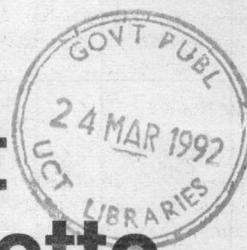


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PROKLAMASIE

van die

Staatspresident

van die Republiek van Suid-Afrika

No. R. 19, 1992

WYSIGINGSWET OP ONDERWYSWETGEWING
(ONDERWYS EN OPLEIDING), 1987 (WET 95 VAN
1987)

Kragtens artikel 23 van die Wysigingswet op
Onderwyswetgewing (Onderwys en Opleiding), 1987,
bepaal ek **4 September 1992** as die datum waarop
artikels 10 (b) en 16 van genoemde Wet in werking
tree.

Gegee onder my Hand en die Seël van die Repu-
bliek van Suid-Afrika te Kaapstad, op hede die Derde
dag van Maart Eenduisend Negehoenderd Twee-en-
negentig.

F. W. DE KLERK,
Staatspresident.

Op las van die Staatspresident-in-Kabinet:

S. J. DE BEER,
Minister van die Kabinet.

PROCLAMATION

by the

State President

of the Republic of South Africa

No. R. 19, 1992

EDUCATION LAWS (EDUCATION AND TRAIN-
ING) AMENDMENT ACT, 1987 (ACT 95 OF 1987)

Under section 23 of the Education Laws (Education
and Training) Amendment Act, 1987, I fix **4 September
1992** as the date on which sections 10 (b) and 16 shall
come into operation.

Given under my Hand and the Seal of the Republic
of South Africa at Cape Town this Third day of March,
One thousand Nine hundred and Ninety-two.

F. W. DE KLERK,
State President.

By Order of the State President-in-Cabinet:

S. J. DE BEER,
Minister of the Cabinet.

GOEWERMENSKENNISGEWINGS

DEPARTEMENT VAN FINANSIES

No. R. 822

20 Maart 1992

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE No. 1 (No. 1/1/465)

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 aan-
getoon.

J. A. VAN WYK,
Adjunkminister van Finansies.

GOVERNMENT NOTICES

DEPARTMENT OF FINANCE

No. R. 822

20 March 1992

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE No. 1 (No. 1/1/465)

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.	Artikelbeskrywing	Statistiese Eenheid	Skaal van Reg	Annotasies
29.24			Deur subpos No. 2924.29.40 deur die volgende te vervang:			
	"40	9	Alachloor	kg	10%"	
38.08			Deur subpos No. 3808.30.10 deur die volgende te vervang:			
	"10	5	Met alachloor as aktiewe bestanddeel	kg	10%"	

Opmerkings. — 1. Die skaal van reg op alachloor word van 10% of 850c/kg min 90% na 10% gewysig.

2. Die skaal van reg op plantdoders, anti-ontkiemingsmiddels en plantgroeireguleerders, met alachloor as aktiewe bestanddeel, word van 10% of 520c/kg min 90% na 10% gewysig.

SCHEDULE

Heading	Subheading	C. D.	Article Description	Statistical Unit	Rate of Duty	Annotations
29.24			By the substitution for subheading No. 2924.29.40 of the following:			
	"40	9	Alachlor	kg	10%"	
38.08			By the substitution for subheading No. 3808.30.10 of the following:			
	"10	5	With alachlor as active ingredient	kg	10%"	

Notes. — 1. The rate of duty on alachlor is amended from 10% or 850c/kg less 90% to 10%.

2. The rate of duty on herbicides, anti-sprouting products and plant-growth regulators, with alachlor as active ingredient, is amended from 10% or 520c/kg less 90% to 10%.

No. R. 823

20 Maart 1992

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE 3 (No. 3/170)

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. 823

20 March 1991

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE 3 (No. 3/170)

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	Annotasies
	Tarief- pos	Korting- kode	T. S.	Beskrywing		
306.10				Deur tariefpos No. 2912.60 te skrap. Deur tariefpos No. 2921.19 te skrap.		

Opmerking. — Die voorsienings vir 'n korting op reg op paraformaldehid en triëtielamien, vir die vervaardiging van alachloor, word ingetrek.

SCHEDULE

I Rebate Item	II				III Extent of Rebate	Annotations
	Tariff Heading	Rebate Code	C. D.	Description		
306.10				By the deletion of tariff heading No. 2912.60. By the deletion of tariff heading No. 2921.19.		

Note. — The provisions for a rebate of duty on paraformaldehyde and triethylamine, for the manufacture of alachlor, are withdrawn.

