bevat:

- Die Doeanetariefitem(s) waaronder die produk(te) indeelbaar is.
- Die tonnemaat waarvoor uitvoermagtiging verleen word.
- 'n Bepaling dat die gemagtigde uitvoer binne drie maande vanaf die datum van die magtiging van die uitvoer moet plaasvind.
- 'n Verklaring dat die betrokke uitvoer uitsluitlik vir verbruik in die VSA bestem is.

4. Indien probleme met die Doeanetariefitems in Bylae A ondervind word, kan die Direkoraat: Buitelandse Handelsbetrekkinge [Tel. No. (012) 310-9791 x 2475 mnr. J. Delpont], of die Koördinerende Raad van Suid-Afrikaanse Walsstaalproduseerders [Tel. No. (012) 320-2450 mnr. J. C. van Zyl] gekontak word.

5. Hierdie Kennisgewing vervang Kennisgewing No. 196 in die *Staatskoerant* No. 9574 van 1 Februarie 1985.

BYLAE A

Lys van produkte vir uitvoere

Kategorie	Geharmoniseerde Tarief
HALFAGGEWERKTE PRODUKTE VAN YSTER OF NIE-LEGERINGSTAAL	
Halfafgewerk.....	7206.10 7207.11 7207.12 7207.19 7207.20 7218.10 7218.90 7224.10 7224.90
Platblokke.....	7207.12

2. In the light of the above consultations where emphasis was placed on the sensitivity of the USA steel market, the Government of the RSA finds it necessary to implement a system of monitoring exports of the products listed in Schedule A.

3. The procedure that should be followed in respect of the granting of an export permit is as follows:

(a) Applications for export permits should be addressed to the Directorate: Foreign Trade Relations, Department of Trade and Industry, Private Bag X84, Pretoria, 0001 [Telefax No. (012) 322-0298].

(b) The above application should contain the following information:

- The name and address of the South African exporter.
- The name and address of the importer in the USA.
- The customs tariff headings as set out in Schedule A to this notice.
- The tonnage (metric tons) as well as the price at which the products will be exported to the USA.
- A declaration by the exporter stating that the General Export Incentive Scheme will not be utilized in respect of the products exported to the USA.

(c) An export permit will be issued to the exporter by the Directorate: Import and Export Control of the Department of Trade and Industry containing the following information:

- The customs tariff heading(s) under which the product(s) is/are classifiable.
- The tonnage for which export authorisation has been granted.
- A provision that the authorised export must take place within three months of the date of the authorisation of such export.
- A declaration that the exports concerned are destined solely for consumption in the USA.

4. If problems are experienced with the custom tariff headings in Schedule A, the Directorate: Foreign Trade Relations [Tel. No. (012) 310-9791 x 2475 Mr J. Delpont], or the South African Rolled Steel Producers' Co-ordinating Council [Tel. No. (012) 320-2450 Mr J. C. van Zyl] may be contacted.

5. This Notice replaces Notice No. 196 in the *Government Gazette* No. 9574 dated 1 February 1985.

SCHEDULE A

List of products to be exported

Category	Harmonised Tariff
SEMI-FINISHED PRODUCTS OF IRON OR NON-ALLOY STEEL	
Semi-finished.....	7206.10 7207.11 7207.12 7207.19 7207.20 7218.10 7218.90 7224.10 7224.90
Slabs.....	7207.12

Kategorie	Geharmoni- seerde Tarief	Category	Harmonised Tariff
KOOLSTOF EN LEGERINGSTAAL GEWALSTEPLATPRODUKTE		CARBON AND ALLOY FLAT-ROLLED PRODUCTS	
Grofplaat.....	7208.31 7208.32 7208.33 7208.41 7208.42 7208.43 7211.11 7211.12 7211.21 7211.22 7225.40	Plate.....	7208.31 7208.32 7208.33 7208.41 7208.42 7208.43 7211.11 7211.12 7211.21 7211.22 7225.40
Warmgewalste fynplaat en band.....	7208.11 7208.12 7208.13 7208.14 7208.21 7208.22 7208.23 7208.24 7208.34 7208.35 7208.44 7208.45 7208.90 7211.19 7211.29 7225.30 7226.91	Hot-rolled sheet and strip.....	7208.11 7208.12 7208.13 7208.14 7208.21 7208.22 7208.23 7208.24 7208.34 7208.35 7208.44 7208.45 7208.90 7211.19 7211.29 7225.30 7226.91
Koudgewalste fynplaat.....	7209.11 7209.12 7209.13 7209.14 7209.21 7209.22 7209.23 7209.24 7209.31 7209.32 7209.33 7209.34 7209.41 7209.42 7209.43 7209.44 7209.90 7225.20 7225.50 7225.90	Cold-rolled sheet.....	7209.11 7209.12 7209.13 7209.14 7209.21 7209.22 7209.23 7209.24 7209.31 7209.32 7209.33 7209.34 7209.41 7209.42 7209.43 7209.44 7209.90 7225.20 7225.50 7225.90
Swartplaat.....	7209.24.10*	Blackplate.....	7209.24.10*
Koudgewalste smalband.....	7211.30 7211.41 7211.49 7211.90 7226.20 7226.92 7226.99	Cold-rolled strip.....	7211.30 7211.41 7211.49 7211.90 7226.20 7226.92 7226.99
Elektriese fynplaat en smalband.....	7225.10 7226.10	Electrical sheet and strip.....	7225.10 7226.10
PLATGEWALSTE PRODUKTE VAN VLEKVRYSTAAL		STAINLESS STEEL FLAT-ROLLED PRO- DUCTS	
Grofplaat.....	7219.21 7219.22 7219.31 7220.11	Plate.....	7219.21 7219.22 7219.31 7220.11

Kategorie	Geharmoni- seerde Tarief	Category	Harmonised Tariff
Fynplaat en smalband.....	7219.11 7219.12 7219.13 7219.14 7219.23 7219.24 7219.32 7219.33 7219.34 7219.35 7219.90 7220.12 7220.20 7220.90	Sheet and strip	7219.11 7219.12 7219.13 7219.14 7219.23 7219.24 7219.32 7219.33 7219.34 7219.35 7219.90 7220.12 7220.20 7220.90
60" Wye fynplaat	7219.12.0030* 7219.12.0060* 7219.13.0030* 7219.14.0030* 7219.23.0030* 7219.24.0030* 7219.32.0015* 7219.32.0045* 7219.33.0015* 7219.33.0045*	60" Wide sheet	7219.12.0030* 7219.12.0060* 7219.13.0030* 7219.14.0030* 7219.23.0030* 7219.24.0030* 7219.32.0015* 7219.32.0045* 7219.33.0015* 7219.33.0045*
BEDEKTE PLATGEWALSTE PRO- DUKTE		COATED FLAT-ROLLED PRODUCTS	
Tinplaat.....	7210.11 7210.12 7212.10	Tinplate	7210.11 7210.12 7212.10
Tinvrye staal.....	7210.50	Tin-free steel	7210.50
Elektrogegalvaniseerde plaat	7210.31 7210.39 7212.21 7212.29	Electrogalvanized plate.....	7210.31 7210.39 7212.21 7212.29
Ander bedekte platgewalste produkte.	7210.20 7210.41 7210.49 7210.60 7210.70 7210.90 7212.30 7212.40 7212.50 7212.60	Other coated flat-rolled products	7210.20 7210.41 7210.49 7210.60 7210.70 7210.90 7212.30 7212.40 7212.50 7212.60
STAWE EN STANGE		BARS AND RODS	
Wapeningstaal.....	7213.10 7214.20	Rebar	7213.10 7214.20
Warmgewalste koolstof stawe.....	7214.10 7214.30 7214.40 7214.50 7214.60 7228.80	Carbon hot-finished bar	7214.10 7214.30 7214.40 7214.50 7214.60 7228.80
Koudgevormde koolstof stawe	7215.10 7215.20 7215.30 7215.40 7215.90	Carbon cold-finished bar	7215.10 7215.20 7215.30 7215.40 7215.90
Vlekvrye staal stawe	7222.10 7222.20 7222.30	Stainless bar	7222.10 7222.20 7222.30
Legering stawe.....	7228.10 7228.20 7228.30 7228.40 7228.50 7228.60	Alloy bar	7228.10 7228.20 7228.30 7228.40 7228.50 7228.60

Kategorie	Geharmoni- seerde Tarief	Category	Harmonised Tariff
Koolstof walsdraad	7213.20	Carbon wire rod	7213.20
	7213.31		7213.31
	7213.39		7213.39
	7213.41		7213.41
	7213.49		7213.49
	7213.50		7213.50
Vlekvrye staal walsdraad	7221.00	Stainless wire rod	7221.00
Legering walsdraad	7227.10	Alloy wire rod	7227.10
	7227.20		7227.20
	7227.90		7227.90
HOEKE, VORMS OF PROFIELE		ANGLES, SHAPES OR SECTIONS	
Staalprofile minder as 80 mm	7216.10	Bar shapes less than 80 mm	7216.10
	7216.21		7216.21
	7216.22		7216.22
Profile	7216.31	Structurals	7216.31
	7216.32		7216.32
	7216.33		7216.33
	7216.40		7216.40
	7216.50		7216.50
	7216.60		7216.60
	7222.40		7222.40
	7228.70		7228.70
	7301.10		7301.10
Gefabriseerde profile	7216.90	Fabricated structurals	7216.90
	7301.20		7301.20
	7308.10		7308.10
	7308.20		7308.20
	7308.30		7308.30
	7308.40		7308.40
	7308.90		7308.90
	8430.49.40*		8430.49.40*
	8431.43.40*		8431.43.40*
	8905.20		8905.20
DRAAD EN DRAADPRODUKTE		WIRE AND WIRE PRODUCTS	
Draad van vlekvrye staal	7223.00	Stainless wire	7223.00
Stringdraad	7312.10.05*	Wire strand	7312.10.05*
	7312.10.10*		7312.10.10*
	7312.10.20*		7312.10.20*
	7312.10.30*		7312.10.30*
Stringkabels	7312.10.50*	Wire rope	7312.10.50*
	7312.10.60*		7312.10.60*
	7312.10.70*		7312.10.70*
	7312.10.80*		7312.10.80*
	7312.10.90*		7312.10.90*
Ander draad en draadprodukte	7217.11	Other wire and wire products	7217.11
	7217.12		7217.12
	7217.13		7217.13
	7217.19		7217.19
	7217.21		7217.21
	7217.22		7217.22
	7217.23		7217.23
	7217.29		7217.29
	7217.31		7217.31
	7217.32		7217.32
	7217.33		7217.33
	7217.39		7217.39
	7229.10		7229.10
	7229.20		7229.20
	7229.90		7229.90
	7313.00		7313.00
	7314.11		7314.11
	7314.19		7314.19
	7314.20		7314.20
	7314.30		7314.30
	7314.41		7314.41
	7314.42		7314.42
	7314.49		7314.49
	7317.00		7317.00