DEPARTEMENT VAN LANDBOU**No. R. 824****20 Maart 1992**

BEMARKINGSWET, 1968 (WET No. 59 VAN 1968)

HEFFING OP KARAKOELPELSE: WYSIGING

Ek, André Isak van Niekerk, Minister van Landbou, handelende kragtens artikel 84A van die Bemarkingswet, 1968 (Wet No. 59 van 1968), wysig hierby die Bylae by Goewermentskennisgewing No. R. 1180 van 29 Mei 1987, soos gewysig deur Goewermentskennisgewing No. R. 1729 van 11 Augustus 1989, verder deur in klousule 3 die uitdrukking "200,0 sent" deur die uitdrukking "150,0 sent (BTW ingesluit)" te vervang.

A. I. VAN NIEKERK,
Minister van Landbou.

No. R. 825**20 Maart 1992**

BEMARKINGSWET, 1968 (WET No. 59 VAN 1968)

KATOENSKEMA: HEFFING EN SPESIALE HEFFING: WYSIGING

Ek, André Isak van Niekerk, Minister van Landbou, maak hierby ingevolge artikel 79 van die Bemarkingswet, 1968 (Wet No. 59 van 1968), bekend dat—

(a) die Katoenraad bedoel in artikel 6 van die Katoenskema gepubliseer by Proklamasie No. R. 37 van 1974, soos gewysig, kragtens artikels 23 en 24A van genoemde Skema die Bylae by Goewermentskennisgewing No. R. 377 van 1 Maart 1991 gewysig het in die mate in die Bylae hierby uiteengesit; en

(b) genoemde wysiging deur my goedgekeur is en op die datum van publikasie hiervan in werking tree.

A. I. VAN NIEKERK,
Minister van Landbou.

BYLAE

Die Bylae by Goewermentskennisgewing No. R. 377 van 1 Maart 1991 word hierby gewysig deur klousule 3 deur die volgende klousule te vervang:

"Bedrag van heffing en spesiale heffing

3. Die bedrag van die heffing en spesiale heffing in klousule 2 bedoel, is onderskeidelik 4,07c (BTW ingesluit) per kg katoenvesel en 3,63c (BTW ingesluit) per kg katoenvesel."

No. R. 881**20 Maart 1992**WET OP VEEBRANDMERKE, 1962
(WET No. 87 VAN 1962)**TOEPASSING VAN WET**

Ek, Anthon Tobias Meyer, Adjunkminister van Landbou, handelende namens die Minister van Landbou kragtens artikel 1 van die Wet op Veebrandmerke, 1962 (Wet No. 87 van 1962), verklaar hiermee varke as vee vir die doeleindes van al die bepalings van genoemde Wet.

A. T. MEYER,
Adjunkminister van Landbou.

DEPARTMENT OF AGRICULTURE**No. R. 824****20 March 1992**

MARKETING ACT, 1968 (ACT No. 59 OF 1968)

LEVY ON KARAKUL PELTS: AMENDMENT

I, André Isak van Niekerk, Minister of Agriculture, acting under section 84A of the Marketing Act, 1968 (Act No. 59 of 1968), hereby further amend the Schedule to Government Notice No. R. 1180 of 29 May 1987, as amended by Government Notice No. R. 1729 of 11 August 1989, by the substitution in clause 3 for the expression "200,0 cents" of the expression "150,0 cents (VAT included)".

A. I. VAN NIEKERK,
Minister of Agriculture.

No. R. 825**20 March 1992**

MARKETING ACT, 1968 (ACT No. 59 OF 1968)

COTTON SCHEME: LEVY AND SPECIAL LEVY: AMENDMENT

I, André Isak van Niekerk, Minister of Agriculture, hereby make known in terms of section 79 of the Marketing Act, 1968 (Act No. 59 of 1968), that—

(a) the Cotton Board referred to in section 6 of the Cotton Scheme published by Proclamation No. R. 37 of 1974, as amended, has under section 23 and 24A of the said Scheme amended the Schedule to Government Notice No. R. 377 of 1 March 1991 to the extent set out in the Schedule hereto; and

(b) the said amendment has been approved by me and shall come into operation on the date of publication hereof.

A. I. VAN NIEKERK,
Minister of Agriculture.

SCHEDULE

The Schedule to Government Notice No. R. 377 of 1 March 1991 is hereby amended by the substitution for clause 3 of the following clause:

"Amount of levy and special levy

3. The amount of the levy and the special levy referred to in clause 2 shall respectively be 4,07c (VAT included) per kg cotton lint and 3,63c (VAT included) per kg cotton lint."

No. R. 881**20 March 1992**LIVESTOCK BRANDS ACT, 1962
(ACT No. 87 OF 1962)**APPLICATION OF ACT**

I, Anthon Tobias Meyer, Deputy Minister of Agriculture, acting on behalf of the Minister of Agriculture under section 1 of the Livestock Brands, 1962 (Act No. 87 of 1962), hereby declare pigs to be livestock for the purposes of all the provisions of the said Act.