Kategorie	Geharmoni- seerde Tarief	Category	Harmonised Tariff
SPOORSTAWEN EN SPOORPRODUKTE		RAIL AND RAIL PRODUCTS	
Spoorstawe.....	7302.10	Rails.....	7302.10
Spoorprodukte	7302.20	Rail products	7302.20
	7302.40		7302.40
	7302.90		7302.90
	8607.19.10*		8607.19.10*
	8607.19.20*		8607.19.20*
BUISE EN PYPE		PIPE AND TUBE	
Buisleiding en boorpyl vir olie.....	7304.20	Oil country tubular goods	7304.20
	7305.20		7305.20
	7306.20		7306.20
Leidingpyl	7304.10	Line pyl	7304.10
	7305.11		7305.11
	7305.12		7305.12
	7305.19		7305.19
	7306.10		7306.10
Pype van vlekvrre staal	7304.41	Stainless pyl	7304.41
	7304.49		7304.49
	7306.40		7306.40
Ander buise en pype	7304.31	Other pyl and tube.....	7304.31
	7304.39		7304.39
	7304.51		7304.51
	7304.59		7304.59
	7304.90		7304.90
	7305.31		7305.31
	7305.39		7305.39
	7305.90		7305.90
	7306.30		7306.30
	7306.50		7306.50
	7306.60		7306.60
	7306.90		7306.90
	7307.22.10*		7307.22.10*
	7307.92.30*		7307.92.30*
	8547.90.0020*		8547.90.0020*
Standaard buise en pype	7304.39.0010*	Standard pyl and tube	7304.39.0010*
	7304.39.0015*		7304.39.0015*
	7304.39.0025*		7304.39.0025*
	7304.39.0060*		7304.39.0060*
	7304.39.0090*		7304.39.0090*
	7306.30.5025*		7306.30.5025*
	7306.30.5030*		7306.30.5030*
	7306.30.5040*		7306.30.5040*
	7306.30.5055*		7306.30.5055*
	7306.30.5580*		7306.30.5580*
	8547.90.0020*		8547.90.0020*
Struktuurpyl	7304.90.1000*	Structural pyl	7304.90.1000*
	7304.90.3000*		7304.90.3000*
	7305.31		7305.31
	7305.39		7305.39
	7305.90		7305.90
	7306.30.3000*		7306.30.3000*
	7306.50.3000*		7306.50.3000*
	7306.60.1000*		7306.60.1000*
	7306.60.3000*		7306.60.3000*
	7306.90		7306.90
Meganiese pyl	7304.31.3000*	Mechanical pyl	7304.31.3000*
	7304.31.6050*		7304.31.6050*
	7304.51.1000*		7304.51.1000*
	7304.51.5090*		7304.51.5090*
	7304.59.1000*		7304.59.1000*
	7304.59.6000*		7304.59.6000*
	7304.59.8000*		7304.59.8000*
	7304.90.5000*		7304.90.5000*
	7304.90.7000*		7304.90.7000*
	7306.30.1000*		7306.30.1000*
	7306.30.5015*		7306.30.5015*
	7306.30.5020*		7306.30.5020*
	7306.30.5035*		7306.30.5035*
	7306.50.1000*		7306.50.1000*
	7306.50.5030*		7306.50.5030*
	7306.50.5050*		7306.50.5050*
	7306.50.5070*		7306.50.5070*
	7306.60.5000*		7306.60.5000*
	7306.60.7000*		7306.60.7000*

Kategorie	Geharmoni- seerde Tarief	Category	Harmonised Tariff
Hoëdrukpipe	7304.31.6010*	Pressure pipe	7304.31.6010*
	7304.39.0005*		7304.39.0005*
	7304.51.5030*		7304.51.5030*
	7304.51.5050*		7304.51.5050*
	7304.59.2030*		7304.59.2030*
	7304.59.2050*		7304.59.2050*
	7306.30.5010*		7306.30.5010*
	7306.50.5010*		7306.50.5010*
Koppelstukke	7307.22.10*	Couplings	7307.22.10*
	7307.92.30*		7307.92.30*
LEGERINGSTAAL VIR GEREEDSKAP		ALLOY TOOL STEEL	
Legeringstaal vir gereedskap	7225.20	Alloy tool steel	7225.20
	7225.30.1000*		7225.30.1000*
	7225.30.5060*		7225.30.5060*
	7225.40.1090*		7225.40.1090*
	7225.40.5060*		7225.40.5060*
	7225.50.1060*		7225.50.1060*
	7226.20		7226.20
	7226.91.1060*		7226.91.1060*
	7226.91.3060*		7226.91.3060*
	7226.92.1060*		7226.92.1060*
	7226.92.3060*		7226.92.3060*
	7227.10		7227.10
	7227.90.1060*		7227.90.1060*
	7227.90.2060*		7227.90.2060*
	7228.10		7228.10
	7228.30.40*		7228.30.40*
	7228.30.60*		7228.30.60*
	7228.50.1020*		7228.50.1020*
	7228.50.1040*		7228.50.1040*
	7228.50.1060*		7228.50.1060*
	7228.50.1080*		7228.50.1080*
	7228.60.1060*		7228.60.1060*
	7229.10		7229.10

* Hierdie tariefposte verwys na die VSA se tarief.

* These tariff headings refer to the USA tariff.

DEPARTEMENT VAN MANNEKRAG

No. R. 2451

11 Oktober 1991

WET OP ARBEIDSVERHOUDINGE, 1956

INTREKKING VAN GOEWERMENSKENNIS-
GEWINGS

PLAASLIKE BESTUURSONDERNEMING: VOOR-
SORGFONDSOOREENKOMS

Ek, Eli van der Merwe Louw, Minister van Mannekrag, trek hierby kragtens artikel 48 (5) van die Wet op Arbeidsverhoudinge, 1956, Goewermenskennisgewings R. 1615 van 31 Julie 1987 en R. 557 van 25 Maart 1988 in met ingang van die tweede Maandag na die datum van publikasie van hierdie kennisgewing.

E. VAN DER M. LOUW,
Minister van Mannekrag.

DEPARTMENT OF MANPOWER

No. R. 2451

11 October 1991

LABOUR RELATIONS ACT, 1956

CANCELLATION OF GOVERNMENT NOTICES

LOCAL GOVERNMENT UNDERTAKING:
PROVIDENT FUND AGREEMENT

I, Eli van der Merwe Louw, Minister of Manpower, hereby, in terms of section 48 (5) of the Labour Relations Act, 1956, cancel Government Notices R. 1615 of 31 July 1987 and R. 557 of 25 March 1988 with effect from the second Monday after the date of publication of this notice.

E. VAN DER M. LOUW,
Minister of Manpower.

No. R. 2452

11 Oktober 1991

WET OP ARBEIDSVERHOUDINGE, 1956

PLAASLIKE BESTUURSONDERNEMING: HERBEKRAFTIGING VAN VOORSORGFONDSOORENKOMS

Ek, Eli van der Merwe Louw, Minister van Mannekrag, verklaar hierby, 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 9 Augustus 1992 eindig, bindend is vir die werkgewersorganisasie en die vakverenigings wat genoemde Ooreenkoms aangegaan het en vir die werkgewers en werknemers wat lede van genoemde organisasie of verenigings is.

E. VAN DER M. LOUW,
Minister van Mannekrag.

BYLAE

NYWERHEIDSRaad VIR DIE PLAASLIKE BESTUURSONDERNEMING

VOORSORGFONDSOORENKOMS

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

Munisipale Werkgewersorganisasie

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

Suid-Afrikaanse Vereniging van Munisipale Werknemers (Niepolitiek)

(hierna die "vakvereniging" genoem), aan die ander kant, en die

Vereniging van Administratiewe Hoofamptenare van Plaaslike Owerhede

(hierna "VAHPO" genoem), aan die ander kant, wat die partye is by die Nywerheidsraad vir die Plaaslike Bestuursonderneming.

1. GEBIED EN TOEPASSINGSBESTEK VAN OORENKOMS

Hierdie Ooreenkoms is van toepassing op die Plaaslike Owerhede in die regsgebied van die Nywerheidsraad vir die Plaaslike Bestuursonderneming en moet nagekom word—

(1) deur alle werkgewers wat lede is van die werkgewersorganisasie en deur alle werknemers wat lede is van die vakverenigings;

(2) deur alle Plaaslike Owerhede in die provinsie Transvaal (uitgesonderd Pretoria en Johannesburg) en die stadsrade, dorpsrade en gesondheidskomitees van Amantzimtoti, Anerley, Ballito, Bergville, Camperdown, Colenso, Dannhauser, Dundee, Durnacol, Empangeni, Eshowe, Estcourt, Gillits, Gingindlovu, Glencoe, Greytown, Hibberdene, Hillcrest, Hilton, Howick, Isipingo, Ixopo, Kingsborough, Kloof, Kokstad, Ladysmith, La Lucia, Maidstone, Mandini, Margate, Matatiele, Mtubatuba, Melmoth, Mooirivier, Mtunzini, Munster, Newcastle, New Germany, Paulpietersburg, Pinetown, Port Shepstone, Queensburgh, Ramsgate, Richardsbaai, Richmond, Rosburgh, Salt Rock, Scottburgh, Shelly Beach, Stanger, Thornville-aansluiting, Tongaat, Umbogintwini, Umdloti Beach, Umhlali, Umhlanga Rocks, Umtentweni,

No. R. 2452

11 October 1991

LABOUR RELATIONS ACT, 1956

LOCAL GOVERNMENT UNDERTAKING: RE-ENACTMENT OF PROVIDENT FUND AGREEMENT

I, Eli van der Merwe Louw, Minister of Manpower, hereby, 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 9 August 1992, upon the employers' organisation and the trade unions which entered into the said Agreement and upon the employers and employees who are members of the said organisation or unions.