A. T. MEYER,
Deputy Minister of Agriculture.

No. R. 882

20 Maart 1992

WET OP VEEBRANDMERKE, 1962
(WET No. 87 VAN 1962)

REGULASIES BETREFFENDE VEEBRANDMERKE

Die Adjunkminister van Landbou, handelende namens die Minister van Landbou, het kragtens artikel 22 van die Wet op Veebrandmerke, 1962 (Wet No. 87 van 1962) —

(a) die regulasies in die Bylae uitgevaardig;

(b) bepaal dat genoemde regulasies op die datum van publikasie hiervan, in werking tree; en

(c) die regulasies gepubliseer by Goewermentskenisgewings Nos. R. 519 van 29 Maart 1968, R. 3743 van 14 November 1969, R. 2728 van 14 Desember 1984, R. 317 van 20 Februarie 1987, R. 632 van 31 Maart 1988, R. 579 van 31 Maart 1989 en R. 1027 van 11 Mei 1990 met ingang van gemelde datum van inwerkingtreding herroep.

BYLAE

[Nota: Die syfers en letters in vierkantige hakies by die opskrifte van regulasies vermeld, dui die nommer van die toepaslike artikels in die Wet aan wat as magtiging daarvoor dien.]

Woordomskrywing

1. In hierdie Bylae het enige woord of uitdrukking waaraan 'n betekenis in die Wet geheg is, daardie betekenis, en beteken —

“**brandmerk**”, as selfstandige naamwoord, enige merk wat op die huid van vee aangebring word wat 'n permanente merk of litteken nalaat, en bestaan uit 'n karakter of kombinasie van karakters in die Aanhangsel uiteengesit;

“**die Wet**” die Wet op Veebrandmerke, 1962 (Wet No. 87 van 1962);

“**karakter**”, 'n simbool of letter met 'n patroon wat wesentlik ooreenstem met 'n patroon in die Aanhangsel uiteengesit, maar sluit nie 'n syfer in nie;

“**registrateur**”, die Registrateur van Veebrandmerke;

“**syfermerk**”, as selfstandige naamwoord, 'n syfer of syfers wat op vee aangebring word, hetsy dit 'n permanente merk of litteken veroorsaak of nie; en

“**tatoeëermerk**”, 'n brandmerk bestaande uit gaatjies in die huid van vee wat gevul is met 'n kleurstof wat koolstofdeeltjies bevat.

Registrasie van 'n brandmerk [5 (1); 14; 22 (1) (a), (i)]

2. 'n Aansoek om die registrasie van 'n brandmerk ingevolge artikel 5 van die Wet, moet —

(a) gedoen word op 'n vorm wat vir dié doel van die registrateur verkrygbaar is; en

(b) vergesel gaan van die bedrag in item 1 van die Tabel vermeld.

Oordrag van registrasie van 'n brandmerk [6 (1); 7 (1); 14; 22 (1) (a), (i)]

3. 'n Aansoek om die oordrag van die registrasie van 'n brandmerk ingevolge artikels 6 en 7 van die Wet, moet —

(a) gedoen word op 'n vorm wat vir dié doel van die registrateur verkrygbaar is;

No. R. 882

20 March 1992

LIVESTOCK BRANDS ACT, 1962
(ACT No. 87 OF 1962)

REGULATIONS CONCERNING LIVESTOCK BRANDS

The Deputy Minister of Agriculture, acting on behalf of the Minister of Agriculture, has under section 22 of the Livestock Brands Act, 1962 (Act No. 87 of 1962) —

(a) made the regulations in the Schedule;

(b) determined that the said regulations shall come into operation on the date of publication hereof; and

(c) repealed with effect from the said date of commencement the regulations published by Government Notices Nos. R. 519 of 29 March 1968, R. 3743 of 14 November 1969, R. 2728 of 14 December 1984, R. 317 of 20 February 1987, R. 632 of 31 March 1988, R. 579 of 31 March 1989 and R. 1027 of 11 May 1990.

SCHEDULE

[Note: The figures and letters specified in square brackets at the headings of regulations denote the numbers of the applicable sections in the Act serving as authority thereto.]