E. VAN DER M. LOUW,
Minister of Manpower.

SCHEDULE

INDUSTRIAL COUNCIL FOR THE LOCAL GOVERNMENT UNDERTAKING

PROVIDENT FUND AGREEMENT

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

Municipal Employers' Organisation

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

South African Association of Municipal Employees (Non-political)

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

Association of Chief Administrative Officers of Local Authorities

(hereinafter referred to as "ACAOLA"), of the other part, being the parties to the Industrial Council for the Local Government Undertaking.

1. AREA AND SCOPE OF APPLICATION OF THE AGREEMENT

This Agreement is applicable to the Local Authorities in the area of jurisdiction of the Industrial Council for the Local Government Undertaking, and shall be observed by—

(1) all employers who are members of the employers' organisation, and all employees who are members of the trade union;

(2) all local authorities in the Province of the Transvaal (excluding Pretoria and Johannesburg) and the city and town councils and health committees of Amantzimtoti, Anerley, Ballito, Bergville, Camperdown, Colenso, Dannhauser, Dundee, Durnacol, Empangeni, Eshowe, Estcourt, Gillits, Gingindlovu, Glencoe, Greytown, Hibberdene, Hillcrest, Hilton, Howick, Isipingo, Ixopo, Kingsborough, Kloof, Kokstad, Ladysmith, La Lucia, Maidstone, Mandini, Margate, Matatiele, Mtubatuba, Melmoth, Mooi River, Mtunzini, Munster, Newcastle, New Germany, Paulpietersburg, Pine-town, Port Shepstone, Queensburgh, Ramsgate, Richards Bay, Richmond, Rosburgh, Salt Rock, Scottburgh, Shelly Beach, Stanger, Thornville Junction, Tongaat, Umbogintwini, Umdloti Beach, Umhlali, Umhlanga Rocks, Umtentweni, Umzinto, Utrecht, Uvongo, Verulam, Vryheid, Weenen and

Urmzinto, Utrecht, Uvongo, Verulam, Vryheid, Weenen en Westville in die provinsie Natal, en Allanridge, Bethlehem, Bloemspruit, Boshof, Bothaville, Brandfort, Bultfontein, Clarens, Clocolan, Dealesville, Dewetsdorp, Excelsior, Fauresmith, Ficksburg, Frankfort, Harrismith, Heilbron, Hert-zogville, Hobhouse, Hoopstad, Jagersfontein, Kestell, Koffiefontein, Koppies, Kroonstad, Ladybrand, Lindley, Marquard, Memel, Oranjeville, Parys, Petrusburg, Petrus Steyn, Philip-polis, Reddersburg, Reitz, Rouxville, Sasolburg, Senekal, Smithfield, Springfontein, Steynsrus, Trompsburg, Tweeling, Tweespruit, Ventersburg, Verkeerdevlei, Viljoenskroon, Villiers, Vrede, Vredefort, Warden, Wepener, Wesselsbron, Winburg en Zastron in die provinsie Oranje-Vrystaat, en hul werknemers wat van tyd tot tyd deur die Voorsorgfondskomitee met die goedkeuring van die Versekeraar toegelaat word op aansoek van die Plaaslike Owerheid soos verteenwoordig deur die Plaaslike Voorsorgfondskomitee.

2. GELDIGHEIDSDUUR VAN OOREENKOMS

Hierdie Ooreenkoms tree in werking op 'n datum wat die Minister van Mannekrag kragtens artikel 48 van die Wet bepaal en bly van krag tot 9 Augustus 1992.

3. ALGEMENE BEPALINGS

Klousules 3 tot en met 15 van die Ooreenkoms gepubliseer by Goewermenskennisgewing R. 1615 van 31 Julie 1987 en bekragtig by Goewermenskennisgewing R. 557 van 25 Maart 1988, soos van tyd tot tyd verder verleng/hernieu, gewysig en bekragtig, is van toepassing op werkgewers en werknemers.

4. KLOUSULE 3: WOORDOMSKRYWING

Vervang die omskrywing van "besoldiging" deur die volgende:

"besoldiging" die normale geldelike vergoeding van 'n werknemer, hetsy ooreenkomstig die toepaslike kerf op sy salarisskaal of 'n vaste bedrag geld, en dit sluit geen toelae, bonus of subsidie in nie: Met dien verstande dat die besoldiging bepaal word wanneer 'n werknemer 'n lid word en daarna slegs op elke Fondsverjaardag, tensy anders ooreengekom tussen die Plaaslike Voorsorgfondskomitee en die Versekeraar in welke geval besoldiging herbepaal word sodra 'n algemene verhoging bekend gemaak word, maar nie met terugwerkende effek nie;"

5. KLOUSULE 4: INSTELLING EN DOELSTELLINGS VAN DIE FONDS

(1) Vervang die opskrif by klousule 4 deur die volgende:

"4. VOORTSETTING EN DOELSTELLINGS VAN DIE FONDS"

(2) In klousule 4.1, vervang die gedeelte wat paragraaf (a) voorafgaan, deur die volgende:

"Die Fonds wat bekend staan as die Voorsorgfonds vir Plaaslike Owerhede, ingestel by Goewermenskennisgewing R. 1615 van 31 Julie 1987, word hierby voortgeset en bestaan uit—"

(3) Vervang klousule 4.3(d) deur die volgende:

"Om volgens die reëls van die skema vir mediese gevalle wat finansiële ondersteuning nodig het, geldelik voorsiening te maak."

(4) Voeg die volgende paragraaf in na paragraaf (f) in klousule 4.3:

"(g) Om volgens die reëls van die skema vir 'n begrafnisvoordeel voorsiening te maak."

Westville in the Province of Natal, and Allanridge, Bethlehem, Bloemspruit, Boshof, Bothaville, Brandfort, Bultfontein, Clarens, Clocolan, Dealesville, Dewetsdorp, Excelsior, Fauresmith, Ficksburg, Frankfort, Harrismith, Heilbron, Hert-zogville, Hobhouse, Hoopstad, Jagersfontein, Kestell, Koffiefontein, Koppies, Kroonstad, Ladybrand, Lindley, Marquard, Memel, Oranjeville, Parys, Petrusburg, Petrus Steyn, Philip-polis, Reddersburg, Reitz, Rouxville, Sasolburg, Senekal, Smithfield, Springfontein, Steynsrus, Trompsburg, Tweeling, Tweespruit, Ventersburg, Verkeerdevlei, Viljoenskroon, Villiers, Vrede, Vredefort, Warden, Wepener, Wesselsbron, Winburg and Zastron in the Province of the Orange Free State, and their employees who may from time to time be admitted by the Provident Fund Committee with the approval of the Assurer on application by the Local Authority as represented by the Local Provident Fund Committee.

2. PERIOD OF OPERATION OF AGREEMENT

This Agreement shall come into operation on a date determined by the Minister of Manpower in terms of section 48 of the Act and shall remain in force until 9 August 1992.

3. GENERAL PROVISIONS

Clauses 3 to 15 inclusive of the Agreement published in Government Notice R. 1615 of 31 July 1987 and confirmed by Government Notice R. 557 of 25 March 1988, as further extended/renewed, amended and confirmed from time to time, shall be applicable to employers and employees.

4. CLAUSE 3: DEFINITIONS

Substitute the following for the definition of "remuneration":

"remuneration, means the usual monetary remuneration of an employee, either in accordance with the applicable notch on his salary scale or a fixed amount of money, and this shall not include any allowances, bonuses or subsidies: Provided that the remuneration shall be determined when an employee becomes a member and thereafter on every anniversary date of the Fund, unless otherwise agreed upon between the Local Provident Fund Committee and the Assurer, in which case remuneration shall be re-determined once a general increase is announced, but not with retrospective effect;"

5. CLAUSE 4: ESTABLISHMENT AND OBJECTS OF THE FUND

(1) Substitute the following for the heading of clause 4:

"4. CONTINUATION AND OBJECTS OF THE FUND"

(2) In clause 4.1 substitute the following for the part preceding paragraph (a):

"The Fund known as the Provident Fund for Local Authorities, established by Government Notice R. 1615 of 31 July 1987, is hereby continued and consists of—"

(3) Substitute the following for clause 4.3(d):

"to make financial provision, in accordance with the rules of the scheme, for medical cases that require financial support."

(4) Add the following paragraph after paragraph (f) in clause 4.3:

"(g) to make provision for a burial benefit in accordance with the rules of the scheme."

6. KLOUSULE 7: BYDRAES

Vervang klousule 7.1 deur die volgende:

"7.1 Elke Plaaslike Owerheid wat aan die Fonds deelneem, moet maandeliks 'n bydrae tot die Fonds maak gelyk aan hoogstens 2 persent van die totale besoldiging van al die lede wat bydraes tot die Fonds maak en wat in diens van die betrokke Plaaslike Owerheid is: Met dien verstande dat die werknemer, in die geval van die permanente ongeskiktheid van 'n werknemer, vir die duur van die wag periode van 6 (ses) maande geag word in diens van die Plaaslike Owerheid te wees, en die Plaaslike Owerheid is derhalwe verplig om die toepaslike bydrae, soos hierbo voorgeskryf, tot die Fonds te maak."

7. KLOUSULE 9: GELDELIKE BEHEER

Vervang klousule 9 deur die volgende:

"9. GELDELIKE BEHEER

9.1 Alle geld wat ten behoeve van die Fonds ontvang word, moet by 'n bank of banke of by 'n versekeraar inbetaal word en alle tjeks wat op die Fonds getrek word, moet onderteken word deur persone wat deur die Plaaslike Voorsorgfondskomitee aangestel is.

9.2 Die Plaaslike Voorsorgfondskomitee kan lenings of 'n oortrokke rekening by 'n bank aangaan of, op voorwaardes waarop daar ooreengekom word, lenings met ander partye aangaan wat die Plaaslike Voorsorgfondskomitee van tyd tot tyd goedkeur, ten einde geld te verkry wat nodig is vir doeleindes van die Fonds, onderworpe aan die goedkeuring van die Voorsorgfondskomitee.

9.3 Alle sekuriteite, verbande, transportaktes en ander dokumente, indien daar is, moet op naam van die Fonds geregistreer word en mag nie oorgedra, vervreem of andersins van die hand gesit word nie behalwe met die goedkeuring van die Voorsorgfondskomitee.

9.4 Die Plaaslike Voorsorgfondskomitee moet toesien dat volledige en ware rekenings gehou word, onderworpe aan die goedkeuring van die Voorsorgfondskomitee.

9.5 Die Plaaslike Voorsorgfondskomitee moet 'n jaarverslag, soos deur die Versekeraars voorgelê, oor die werking van die Fonds, sodra dit beskikbaar is, aan die Direkteur-generaal van Mannekrag en die Voorsorgfondskomitee voorlê op die wyse wat die Plaaslike Voorsorgfondskomitee van tyd tot tyd bepaal.

9.6 Alle uitgawes rakende of voortspruitende uit die instelling van die Fonds, of in verband met die bestuur of administrasie van die Fonds en die belegging van fondse, insluitende ouditgelde, moet deur die Fonds gedra word.

9.7 Alle bindende kontrakte wat die Fonds raak, moet net deur die Voorsorgfondskomitee of die Plaaslike Voorsorgfondskomitee aangegaan word, en alle dokumente in verband daarmee moet onderteken word deur minstens twee lede van die Voorsorgfondskomitee of die Plaaslike Voorsorgfondskomitee wat behoorlik daartoe gemagtig is.

9.8 Alle winste of verliese wat voortspruit uit die beleggings van die Fonds, moet aan die Fonds gekrediteer of gedebiteer word.

9.9 Die helfte van die netto belegging van die Fonds moet aan die Versekeraar toegewys word, terwyl die oorblywende gedeelte van die belegging aan ander versekeraars toegewys moet word ten einde 'n konsortium te vorm: Met dien verstande dat in die geval van individuele versekering die volle bedrag oorbetaal word aan 'n versekeringsmaatskappy wat deur die lid/werknemer aangewys is."

6. CLAUSE 7: CONTRIBUTIONS

Substitute the following for clause 7.1:

"7.1 Every Local Authority participating in the Fund shall make a monthly contribution to the Fund not exceeding 2 per cent of the total remuneration of all members who contribute to the Fund and who are employees of the Local Authority concerned: Provided that, in the case of the permanent disability of an employee, the employee shall, for the waiting period of 6 (six) months be deemed to have been employed by the Local Authority, and the Local Authority shall be obliged to make the applicable contribution, as prescribed above, to the Fund."

7. CLAUSE 9: FINANCIAL CONTROL

Substitute the following for clause 9:

"9. FINANCIAL CONTROL

9.1 All moneys received on behalf of the Fund shall be deposited with a bank or banks, or with an assurer, and all cheques drawn on the Fund shall be signed by persons appointed by the Local Provident Fund Committee.

9.2 The Local Provident Fund Committee may enter into loan or overdraft commitments with a bank, or effect loans with other parties on conditions agreed upon, which the Local Provident Fund Committee may from time to time approve to raise finance necessary for the purposes of the Fund, subject to the approval of the Provident Fund Committee.

9.3 All securities, mortgages, title deeds and other documents, if any, shall be registered in the name of the Fund and may not be transferred, alienated or otherwise disposed of without the approval of the Provident Fund Committee.

9.4 The Local Provident Fund Committee shall be responsible for ensuring that full and proper accounts are kept, subject to the approval of the Provident Fund Committee.

9.5 The Local Provident Fund Committee shall submit an annual report, as submitted by the Assurers, regarding the operation of the Fund, as soon as it becomes available. Such report shall be submitted to the Director-General of Manpower and to the Provident Fund Committee, in such manner as the Local Provident Fund Committee may from time to time determine.

9.6 All expenditure relating to or arising from the establishment of the Fund, or in connection with the management or administration of the Fund and the investment of funds, including audit fees, shall be borne by the Fund.

9.7 All binding contracts affecting the Fund shall be entered into by the Provident Fund Committee or the Local Provident Fund Committee only, and any documentation in connection therewith shall be signed by at least two duly authorised members of the Provident Fund Committee or the Local Provident Fund Committee.

9.8 All profits or losses arising out of the investments of the Fund shall be credited or debited to the Fund.

9.9 One half of the net investments of the Fund shall be allocated to the Assurer. The remaining portion of the investments shall be allocated to other assurers in order to create a consortium: Provided that, in respect of individual assurance, the full amount shall be payable to an assurance company nominated by the member/employee."

8. KLOUSULE 12: VERSTRYKING VAN OOREENKOMS EN ONTBINDING VAN DIE NYWERHEIDSRAAD

Vervang klousule 12 deur die volgende:

"12. VERSTRYKING VAN OOREENKOMS EN ONTBINDING VAN DIE NYWERHEIDSRAAD

12.1 Ingeval hierdie Ooreenkoms verstryk en daar nie binne 12 maande vanaf die verstrykingsdatum van die Ooreenkoms 'n ander ooreenkoms vir die voortsetting van die Fonds aangegaan word nie, moet die Fonds deur die Voorsorgfondskomitee gelikwedeer word.

12.2 By likwidasië van die Fonds moet elke lid se aandeel in die Fonds aan hom betaal word.

12.3 In die geval van die ontbinding van die Nywerheidsraad of ingeval dit ophou om te funksioneer ingevolge artikel 34 (2) van die Wet tydens 'n tydperk waarin hierdie Ooreenkoms bindend is, moet die Plaaslike Voorsorgfondskomitee en/of die Voorsorgfondskomitee voortgaan om die Fonds te administreer.

12.4 Ingeval die Voorsorgfondskomitee en/of die Plaaslike Voorsorgfondskomitee nie sy pligte ten opsigte van die Fonds nakom nie, of as die administrasie van die Fonds na die mening van die Nywerheidsregistrator onuitvoerbaar geword het, kan hy 'n trustee aanstel om die pligte van sodanige Voorsorgfondskomitee of Plaaslike Voorsorgfondskomitee uit te voer, en vir die doel beskik sodanige trustee(s) oor al die bevoegdhede van sodanige Voorsorgfondskomitee of Plaaslike Voorsorgfondskomitee."

Namens die partye op Donderdag, 6 Junie 1991 onderteken.

J. F. M. VAN DER MERWE,

Voorsitter.

C. J. VAN DER MERWE,

Ondervoorsitter.

A. J. VAN SCHALKWYK,

Sekretaris.

No. R. 2455

11 Oktober 1991

WET OP ARBEIDSVERHOUDINGE, 1956**HAARKAPPERSBEDRYF, PRETORIA: WYSIGING VAN HOOFOOREENKOMS**

Ek, Eli van der Merwe Louw, 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 5 Februarie 1993 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

8. CLAUSE 12: EXPIRY OF AGREEMENT AND DISSOLUTION OF THE INDUSTRIAL COUNCIL

Substitute the following for clause 12:

"12. EXPIRY OF AGREEMENT AND DISSOLUTION OF THE INDUSTRIAL COUNCIL

12.1 Should this Agreement expire, and another agreement providing for the continuation of the Fund not be concluded within 12 months of the expiry date of the Fund, the Fund shall be liquidated by the Provident Fund Committee.

12.2 Upon liquidation of the Fund, every member shall be entitled to a refund of his share in the Fund.

12.3 In the event of the Industrial Council being dissolved or ceasing to function in terms of section 34 (2) of the Act, whilst this Agreement is in force, the Local Provident Fund Committee and/or the Provident Committee shall continue to administer the Fund.

12.4 In the event of the Provident Fund Committee and/or the Local Provident Fund Committee not fulfilling their obligations in respect of the Fund, or if the opinion of the Industrial Registrar, the administration of the Fund has become untenable, he may appoint a trustee to perform the duties of such Provident Fund Committee or Local Provident Fund Committee. Such trustee/s shall, for this purpose, be vested with all the rights and powers of such Provident Fund Committee or Local Provident Fund Committee."

Signed on behalf of the parties on Thursday, 6 June 1991.

J. F. M. VAN DER MERWE,

Chairman.

C. J. VAN DER MERWE,

Vice-Chairman.

A. J. VAN SCHALKWYK,

Secretary.

No. R. 2455

11 October 1991

LABOUR RELATIONS ACT, 1956**HAIRDRESSING TRADE, PRETORIA: AMENDMENT OF MAIN AGREEMENT**

I, Eli van der Merwe Louw, 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 5 February 1993, 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

van hierdie kennisgewing en vir die tydperk wat op 5 Februarie 1993 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 Wysigings-ooreenkoms gespesifiseer.

E. VAN DER M. LOUW,
Minister van Mannekrag.

BYLAE

NYWERHEIDSRAAD VIR DIE HAARKAPPERBEDRYF (PRETORIA)

OOREENKOMS

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

S.A. Hairdressers' and Cosmetologists, Association (Northern Transvaal Division)

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

S.A. Hairdressing Employees' Industrial Union (Northern Transvaal Branch)

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

wat die partye is by die Nywerheidsraad vir die Haarkappersbedryf (Pretoria),

om die Ooreenkoms, gepubliseer by Goewermentskennisgewing R. 164 van 26 Januarie 1991, te wysig.

1. TOEPASSINGSBESTEK VAN OOREENKOMS

(1) Hierdie Ooreenkoms moet in die Haarkappersbedryf nagekom word—

(a) deur alle werknemers wat lede van die werkgewers-organisasie is en deur alle werknemers wat lede van die vakvereniging is;

(b) in die landdrostdistrikte Pretoria en Wonderboom.

2. KLOUSULE 3: WOORDOMSKRYWING

Skrap die woordoms krywing van "algemene werker" en "sjampoeis". Voeg die woord "operator" na die woord "manikuris" in.

"operator", junior of senior, 'n meerderjarige werknemer wat een of meer van die volgende werksaamhede verrig:

(a) junior—persele skoonmaak en vee; boodskappe doen; koppies en toiletbenodigdhede was; verversingsdranke voorberei en bedien; sjampoeëring; klante voorberei vir opkikking of bobleiking; aanwending van spoelmiddels en kleursjampoe; kopvel- en haarbehandelings gee onder toesig van 'n gekwalifiseerde haarkapper; neutralisering van vaste golwing; sluiers, spelde, rollers, knippies en alle ander sethulpmiddels verwyder; klante onder droërs plaas en klante onder droërs uithaal;

(b) senior—dieselfde as 'n junior maar sluit die volgende addisionele dienste in, naamlik aanmaak en aanwending van tint en/of bleikmiddels onder toesig van 'n gekwalifiseerde haarkapper."

the period ending 5 February 1993, 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.