Definitions

1. Any word or expression in this Schedule to which a meaning has been assigned in the Act shall have that meaning, and —

“**brand**”, as a noun, means any mark which is applied on the hide of livestock which leaves a permanent mark or scar, and consists of a character or combination of characters set out in the Annexure;

“**character**” means a symbol or letter with a pattern which substantially conforms with a pattern indicated in the Annexure, but does not include a numeral;

“**numeral mark**”, as a noun, means a numeral or numerals applied on livestock, irrespective of whether or not it leaves a permanent mark or scar;

“**registrar**” means the Registrar of Livestock Brands;

“**tattoo mark**” means a brand consisting of holes made in the hide of livestock which are filled with a dye containing carbon particles; and

“**the Act**” means the Livestock Brands Act, 1962 (Act No. 87 of 1962).

Registration of a brand [5 (1); 14; 22 (1) (a), (i)]

2. An application for the registration of a brand in terms of section 5 of the Act shall —

(a) be made on a form which is obtainable from the registrar for this purpose; and

(b) be accompanied by the amount specified in item 1 of the Table.

Transfer of registration of a brand [6 (1); 7 (1); 14; 22 (1) (a), (i)]

3. An application for the transfer of a brand in terms of sections 6 and 7 of the Act shall —

(a) be made on a form which is obtainable from the registrar for this purpose;

(b) vergesel gaan van die bedrag in item 2 van die Tabel vermeld; en

(c) in die geval van 'n aansoek in artikel 7 (1) van die Wet bedoel, deur die eksekuteur van die boedel ingedien word om die registrateur te bereik binne 12 maande na die dood van die eienaar.

Sertifikaat van registrasie [5 (2); 6 (3); 22 (1) (a)]

4. Die sertifikaat van registrasie van 'n brandmerk wat ingevolge artikel 5 van die Wet toegeken is, moet besonderhede bevat betreffende—

- (a) die patroon en samestelling van die brandmerk;
- (b) die datum van uitreiking daarvan; en
- (c) die volle naam, identiteitsnommer en adres van die eienaar van daardie brandmerk.

Register van brandmerke [3 (1); 22 (1) (a)]

5. Die register van brandmerke wat ingevolge artikel 3 van die Wet gehou word, moet besonderhede bevat betreffende—

- (a) die brandmerk wat ingevolge artikel 5 van die Wet toegeken is;
- (b) die volle naam, identiteitsnommer en adres van die eienaar van sodanige brandmerk; en
- (c) die datum van uitreiking van die betrokke brandmerk.

Brandmerke vir veegroepe [4; 22 (1) (b)]

6. (1) 'n Brandmerk in die geval van grootvee bestaan uit een tot drie karakters en die karakters word gebrandmerk—

- (a) langs en 12,5 mm tot 19 mm van mekaar;
- (b) onder en 12,5 mm tot 19 mm van mekaar;
- (c) in 'n gelyksydige driehoekspatroon waarin die eerste karakter die toppunt vorm en die ander twee karakters langs en 12,5 mm tot 19 mm van mekaar, en 12,5 mm tot 19 mm onder die eerste karakter, die basis vorm; of
- (d) in 'n gelyksydige driehoekspatroon waarin die eerste karakter die onderpunt vorm en die ander twee karakters langs en 12,5 mm tot 19 mm van mekaar, en 12,5 mm tot 19 mm bokant die eerste karakter, die boonste sy vorm.

(2) 'n Brandmerk in die geval van kleinvee en varke bestaan uit een tot drie karakters en die karakters word getatoeër—

- (a) langs en 6 mm van mekaar; of
- (b) onder en 6 mm van mekaar.
- (3) 'n Brandmerk in die geval van volstruise bestaan uit een tot twee karakters en die karakters word—
- (a) onder en 6 mm van mekaar gebrandmerk;
- (b) onder en 6 mm van mekaar getatoeër; of
- (c) langs en 6 mm van mekaar getatoeër.

Karaktergroottes vir brandmerke [22 (1) (b), (j)]

7. In die geval van—

- (a) grootvee, mag die grootte van 'n karakter ten tye van die aanbring van 'n brandmerk by wyse van brandmerking, nie kleiner as 40 mm en nie groter as 100 mm by die wydste, en nie kleiner as 40 mm en nie groter as 100 mm by die hoogste plek wees nie;

(b) be accompanied by the amount specified in item 2 of the Table; and

(c) in the case of an application referred to in section 7 (1) of the Act, be submitted by the executor of the estate to reach the registrar within 12 months of the death of the owner.

Certificate of registration [5 (2); 6 (3); 22 (1) (a)]

4. The certificate of registration of a brand that is allocated in terms of section 5 of the Act shall contain particulars regarding—

- (a) the pattern and composition of the brand;
- (b) the date on which it was issued; and
- (c) the full name, identity number and address of the owner of that brand.

Register of brands [3 (1); 22 (1) (a)]

5. The register of brands kept in terms of section 3 of the Act shall contain particulars regarding—

- (a) the brand allocated in terms of section 5 of the Act;
- (b) the full name, identity number and address of the owner of such brand; and
- (c) the date on which the brand concerned was issued.

Brands for livestock groups [4; 22 (1) (b)]

6. (1) A brand in the case of large stock shall consist of one to three characters and the characters shall be branded—

- (a) next to and 12,5 mm to 19 mm from each other;
- (b) below and 12,5 mm to 19 mm from each other;
- (c) in an equilateral triangular pattern in which the first character form the apex and the other two characters, applied next to and 12,5 mm to 19 mm from each other, and 12,5 mm to 19 mm below the first character, form the base; or
- (d) in an equilateral triangular pattern in which the first character forms the bottom and the other two characters, applied next to and 12,5 mm to 19 mm from each other, and 12,5 mm to 19 mm above the first character, form the top edge.

(2) A brand in the case of small stock and pigs shall consist of one to three characters and the characters shall be tattooed—

- (a) next to and 6 mm from each other; or
- (b) below and 6 mm from each other.
- (3) A brand in the case of ostriches shall consist of one to two characters and the characters shall—
- (a) be branded next to and 6 mm from each other;
- (b) be tattooed next to and 6 mm from each other; or
- (c) be tattooed below and 6 mm from each other.

Character sizes for brands [22 (1) (f)]

7. In the case of—

- (a) large stock, the size of a character at the time of the application of a brand by means of branding, shall not be less than 40 mm and exceed 100 mm in width at the widest part and shall not be less than 40 mm and exceed 100 mm in height at the highest part;

(b) kleinvee en varke, mag die grootte van 'n karakter ten tye van die aanbring van 'n brandmerk by wyse van tatoeëring, nie groter as 19 mm by die wydste en 19 mm by die hoogste plek wees nie;

(c) volstruise, mag die grootte van 'n karakter ten tye van die aanbring van 'n brandmerk by wyse van tatoeëring, nie groter as 19 mm by die wydste en 19 mm by die hoogste plek wees nie; en

(d) volstruise, mag die grootte van 'n karakter ten tye van die aanbring van 'n brandmerk by wyse van brandmerking, nie groter as 25 mm by die wydste en 25 mm by die hoogste plek wees nie.

Ouderdom van vee by brandmerk [22 (1) (f)]

8. (1) Niemand mag 'n brandmerk by wyse van brandmerking aanbring nie op—

(a) grootvee onder speenouderdom; of

(b) volstruise onder die ouderdom van 6 maande.

(2) Niemand mag 'n brandmerk by wyse van tatoeëring aanbring nie op—

(a) kleinvee onder die ouderdom van 6 maande;

(b) varke onder speenouderdom; of

(c) volstruise onder die ouderdom van 1 week of bo die ouderdom van 6 maande.

Liggaamsdele waarop vee gebrandmerk word en die posisie waarin opeenvolgende brandmerke met betrekking tot mekaar aangebring word [22 (1) (g)]

9. (1) In die geval van—

(a) grootvee, moet 'n brandmerk eerstens op die linkeragterbeen en daarna op die linkerblad, die regteragterbeen en regterblad, deur opeenvolgende eienaars by wyse van brandmerking aangebring word;

(b) kleinvee, moet 'n brandmerk eerstens in die linkeroor en daarna in die regteroor, linkerokselomgewing en regterokselomgewing, deur opeenvolgende eienaars by wyse van tatoeëring aangebring word; en

(c) varke, moet 'n brandmerk eerstens in die linkeroor en daarna in die regteroor deur opeenvolgende eienaars by wyse van tatoeëring aangebring word.

(2) In die geval van—

(a) volstruise jonger as 6 maande, moet 'n brandmerk onder die linkervlerk by wyse van tatoeëring aangebring word; en

(b) volstruise ouer as 6 maande, moet 'n brandmerk eerstens op die linkerdy aan die buitekant, en daarna op die regterdy aan die buitekant, deur opeenvolgende eienaars by wyse van brandmerking aangebring word.

(3) Nieteenstaande die bepalings van subregulasies (1) en (2) mag 'n brandmerk op dieselfde liggaamsdeel as die jongste vorige brandmerk aangebring word indien daar genoegsame spasie is en dit direk bokant die betrokke vorige brandmerk aangebring word.

Wyse waarop brandmerk aangebring moet word [22 (1) (g)]

10. (1) 'n Brandmerk moet op so 'n wyse aangebring word dat dit 'n permanente, leesbare merk nalaat.

(2) Geen syfermerk of opeenvolgende brandmerk in regulasie 9 bedoel mag binne 50 mm van 'n bestaande brandmerk aangebring word nie.