E. VAN DER M. LOUW,
Minister of Manpower.

SCHEDULE

INDUSTRIAL COUNCIL FOR THE HAIRDRESSING TRADE (PRETORIA)

AGREEMENT

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

S.A. Hairdressers' and Cosmetologists, Association (Northern Transvaal Division)

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

S.A. Hairdressing Employees' Industrial Union (Northern Transvaal Branch)

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

being the parties to the Industrial Council for the Hairdressing Trade (Pretoria),

to amend the Agreement published under Government Notice No. R. 164 of 26 January 1991.

1. SCOPE OF APPLICATION FOR AGREEMENT

(1) The terms of this Agreement shall be observed in the Hairdressing Trade—

(a) by all employers who are members of the employers' organisation and by all employees who are members of the trade union;

(b) in the Magisterial Districts of Pretoria and Wonderboom.

2. CLAUSE 3: DEFINITIONS

Delete the definitions of "general worker" and "shampooist". Add the word "operator" after the word "manicurist".

"operator", junior or senior, means a major employee engaged in one or more of the following operations:

(a) junior—cleaning and sweeping the premises; running errands; washing cups and toilet requisites; preparing and serving liquid refreshments; shampooing, preparing clients for highlighting or frosting; applying rinses and colour shampoos; giving scalp and hair treatments under the supervision of a qualified hairdresser; neutralising perms; removing veils, pins, rollers, clips and any other setting aids; placing clients under driers and taking clients out from under driers; and

(b) senior—same as a junior, but includes the following additional duties, namely mixing and applying tints and/or bleach under the supervision of a qualified hairdresser."

3. KLOUSULE 4: LONE

Vervang die loonskedule in klousule 4 (1) deur die volgende:

(a) Gekwalifiseerde haarkappers:			
Eerste jaar na kwalifisering	R164,20 per maand	week of R711,40 per maand	R183,88 per week of R796,77 per maand.
Tweede jaar na kwalifisering	R195,44 per maand	week of R846,72 per maand	R218,86 per week of R948,33 per maand.
Daarna	R235,54 per maand	week of R1 020,60 per maand	R263,82 per week of R1 143,07 per maand.
(b) Operateurs:			
Junior	R115,47 per maand	week of R500,00 per maand	R129,24 per week of R560,00 per maand.
Senior	R152,32 per maand	week of R660,00 per maand	R170,70 per week of R740,00 per maand.
(c) Manikuriste, skoonheidsdeskundiges en ontvangsdames	R164,88 per maand	week of R714,43 per maand	R184,67 per week of R800,16 per maand.
(d) Los werknemers	5% van die voorgeskrewe loon per dag		5% van die voorgeskrewe loon per dag.
(e) Deeltydse werknemers	Twee derdes van die voorgeskrewe loon		Twee derdes van die voorgeskrewe loon.

92-02-01

3. CLAUSE 4: WAGES

Substitute the following for the schedule of wages in clause (4) (1):

(a) Qualified hairdressers:			
First year after qualifying	R164,20 per month	week or R711,40 per month	R183,88 per week or R796,77 per month.
Second year after qualifying	R195,44 per month	week or R846,72 per month	R218,86 per week or R948,33 per month.
Thereafter	R235,54 per month	week or R1 020,60 per month	R263,82 per week or R1 143,07 per month.
(b) Operators:			
Junior	R115,47 per month	week or R500,00 per month	R129,24 per week or R560,00 per month.
Senior	R152,32 per month	week or R660,00 per month	R170,70 per week or R740,00 per month.
(c) Manicurists, beauticians and receptionists	R164,88 per month	week or R714,43 per month	R184,67 per week or R800,16 per month.
(d) Casual employees	5% of the prescribed wage per day		5% of the prescribed wage per day.
(e) Part-time employees	Two thirds of the prescribed wage		Two thirds of the prescribed wage.

92-02-01

4. KLOUSULE 14: UITGAWES VAN DIE RAAD

Vervang klousules 1, 2(a) en 2(b) deur die volgende:

"(1) Ten einde die uitgawes van die Raad te bestry moet elke werkgewer R5,50 per maand aftrek van die verdienste van elkeen van sy werknemers vir wie lone in klousule 4(1)(a) en (c) voorgeskryf word, en R2,75 per maand van die verdienste van werknemers vir wie lone in klousule 4(1)(b) voorgeskryf word, en vakleerlinge.

(2) (a) Benewens bogenoemde moet alle werkgewers [uitgesonderd werkgewers wat in paragraaf (b) genoem word] 'n bedrag van R13,70 per maand betaal.

(b) In bedryfinrigtings wat uit maatskappye of 'n vennootskap bestaan, moet 'n bedrag van R13,70 per maand ten opsigte van elke direkteur of vennoot betaal word."

Vir en namens die partye op hede die 25ste dag van Junie 1991 te Pretoria onderteken.

Y. VAN SCHALKWYK,
Voorsitter van die Raad.

J. WEINTRAUD,
Ondervoorsitter van die Raad.

J. P. FORBES,
Sekretaris van die Raad

4. CLAUSE 14: EXPENSES OF THE COUNCIL

Substitute the following for subclauses 1, 2(a) and 2(b):

"(1) For the purpose of meeting the expenses of the Council, every employer shall deduct R5,50 per month from the earnings of each of his employees for whom wages are prescribed in clause 4(1)(a) and (c), and R2,75 per month from the earnings of employees for whom wages are prescribed in clause 4(1)(b), and apprentices.

(2) (a) In addition to the above, all employers [except those provided for in paragraph (b)] shall pay a fee of R13,70 per month.

(b) In establishments composed of companies or a partnership, a fee of R13,70 per month shall be paid in respect of each director or partner."

Signed for and on behalf of the parties, at Pretoria, this 25th day of June 1991.

Y. VAN SCHALKWYK,
Chairman of the Council.

J. WEINTRAUD,
Vice-chairman of the Council.

J. P. FORBES,
Secretary of the Council.

No. R. 2456

11 Oktober 1991

WET OP ARBEIDSVERHOUDINGE, 1956

BOUNYWERHEID, PIETERMARITZBURG EN NOORDELIKE GEBIEDE: VERLENGING VAN HOOF-OOREENKOMS

Ek, Dennis van der Walt, Direkteur: Arbeidsverhoudinge, behoorlik daartoe gemagtig deur die Minister van Mannekrag, verleng hierby, kragtens artikel 48 (4) (a) (i) van die Wet op Arbeidsverhoudinge, 1956, die tydperke vasgestel in Goewermentskennisgewings R. 1625 van 31 Julie 1987, R. 848 van 29 April 1988, R. 2144 van 21 Oktober 1988, R. 2217 van 28 Oktober 1988, R. 1281 van 16 Junie 1989, R. 2335 en R. 2336 van 27 Oktober 1989, R. 2304 van 28 September 1990 en R. 2499 van 26 Oktober 1990, met 'n verdere tydperk wat op 1 November 1992 eindig.

A. VAN DER WALT,

Direkteur: Arbeidsverhoudinge.

No. R. 2457

11 Oktober 1991

WET OP ARBEIDSVERHOUDINGE, 1956

BOUNYWERHEID, PORT NATAL: VERLENGING VAN HOOF-OOREENKOMS

Ek, Dennis van der Walt, Direkteur: Arbeidsverhoudinge, behoorlik daartoe gemagtig deur die Minister van Mannekrag, verleng hierby, kragtens artikel 48 (4) (a) (i) van die Wet op Arbeidsverhoudinge, 1956, die tydperke vasgestel in Goewermentskennisgewings R. 1624 van 31 Julie 1987, R. 2447 van 30 Oktober 1987, R. 849 van 29 April 1988, R. 2215 en R. 2216 van 28 Oktober 1988, R. 842 van 28 April 1989, R. 2333 en R. 2334 van 27 Oktober 1989, R. 2356 van 5 Oktober 1990 en R. 2500 van 26 Oktober 1990, met 'n verdere tydperk wat op 1 November 1992 eindig.

D. VAN DER WALT,

Direkteur: Arbeidsverhoudinge.

No. R. 2458

11 Oktober 1991

WET OP ARBEIDSVERHOUDINGE, 1956

SEILDOEK- EN TOUWERKNYWERHEID (KAAP): HERNUWING VAN MEDIESE HULPFONDS-OOREENKOMS

Ek, Dennis van der Walt, Direkteur: Arbeidsverhoudinge, behoorlik daartoe gemagtig deur die Minister van Mannekrag, verklaar hierby, kragtens artikel 48 (4) (a) (ii) van die Wet op Arbeidsverhoudinge, 1956, dat die bepalings van Goewermentskennisgewings R. 212 van 8 Februarie 1980, R. 897 van 4 Mei 1984 en R. 711 van 18 April 1986, van krag is vanaf die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 31 Desember 1991 eindig.

D. VAN DER WALT,

Direkteur: Arbeidsverhoudinge.

No. R. 2456

11 October 1991

LABOUR RELATIONS ACT, 1956

BUILDING INDUSTRY, PIETERMARITZBURG AND NORTHERN AREAS: EXTENSION OF MAIN AGREEMENT

I, Dennis van der Walt, Director: Labour Relations, duly authorised thereto by the Minister of Manpower, hereby, in terms of section 48 (4) (a) (i) of the Labour Relations Act, 1956, extend the periods fixed in Government Notices R. 1625 of 31 July 1987, R. 848 of 29 April 1988, R. 2144 of 21 October 1988, R. 2217 of 28 October 1988, R. 1281 of 16 June 1989, R. 2335 and R. 2336 of 27 October 1989, R. 2304 of 28 September 1990 and R. 2499 of 26 October 1990, by a further period ending 1 November 1991.

A. VAN DER WALT,

Director: Labour Relations.

No. R. 2457

11 October 1991

LABOUR RELATIONS ACT, 1956

BUILDING INDUSTRY, PORT NATAL: EXTENSION OF MAIN AGREEMENT

I, Dennis van der Walt, Director: Labour Relations, duly authorised thereto by the Minister of Manpower, hereby, in terms of section 48 (4) (a) (i) of the Labour Relations Act, 1956, extend the periods fixed in Government Notices R. 1624 of 31 July 1987, R. 2447 of 30 October 1987, R. 849 of 29 April 1988, R. 2215 and R. 2216 of 28 October 1988, R. 842 of 28 April 1989, R. 2333 and R. 2334 of 27 October 1989, R. 2356 of 5 October 1990 and R. 2500 of 26 October 1990, by a further period ending 1 November 1992.

D. VAN DER WALT,

Director: Labour Relations.