(b) small stock and pigs, the size of a character at the time of the application of a brand by means of tattooing, shall not exceed 19 mm in width at the widest and 19 mm in height at the highest part;

(c) ostriches, the size of a character at the time of the application of a brand by means of tattooing, shall not exceed 19 mm in width at the widest and 19 mm in height at the highest part; and

(d) ostriches, the size of a character at the time of the application of a brand by means of branding, shall not exceed 25 mm in width at the widest and 25 mm in height at the highest part.

Age of livestock at the time of branding [22 (1) (f)]

8. (1) No person shall apply a brand by means of branding—

(a) on large stock under weaning age; or

(b) on ostriches under the age of 6 months.

(2) No person shall apply a brand by means of tattooing—

(a) on small stock under the age of 6 months;

(b) on pigs under weaning age; or

(c) on ostriches under the age of 1 week or over the age of 6 months.

Limbs on which livestock shall be branded and the position in which successive brands shall be applied in relation to each other [22 (1) (g)]

9. (1) In the case of—

(a) large stock, the brand shall firstly be applied by means of branding on the left hind leg and thereafter the left shoulder, the right hind leg and the right shoulder, by successive owners;

(b) small stock, the brand shall firstly be applied by means of tattooing in the left ear and thereafter the right ear, the left axilla vicinity and the right axilla vicinity, by successive owners; and

(c) pigs, the brand shall firstly be applied by means of tattooing in the left ear, and thereafter the right ear, by successive owners.

(2) In the case of—

(a) ostriches under the age of 6 months, the brand shall be applied by means of tattooing under the left wing; and

(b) ostriches over the age of 6 months, the brand shall be applied by means of branding on firstly the left outer thigh, and thereafter the right outer thigh, by successive owners.

(3) Notwithstanding the provisions of subregulations (1) and (2) a brand may be applied on the same limb as the immediate previous brand if adequate space is available to apply such brand directly above the previous brand concerned.

Manner in which a brand must be applied on livestock [22 (1) (g)]

10. (1) A brand shall be applied in such a manner that it leaves a permanent, legible mark.

(2) No numeral mark or successive brand referred to in regulation 9 shall be applied within 50 mm of an existing brand.

Kennisgewing deur skutmeester [17]

11. (1) 'n Kennisgewing wat ingevolge artikel 17 van die Wet deur 'n skutmeester aan die eienaar van 'n brandmerk gegee word, moet besonderhede bevat betreffende—

- (a) die naam en adres van die skut;
- (b) die naam en adres van die eienaar van die brandmerk;
- (c) die beskrywing van die brandmerk;
- (d) die beskrywing van die vee in die skut;
- (e) die aantal vee van elke beskrywing;
- (f) die datum waarop die vee van elke beskrywing geskut is;
- (g) die datum waarop die vee van elke beskrywing per veiling verkoop gaan word;
- (h) die datum van uitreiking van so 'n kennisgewing; en
- (i) die bedrag wat ingevolge die bepalings van subregulasie (2) deur die eienaar van daardie vee betaalbaar is.

(2) (a) 'n Kennisgewing in subregulasie (1) bedoel moet per gesertifiseerde pos aan die eienaar van die vee wat geskut is, versend word.

(b) Die bedrag in item 3 van die Tabel vermeld, is deur die betrokke eienaar aan die skutmeester betaalbaar ten opsigte van so 'n kennisgewing.

(c) Ongeag die aantal vee met dieselfde brandmerk wat ten tye van die uitreiking van so 'n kennisgewing in die skut verkeer, reik die skutmeester slegs een kennisgewing uit.

Misdrywe en strawwe [22 (1) (j)]

12. Iemand wat—

- (a) 'n brandmerk deur middel van 'n warm yster op kleinvee of varke aanbring;
 - (b) 'n brand- of syfermerk nader as 50 mm aan 'n bestaande brandmerk op grootvee aanbring;
 - (c) die bepalings van regulasie 7, 8 of 9 oortree,
- is aan 'n misdryf skuldig en by skuldigbevinding strafbaar met 'n boete van hoogstens R5 000 of met gevangenisstraf vir 'n tydperk van hoogstens 6 maande of met sowel daardie boete as daardie gevangenisstraf.

Notice by pound-master [17]

11. (1) A notice, which a pound-master in terms of section 17 of the Act is required to serve on the owner of a brand shall contain particulars regarding—

- (a) the name and address of the pound;
- (b) the name and address of the owner of the brand;
- (c) the description of the brand;
- (d) the description of the livestock in the pound;
- (e) the number of livestock of each description;
- (f) the date on which the livestock of each description were impounded;
- (g) the date on which the livestock of each description will be auctioned;
- (h) the date of issue of such notice; and
- (i) the amount payable by the owner in terms of the provisions of subregulation (2).