No. R. 2458

11 October 1991

LABOUR RELATIONS ACT, 1956

CANVAS AND ROPEWORKING INDUSTRY (CAPE): RENEWAL OF MEDICAL AID FUND AGREEMENT

I, Dennis van der Walt, Director: Labour Relations, 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. 212 of 8 February 1980, R. 897 of 4 May 1984 and R. 711 of 18 April 1986, to be effective from the date of publication of this notice and for the period ending 31 December 1991.

D. VAN DER WALT,

Director: Labour Relations.

No. R. 2461

11 Oktober 1991

WET OP ARBEIDSVERHOUDINGE, 1956

KLERASIENYWERHEID, OOSTELIKE PROVINSIE:
WYSIGING VAN HOOFOOREENKOMS

Ek, Eli van der Merwe Louw, 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 30 Junie 1992 eindig, bindend is vir die werkgeversorganisasie en die vakvereniging wat die Wysigingsooreenkoms aangegaan het en vir die werkgevers 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 30 Junie 1992 eindig, bindend is vir alle ander werkgevers 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.

E. VAN DER M. LOUW,
Minister van Mannekrag.

BYLAE

NYWERHEIDSRAAD VIR DIE KLERASIENYWERHEID,
OOSTELIKE PROVINSIE

HOOFOOREENKOMS

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

Eastern Province Clothing Manufacturers' Association

(hierna die "werkgevers" of die "werkgeversorganisasie" genoem), aan die een kant, en die

South African Clothing and Textile Workers' Union

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

wat die partye is by die Nywerheidsraad vir die Klerasienywerheid, Oostelike Provinsie,

tot wysiging van die Ooreenkoms gepubliseer by Goewermentskennisgewing No. R. 705 van 5 April 1991 (hierna die "Herbekragtigingsooreenkoms" genoem).

1. TOEPASSINGBESTEK VAN OOREENKOMS

(1) Hierdie Ooreenkoms moet, behoudens subklousule (2) hiervan, in die Klerasienywerheid nagekom word—

(a) deur alle werkgevers wat lede van die werkgeversorganisasie is en deur alle werknemers wat lede van die vakvereniging is;

(b) in die landdrostdistrikte Port Elizabeth en Oos-Londen.

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

No. R. 2461

11 October 1991

LABOUR RELATIONS ACT, 1956

CLOTHING INDUSTRY, EASTERN PROVINCE:
AMENDMENT OF MAIN AGREEMENT

I, Eli van der Merwe Louw, 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 30 June 1992, 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 date of publication of this notice and for the period ending 30 June 1992, 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.

E. VAN DER M. LOUW,
Minister of Manpower.

SCHEDULE

INDUSTRIAL COUNCIL FOR THE CLOTHING
INDUSTRY, EASTERN PROVINCE

MAIN AGREEMENT

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

Eastern Province Clothing Manufacturers' Association

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

South African Clothing and Textile 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 Clothing Industry, Eastern Province,

to amend the Agreement published under Government Notice No. R. 705 of 5 April 1991 (hereinafter referred to as the "Re-enacting Agreement").

1. SCOPE OF APPLICATION OF AGREEMENT

(1) Subject to the provisions of subclause (2) hereof, the terms of this Agreement shall be observed in the Clothing Industry—

(a) by all employers who are members of the employers' organisation and by all employees who are members of the trade union;

(b) in the Magisterial Districts of Port Elizabeth and East London.

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

(3) Hierdie Ooreenkoms is nie van toepassing nie op 'n ontwerper, voorman, fabrieksklerk en toesighouer wat maandeliks besoldig word teen 'n hoër koers as die weekloon wat in hierdie ooreenkoms vir sodanige werknemer voorgeskryf word, vermenigvuldig met vier en 'n derde, en wie se diensvoorwaardes die volgende bepaling insluit:

(a) Dat sy dienskontrak nie sonder 'n maand kennisgewing beëindig mag word nie;

(b) dat sy maandelikse besoldiging nie verminder mag word nie as gevolg van korttydwerk, openbare vakansiedae sonder besoldiging of tydperke van afwesigheid weens siekte van hoogstens 10 werkdade in enige bepaalde jaar diens behoudens die indiening van 'n mediese sertifikaat indien die werkgever dit vereis.

2. KLOUSULE 4: ALGEMENE BEPALINGS

Vervang klousule 4 van die Herbekragtigingsooreenkoms deur die volgende:

"4. ALGEMENE BEPALINGS

Die bepaling vervat in klousules 3 tot 7 (3) (e), 7 (3) (g) tot 22 en 26 tot 28 van die Vorige Ooreenkoms soos van tyd tot tyd gewysig, is van toepassing op werkgewers en werknemers."

3. KLOUSULE 4 VAN DIE VORIGE OOREENKOMS: LONE

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

"(1) Die minimum loon wat 'n werkgever aan elke lid van ondervermelde klasse van sy werknemers moet betaal, is soos hieronder uiteengesit:

	Vir die tydperk wat op 31 Oktober 1991 eindig	Daarna
	Loon per week R	Loon per week R
(a) Voorman.....	308,60	313,60
(b) Ontwerper:		
Gekwalifiseer	394,70	399,70
Leerlinge—		
eerste 26 weke	130,65	135,65
tweede 26 weke	152,70	157,70
derde 26 weke	185,75	190,75
vierde 26 weke	206,96	211,96
vyfde 26 weke	230,45	235,45
sesde 26 weke	250,85	255,85
sewende 26 weke	272,90	277,90
agste 26 weke	295,79	300,79
negende 26 weke	313,43	318,43
(c) Gradeerder:		
Gekwalifiseer	282,43	287,43
Leerlinge—		
eerste 26 weke	129,39	134,39
tweede 26 weke	141,57	146,57
derde 26 weke	153,96	158,96
vierde 26 weke	160,93	165,93
vyfde 26 weke	188,90	193,90
sesde 26 weke	202,55	207,55
sewende 26 weke	214,73	219,73
agste 26 weke	225,86	230,86
negende 26 weke	239,72	244,72
(d) Merker:		
Gekwalifiseer	214,73	219,73
Leerlinge—		
eerste 26 weke	129,39	134,39
tweede 26 weke	139,37	144,37
derde 26 weke	148,50	153,50
vierde 26 weke	158,79	163,79
vyfde 26 weke	179,66	184,66

(3) The terms of this Agreement shall not apply to a designer, foreman, factory clerk and supervisor who is remunerated monthly at a rate in excess of the weekly wage prescribed in this Agreement for such employee, multiplied by four and a third, and whose conditions of employment include the following provisions:

(a) That his contract of service may not be terminated without a month's notice;

(b) that his monthly remuneration may not be reduced as a result of short-time working, unpaid public holidays or periods of absence through illness not exceeding 10 working days in any one year of employment and subject to the production of a medical certificate if required by the employer.

2. CLAUSE 4: GENERAL PROVISIONS

Substitute for the following for clause 4 of the Re-enacting Agreement:

"4. GENERAL PROVISIONS

The provisions contained in clauses 3 to 7 (3) (e), 7 (3) (g) to 22 and 26 to 28 of the Former Agreement as amended from time to time, shall apply to employers and employees."

3. CLAUSE 4 OF THE FORMER AGREEMENT: WAGES

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

"(1) The minimum wage which an employer shall pay to each member of the undermentioned classes of his employees shall be as set out hereunder:

	For the period ending 31 October 1991	Thereafter
	Wages per week R	Wages per week R
(a) Foreman.....	308,60	313,60
(b) Designer:		
Qualified	394,70	399,70
Learners—		
first 26 weeks	130,65	135,65
second 26 weeks	152,70	157,70
third 26 weeks	185,75	190,75
fourth 26 weeks	206,96	211,96
fifth 26 weeks	230,45	235,45
sixth 26 weeks	250,85	255,85
seventh 26 weeks	272,90	277,90
eighth 26 weeks	295,79	300,79
ninth 26 weeks	313,43	318,43
(c) Grader:		
Qualified	282,43	287,43
Learners—		
first 26 weeks	129,39	134,39
second 26 weeks	141,57	146,57
third 26 weeks	153,96	158,96
fourth 26 weeks	160,93	165,93
fifth 26 weeks	188,90	193,90
sixth 26 weeks	202,55	207,55
seventh 26 weeks	214,73	219,73
eighth 26 weeks	225,86	230,86
ninth 26 weeks	239,72	244,72
(d) Marker-in:		
Qualified	214,73	219,73
Learners—		
first 26 weeks	129,39	134,39
second 26 weeks	139,37	144,37
third 26 weeks	148,50	153,50
fourth 26 weeks	158,79	163,79
fifth 26 weeks	179,66	184,66

	<i>Vir die tydperk wat op 31 Oktober 1991 eindig</i>	<i>Daarna</i>
	<i>Loon per week R</i>	<i>Loon per week R</i>
(e) Bandmessnyer:		
Gekwalifiseer	214,73	219,73
Leerlinge—		
eerste 26 weke	129,39	134,39
tweede 26 weke	139,47	144,47
derde 26 weke	148,50	153,50
vierde 26 weke	158,79	163,79
vyfde 26 weke	179,66	184,66
(f) Snyer:		
Gekwalifiseer	188,48	193,48
Leerlinge—		
eerste 26 weke	129,39	134,39
tweede 26 weke	136,11	141,11
derde 26 weke	140,73	145,73
vierde 26 weke	145,98	150,98
vyfde 26 weke	151,98	156,98
(g) Laagmaker:		
Gekwalifiseer	146,40	151,40
Leerlinge—		
eerste 26 weke	129,39	134,39
tweede 26 weke	132,33	137,33
derde 26 weke	135,06	140,06
vierde 26 weke	137,58	142,58
(h) Gespesialiseerde parser:		
Gekwalifiseer	206,12	211,12
Leerlinge—		
eerste 26 weke	129,39	134,39
tweede 26 weke	135,90	140,90
derde 26 weke	140,31	145,31
vierde 26 weke	145,98	150,98
vyfde 26 weke	151,65	156,65
sesde 26 weke	156,90	161,90
sewende 26 weke	173,78	178,78
agste 26 weke	180,08	185,08
negende 26 weke	184,28	189,28
(i) Ondersoeker:		
Gekwalifiseer	176,09	181,09
Leerlinge—		
eerste 26 weke	145,98	150,98
(j) Masjienwerker, parser af- werker, fabrieksklerk, borduur- masjienwerker en kleedkamer- versorger:		
Gekwalifiseer	172,73	177,73
Leerlinge—		
eerste 26 weke	129,39	134,39
tweede 26 weke	132,54	137,54
derde 26 weke	136,95	141,95
vierde 26 weke	141,78	146,78
vyfde 26 weke	145,56	150,56
(k) Vorderingsondersoeker:		
Gekwalifiseer	174,62	179,62
Leerlinge—		
eerste 26 weke	136,32	141,32
(l) Versender:		
Gekwalifiseer	163,52	168,52
Leerlinge—		
eerste 26 weke	137,58	142,58
(m) Nasiener in die breiseksie:		
Gekwalifiseer	145,35	150,35
Leerlinge—		
eerste 26 weke	129,39	134,39
tweede 26 weke	132,33	137,33
derde 26 weke	136,11	141,11