(2) (a) A notice referred to in subregulation (1) shall be sent by means of certified post to the owner of the impounded livestock.

(b) The amount specified in item 3 of the Table shall be payable to the pound-master by the owner concerned in respect of such a notice.

(c) Irrespective of the number of livestock with the same brand which is in the pound at the time of issue of such notice, the pound-master shall issue only one notice.

Offences and penalties [22 (1) (j)]

12. Any person—

- (a) who applies a brand on small stock or pigs by means of a hot iron;
- (b) who applies a brand or numeral mark on large stock within 50 mm of an existing brand; or
- (c) who contravenes the provisions of regulation 7, 8 or 9,

shall be guilty of an offence and upon conviction be liable to a fine not exceeding R5 000 or imprisonment for a period not exceeding six months or to both such fine and imprisonment.

TABEL/TABLE**GELDE BETAALBAAR/FEES PAYABLE**

1. Aansoek om registrasie van 'n brandmerk/Application for the registration of a brand [reg. 2 (b)]....	R61,00 per aansoek/per application.
2. Aansoek om oordrag van die registrasie van 'n brandmerk/Application for the transfer of the registration of a brand [reg. 3 (b)]	R61,00 per aansoek/per application.
3. Skutmeesterskennisgewing/Pound-master's notice [reg. 11 (2)].....	R20,00 per kennisgewing/per notice.



DEPARTEMENT VAN MANNEKRAG**No. R. 863****20 Maart 1992****WET OP ARBEIDSVERHOUDINGE, 1956****MEUBELNYWERHEID, NATAL: VERLENGING VAN HOOFOOREENKOMS**

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. 2620 van 30 November 1984, R. 1444 van 28 Junie 1985, R. 187 van 31 Januarie 1986, R. 520 van 21 Maart 1986, R. 742 en R. 743 van 18 April 1986, R. 1169 van 13 Junie 1986, R. 1523 en R. 1524 van 18 Julie 1986, R. 1204 van 24 Junie 1988, R. 2333 en R. 2334 van 18 November 1988, R. 2111 van 29 September 1989, R. 391 van 23 Februarie 1990, R. 137 van 25 Januarie 1991, R. 1080 van 17 Mei 1991 en R. 2855 van 29 November 1991, met 'n verdere tydperk wat op 31 Julie 1992 eindig.

D. VAN DER WALT,

Direkteur: Arbeidsverhoudinge.

No. R. 880**20 Maart 1992****WET OP ARBEIDSVERHOUDINGE, 1956****BOU- EN KLIPMESSSELNYWERHEID, (TRANSVAAL): OOREENKOMS VIR ONGESKOOLDE WERKNEMERS**

Ek, Glen Morris Edwin Carelse, Adjunkminister van Mannekrag, verklaar hierby—

(a) kragtens artikel 48 (1) (a) van die Wet op Arbeidsverhoudinge, 1956, dat die bepalings van die Ooreenkoms wat in die Bylae hiervan verskyn en betrekking het op die Onderneming, Nywerheid, Bedryf of Beroep in die opskrif by hierdie kennisgewing vermeld, met ingang van die eerste Maandag na die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 31 Oktober 1992 eindig, bindend is vir die werkgewersorganisasies en die vakverenigings wat genoemde Ooreenkoms aangegaan het en vir die werkgewers en werknemers wat lede van genoemde organisasies of verenigings is; en

(b) kragtens artikel 48 (1) (b) van genoemde Wet, dat die bepalings van die genoemde Ooreenkoms, uitgesonderd dié vervat in klousules 1.1.1 (i), 2, 11, 12.9, 18 en 19 van Hoofstuk I met ingang van die eerste Maandag na die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 31 Oktober 1992 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 genoemde Ooreenkoms gespesifiseer.

G. M. E. CARELSE,

Adjunkminister van Mannekrag.

DEPARTMENT OF MANPOWER**No. R. 863****20 March 1992****LABOUR RELATIONS ACT, 1956****FURNITURE MANUFACTURING INDUSTRY, 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. 2620 of 30 November 1984, R. 1444 of 28 June 1985, R. 187 of 31 January 1986, R. 520 of 21 March 1986, R. 742 and R. 743 of 18 April 1986, R. 1169 of 13 June 1986, R. 1523 and R. 1524 of 18 July 1986, R. 1204 of 24 June 1988, R. 2333 and R. 2334 of 18 November 1988, R. 2111 of 29 September 1989, R. 391 of 23 February 1990, R. 37 of 25 January 1991, R. 1080 of 17 May 1991 and R. 2855 of 29 November 1991, by a further period ending 31 July 1992.

D. VAN DER WALT,

Director: Labour Relations.