	<i>For the period ending 31 October 1991</i>	<i>Thereafter</i>
	<i>Wages per week R</i>	<i>Wages per week R</i>
(e) Band-knife cutter:		
Qualified	214,73	219,73
Learners—		
first 26 weeks	129,39	134,39
second 26 weeks	139,47	144,47
third 26 weeks	148,50	153,50
fourth 26 weeks	158,79	163,79
fifth 26 weeks	179,66	184,66
(f) Cutter-out:		
Qualified	188,48	193,48
Learners—		
first 26 weeks	129,39	134,39
second 26 weeks	136,11	141,11
third 26 weeks	140,73	145,73
fourth 26 weeks	145,98	150,98
fifth 26 weeks	151,98	156,98
(g) Layer-up:		
Qualified	146,40	151,40
Learners—		
first 26 weeks	129,39	134,39
second 26 weeks	132,33	137,33
third 26 weeks	135,06	140,06
fourth 26 weeks	137,58	142,58
(h) Specialised presser:		
Qualified	206,12	211,12
Learners—		
first 26 weeks	129,39	134,39
second 26 weeks	135,90	140,90
third 26 weeks	140,31	145,31
fourth 26 weeks	145,98	150,98
fifth 26 weeks	151,65	156,65
sixth 26 weeks	156,90	161,90
seventh 26 weeks	173,78	178,78
eighth 26 weeks	180,08	185,08
ninth 26 weeks	184,28	189,28
(i) Examiner:		
Qualified	176,09	181,09
Learners—		
first 26 weeks	145,98	150,98
(j) Machinist, presser, trimmer, factory clerk, embroidery machinist and cloakroom attendant:		
Qualified	172,73	177,73
Learners—		
first 26 weeks	129,39	134,39
second 26 weeks	132,54	137,54
third 26 weeks	136,95	141,95
fourth 26 weeks	141,78	146,78
fifth 26 weeks	145,56	150,56
(k) Progress examiner:		
Qualified	174,62	179,62
Learners—		
first 26 weeks	136,32	141,32
(l) Despatcher:		
Qualified	163,52	168,52
Learners—		
first 26 weeks	137,58	142,58
(m) Checker in the knitting section:		
Qualified	145,35	150,35
Learners—		
first 26 weeks	129,39	134,39
second 26 weeks	132,33	137,33
third 26 weeks	136,11	141,11

	Vir die tydperk wat op 31 Oktober 1991 eindig	Daarna		For the period ending 31 October 1991	Thereafter
	Loon per week R	Loon per week R		Wages per week R	Wages per week R
(n) Algemene werker:			(n) General worker:		
Gekwalifiseer	140,94	145,94	Qualified	140,94	145,94
Leerlinge—			Learners—		
eerste 26 weke	129,39	134,39	first 26 weeks	129,39	134,39
tweede 26 weke	132,33	137,33	second 26 weeks	132,33	137,33
(o) Stoomkasplooiër:			(o) Steambox pleater:		
Gekwalifiseer	176,93	181,93	Qualified	176,93	181,93
Leerlinge—			Learners—		
eerste 26 weke	129,39	134,39	first 26 weeks	129,39	134,39
tweede 26 weke	135,90	140,90	second 26 weeks	135,90	140,90
derde 26 weke	140,31	145,31	third 26 weeks	140,31	145,31
vierde 26 weke	145,77	150,77	fourth 26 weeks	145,77	150,77
(p) Gewone naaldwerker:			(p) Plain sewer:		
Gekwalifiseer	145,98	150,98	Qualified	145,98	150,98
Leerlinge—			Learners—		
eerste 26 weke	129,39	134,39	first 26 weeks	129,39	134,39
tweede 26 weke	130,96	135,96	second 26 weeks	130,96	135,96
derde 26 weke	132,54	137,54	third 26 weeks	132,54	137,54
vierde 26 weke	135,06	140,06	fourth 26 weeks	135,06	140,06
vyfde 26 weke	137,58	142,58	fifth 26 weeks	137,58	142,58
(q) Algemene assistent	159,63	164,63	(q) General assistant	159,63	164,63
(r) Skoonmaker	141,78	146,78	(r) Cleaner	141,78	146,78
(s) Teemaker	141,78	146,78	(s) Tea maker	141,78	146,78
(t) Wag	174,62	179,62	(t) Watchman	174,62	179,62
(u) Motorvoertuigdrywer:			(u) Motor vehicle driver:		
(i) Drywer van 'n motorvoer- tuig waarvan die onbelaste massa—			(i) Driver of a motor vehicle, the unladen mass of which—		
(aa) hoogstens 453 kg is ...	173,99	178,99	(aa) does not exceed 453 kg	173,99	178,99
(ab) meer as 453 kg maar hoogstens 2 722 kg is	187,01	192,01	(ab) exceeds 453 kg but does not exceed 2 722 kg	187,01	192,01
(ac) meer as 2 722 kg maar hoogstens 4 536 kg is	207,17	212,17	(ac) exceeds 2 722 kg but does not exceed 4 536 kg	207,17	212,17
(ad) meer as 4 536 kg is ...	243,71	248,71	(ad) exceeds 4 536 kg	243,71	248,71
(ii) Deeltydse drywer van 'n motorvoertuig	159,63	164,63	(ii) Part-time driver of a motor vehicle	159,63	164,63
(v) Perssnyer:			(v) Clicker:		
Gekwalifiseer	285,29	290,29	Qualified	285,29	290,29
Leerlinge—			Learners—		
eerste 26 weke	129,39	134,39	first 26 weeks	129,39	134,39
tweede 26 weke	140,73	145,73	second 26 weeks	140,73	145,73
derde 26 weke	152,28	157,28	third 26 weeks	152,28	157,28
vierde 26 weke	174,20	179,20	fourth 26 weeks	174,20	179,20
vyfde 26 weke	187,20	192,20	fifth 26 weeks	187,20	192,20
sesde 26 weke	197,72	202,72	sixth 26 weeks	197,72	202,72
sewende 26 weke	210,11	215,11	seventh 26 weeks	210,11	215,11
agste 26 weke	222,08	227,08	eighth 26 weeks	222,08	227,08
negende 26 weke	233,42	238,42	ninth 26 weeks	233,42	238,42
(w) Randvormer	176,09	181,09	(w) Beader	176,09	181,09
(x) Chloreerder	149,34	154,34	(x) Chlorinator	149,34	154,34
(y) Menger	187,22	192,22	(y) Compounder	187,22	192,22
(z) Indoper	187,22	192,22	(z) Dipper	187,22	192,22
(aa) Handskoenomdopper	206,12	211,12	(aa) Glove turner	206,12	211,12
(ab) Vormmaker	180,29	185,29	(ab) Mouldmaker	180,29	185,29
(ac) Verpakker	149,34	154,34	(ac) Packer	149,34	154,34
(ad) Gehalteprodukkoordineerder ..	238,67	243,67	(ad) Quality product co-ordinator	238,67	243,67

(ae) 'n Toesighouer moet betaal word teen die skaal vir gekwalifiseerdes wat van toepassing is op die werknemers wat onder toesig staan, plus 33½ persent:

Met dien verstande dat—

(i) 'n leerlingtoesighouer 'n proeftyd van hoogstens ses maande moet uitdien en betaal moet word teen die skaal vir gekwalifiseerdes wat van toepassing is op die werknemers wat onder toesig staan, plus 10 persent;

(ae) A supervisor shall be paid the qualified rate applicable to the employees being supervised, plus 33½ per cent:

Provided that—

(i) a trainee supervisor shall serve a probationary period not exceeding six months and shall be paid the qualified rate applicable to the employees being supervised, plus 10 per cent;

(ii) 'n leerlingtoesighouer wat na voltooiing van die proeftyd nie as geskik vir promosie beskou word nie, na sy vorige status teen sy vorige loon moet terugkeer."

(2) Vervang subklousule (6) deur die volgende:

"(6) Ondanks andersluidende bepalings hierin vervat, moet die loon van 'n werknemer wat—

(a) onmiddellik voor die datum waarop hierdie Ooreenkoms in werking tree 'n hoër loon ontvang as dié wat voorgeskryf word vir die klas werk waarin hy werksaam is, met ingang van die datum waarop hierdie Ooreenkoms in werking tree, verhoog word met 'n bedrag wat gelyk is aan die verskil tussen die loon voorgeskryf in die Ooreenkoms wat by Goewermentskennissgewing No. R. 705 van 5 April 1991 gepubliseer is en die loon voorgeskryf in hierdie Ooreenkoms vir die klas werk waarin hy werksaam is;

(b) op 31 Oktober 1991 'n hoër loon ontvang as dié wat op daardie datum voorgeskryf word vir die klas werk waarin hy werksaam is, met ingang van 1 November 1991 verhoog word met 'n bedrag wat gelyk is aan die verskil tussen die loon soos voorgeskryf op 31 Oktober 1991 en die loon soos voorgeskryf op 1 November 1991 vir die klas werk waarin hy werksaam is."

(3) In subklousule (10), vervang die uitdrukking "R1,80" deur die uitdrukking "R2".

4. KLOUSULE 13 VAN DIE VORIGE OOREENKOMS: JAARLIKSE VERLOF EN VAKANSIEDAE MET BESOLDIGING

(1) Vervang paragraaf (c) van subklousule (1) deur die volgende:

"(c) Benewens die verlof in paragrawe (a) en (b) bedoel, moet elke werkgewer een dag geleentheidsverlof met besoldiging toestaan, en die dag waarop geleentheidsverlof geneem word, word deur die werkgewer in ooreenstemming met die vakvereniging/werknemers bepaal: Met dien verstande dat 'n werknemer wie se werkgewer van hom vereis om te werk op die skof onmiddellik voor en/of na die dag in hierdie paragraaf bedoel en wat op sodanige skof of skofte van sy werk af wegbly, nie betaal word nie vir sodanige dag geleentheidsverlof wat hy nie gewerk het nie, tensy hy afwesig was met die toestemming van die werkgewer of weens siekte wat deur 'n geregistreerde geneesheer gesertifiseer is."

(2) In subklousule (7) (a), voeg na die uitdrukking "Nuwejaarsdag" die uitdrukking "en Welwillendheidsdag" in.

5. KLOUSULE 20 VAN DIE VORIGE OOREENKOMS: FONDSE VAN DIE RAAD

Vervang die uitdrukking "15 sent" deur die uitdrukking "25 sent".

Hierdie Ooreenkoms is namens die partye op hede die 16de dag van Julie 1991 in Port Elizabeth onderteken.

E. W. BAILEY,

Voorsitter.

T. MKALIPI,

Ondervoorsitter.

B. J. WILSON,

Sekretaris.

(ii) a trainee supervisor who is not considered suitable for promotion after completion of the probationary period shall return to his former position at his former wage."

(2) Substitute the following for subclause (6):

"(6) Notwithstanding anything to the contrary contained herein, the wage of an employee, who—

(a) immediately prior to the date on which this Agreement comes into operation, is in receipt of a wage higher than that prescribed for the class of work on which he is engaged shall, with effect from the date on which this Agreement comes into operation, be increased by an amount equal to the difference between the wage prescribed in the Agreement published under Government Notice No. R.705 of 5 April 1991 and the wage prescribed in this Agreement for the class of work on which he is engaged;

(b) on 31 October 1991 is in receipt of a wage higher than that prescribed as at that date for the class of work on which he is engaged shall, with effect from 1 November 1991, be increased by an amount equal to the difference between the wage prescribed as at 31 October 1991 and the wage prescribed as at 1 November 1991 for the class of work on which he is engaged."

(3) In subclause (10), substitute the expression "R2" for the expression "R1,80".

4. CLAUSE 13 OF THE FORMER AGREEMENT: ANNUAL PAID LEAVE AND PAID PUBLIC HOLIDAYS

(1) Substitute the following paragraph (c) of subclause (1):

"(c) In addition to the leave referred to in paragraphs (a) and (b), every employer shall grant one day's paid occasional leave, and the day to be taken as occasional leave shall be decided by the employer in consultation with the trade union/employees: Provided that an employee who is required by his employer to work on the shift immediately preceding and/or following the day referred to in this paragraph and who absents himself from work on such shift or shifts shall not be paid for such day or occasional leave not worked unless he was absent with the permission of the employer or on account of sickness which has been certified by a registered medical practitioner."

(2) In subclause (7) (a), after the expression "New Year's Day" add the expression "and Day of Goodwill".

5. CLAUSE 20 OF THE FORMER AGREEMENT: COUNCIL FUNDS

Substitute the expression "25 cents" for the expression "15 cents".

This Agreement signed at Port Elizabeth, on behalf of the parties, this 16th day of July 1991.

E. W. BAILEY,

Chairman.

T. MKALIPI,

Vice-Chairman.

B. J. WILSON,

Secretary.

DEPARTEMENT VAN NASIONALE GESONDHEID EN BEVOLKINGS- ONTWIKKELING

No. R. 2435 11 Oktober 1991

HERROEPING VAN DIE REGULASIES BETREFFENDE MATRASMAKERS EN STOFFEERDERS: WET OP GESONDHEID, 1977 (WET No. 63 VAN 1977)

Die Minister van Nasionale Gesondheid herroep hierby kragtens artikel 34 van die Wet op Gesondheid, 1977 (Wet No. 63 van 1977), die regulasies afgekondig by Goewermentskennisgewing No. 1384 van 26 Augustus 1938.

No. R. 2436 11 Oktober 1991

WET OP VOEDINGSMIDDELS, SKOONHEIDSMIDDELS EN ONTSMETTINGSMIDDELS, 1972 (WET No. 54 VAN 1972)

TOEPASSING DEUR PLAASLIKE BESTURE

Ek, Elizabeth Hendrina Venter, Minister van Nasionale Gesondheid, magtig hierby kragtens artikel 23 (1) van die Wet op Voedingsmiddels, Skoonheidsmiddels en Ontsmettingsmiddels, 1972 (Wet No. 54 van 1972), die Munisipaliteit van Reivilo om binne sy regsgebied en deur middel van sy behoorlik gemagtigde beamptes die toepaslike bepalings van genoemde Wet uit te voer.

E. H. VENTER,
Minister van Nasionale Gesondheid.

No. R. 2437 11 Oktober 1991

Die Direkteur-generaal van Nasionale Gesondheid en Bevolkingsontwikkeling het kragtens artikel 29 (1) en (3) van die Wet op Menslike Weefsel, 1983 (Wet 65 van 1983), dr. Paul Petrus Lombard met ingang van 1 September 1991 as Inspekteur van Anatomie vir die provinsie Transvaal aangestel.

No. R. 2453 11 Oktober 1991

WET OP VOEDINGSMIDDELS, SKOONHEIDSMIDDELS EN ONTSMETTINGSMIDDELS, 1972 (WET No. 54 VAN 1972)

TOEPASSING DEUR PLAASLIKE BESTURE

Ek, Elizabeth Hendrina Venter, Minister van Nasionale Gesondheid, magtig hierby kragtens artikel 23 (1) van die Wet op Voedingsmiddels, Skoonheidsmiddels en Ontsmettingsmiddels, 1972 (Wet No. 54 van 1972), die Munisipaliteit van Porterville om binne sy regsgebied en deur middel van sy behoorlik gemagtigde beamptes die toepaslike bepalings van genoemde Wet uit te voer.

E. H. VENTER,
Minister van Nasionale Gesondheid.

DEPARTMENT OF NATIONAL HEALTH AND POPULATION DEVELOPMENT

No. R. 2435 11 October 1991

WITHDRAWAL OF REGULATIONS REGARDING MATTRESS-MAKERS AND UPHOLSTERERS: HEALTH ACT, 1977 (ACT No. 63 of 1977)

The Minister of National Health hereby, in terms of section 34 of the Health Act, 1977 (Act No. 63 of 1977), withdraws the regulations published under Government Notice No. 1384 of 26 August 1938.

No. R. 2436 11 October 1991

FOODSTUFFS, COSMETICS AND DISINFECTANTS ACT, 1972 (ACT No. 54 of 1972)

ENFORCEMENT BY LOCAL AUTHORITIES

I, Elizabeth Hendrina Venter, Minister of National Health, hereby authorise under section 23 (1) of the Foodstuffs, Cosmetics and Disinfectants Act, 1972 (Act No. 54 of 1972), the Municipality of Reivilo to enforce the relevant provisions of the said Act within its area of jurisdiction and through its duly authorized officers.

E. H. VENTER,
Minister of National Health.

No. R. 2437 11 October 1991

The Director-General of National Health and Population Development has, in terms of section 29 (1) and (3) of the Human Tissue Act, 1983 (Act 65 of 1983), appointed Dr Paul Petrus Lombard, Inspector of Anatomy for the Province of the Transvaal with effect from 1 September 1991.

No. R. 2453 11 October 1991

FOODSTUFFS, COSMETICS AND DISINFECTANTS ACT, 1972 (ACT No. 54 of 1972)

ENFORCEMENT BY LOCAL AUTHORITIES

I, Elizabeth Hendrina Venter, Minister of National Health, hereby authorise under section 23 (1) of the Foodstuffs, Cosmetics and Disinfectants Act, 1972 (Act No. 54 of 1972), the Municipality of Porterville to enforce the relevant provisions of the said Act within its area of jurisdiction and through its duly authorized officers.

E. H. VENTER,
Minister of National Health.

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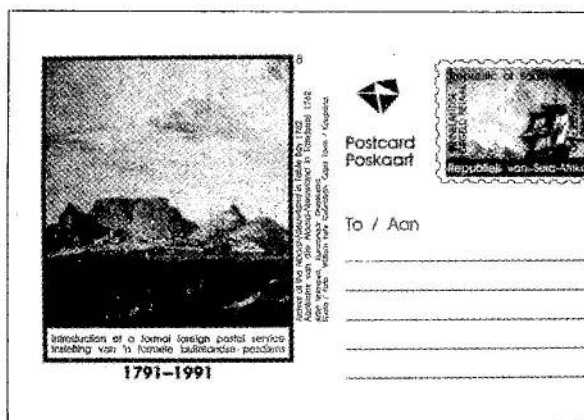
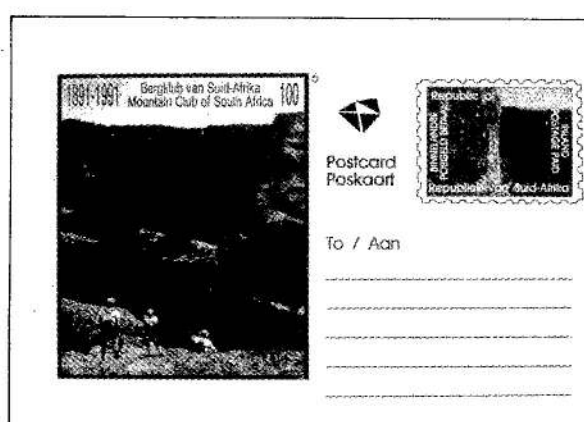
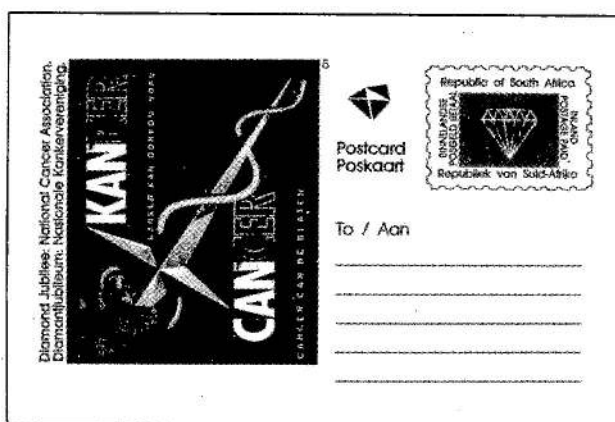
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