No. R. 880**20 March 1992****LABOUR RELATIONS ACT, 1956****BUILDING AND MASONRY INDUSTRIES (TRANSVAAL): AGREEMENT FOR UNSKILLED EMPLOYEES**

I, Glen Morris Edwin Carelse, Deputy Minister of Manpower, hereby—

(a) in terms of section 48 (1) (a) of the Labour Relations Act, 1956, declare that the provisions of the Agreement which appears in the Schedule hereto and which relates to the Undertaking, Industry, Trade or Occupation referred to in the heading to this notice, shall be binding, with effect from the first Monday after the date of publication of this notice and for the period ending 31 October 1992, upon the employers' organisations and the trade unions which entered into the said Agreement and upon the employers and employees who are members of the said organisations or unions; and

(b) in terms of section 48 (1) (b) of the said Act, declare that the provisions of the said Agreement, excluding those contained in clauses 1.1.1 (i), 2, 11, 12.9, 18 and 19 of Chapter I, shall be binding, with effect from the first Monday after the date of publication of this notice and for the period ending 31 October 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 said Agreement.

G. M. E. CARELSE,

Deputy Minister of Manpower.

BYLAE**NYWERHEIDSRAAD VIR DIE BOUNYWERHEID
(TRANSVAAL)****OOREENKOMS**

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

Master Builders' Association (Witwatersrand and Transvaal South)

Building Industries Association (Transvaal North)

Master Masons' and Quarry Owners' Association (South Africa)

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

Amalgamated Union of Building Trade Workers of South Africa

Construction and Allied Workers' Union

Building Industries Workers' Union

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

wat die partye is by die Nywerheidsraad vir die Bounywerheid (Transvaal).

HOOFSTUK I**1. GEBIED EN TOEPASSINGSBESTEK VAN
OOREENKOMS**

1.1 Hierdie Ooreenkoms moet in die Bou- en Monumentklippmesselnywerheid nagekom word—

1.1.1 (i) deur alle werkgewers wat lede is van die werkgewersorganisasies en deur alle werknemers wat lede is van die vakverenigings;

(ii) (a) in die landdrostdistrikte Alberton, Balfour, Benoni, Boksburg, Brakpan, Delmas, Germiston, Heidelberg (Transvaal), Johannesburg, Nigel, Randburg, Randfontein (uitgesonderd die gedeelte wat buite 'n straal van 48,28 km vanaf die Hoofposkantoor, Krugersdorp, val), Roodepoort, Springs en Wonderboom (uitgesonderd die gedeelte wat buite 'n straal van 32,18 km vanaf die Hoofposkantoor, Pretoria, val); die gebied binne 'n straal van 48,28 km vanaf die Hoofposkantoor, Krugersdorp; die gebied binne 'n straal van 32,18 km vanaf die Hoofposkantoor, Vereeniging; die gebied binne 'n straal van 32,18 km vanaf die Hoofposkantoor, Pretoria (uitgesonderd die gedeelte van die Swart Gebied uitvalgrond JQ 4341 wat binne genoemde straal val); die gebiede binne 'n straal van 16,09 km vanaf die Hoofposkantoor op onderskeidelik Klerksdorp, Potchefstroom, Witbank en Middelburg (Transvaal); en in die landdrostdistrik Kempton Park (uitgesonderd die gedeelte wat buite 'n straal van 32,18 km vanaf die Hoofposkantoor Pretoria, val en wat voor die publikasie van Goewermentskennisgewing 551 van 29 Maart 1956 binne die landdrostdistrik Pretoria geval het);

(b) in die landdrostdistrik Bethal (met inbegrip van die gedeelte van die landdrostdistrik Hoëveldrif wat voor 1 Maart 1979 binne die landdrostdistrik Bethal geval het).

1.2. Ondanks klousule 1.1 is hierdie Ooreenkoms—

1.2.1 slegs van toepassing op dié klasse werknemers vir wie lone in hierdie Ooreenkoms voorgeskryf word;

1.2.2 van toepassing op voormanne en algemene voormanne;

1.2.3 nie van toepassing op klerke en administratiewe personeel nie;

1.2.4 nie van toepassing nie op persone wat betrokke is by die installering en/of bedrading van elektriese lig, verwarmings- of ander permanente vaste elektriese toebehoere in geboue of die herstel of onderhoud van hyfers in geboue wanneer sodanige werk deur 'n werkgewer onderneem word wat onder die jurisdiksie van 'n ander Nywerheidsraad val nie;

SCHEDULE**INDUSTRIAL COUNCIL FOR THE BUILDING INDUSTRY
(TRANSVAAL)****AGREEMENT**

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

Master Builders' Association (Witwatersrand and Transvaal South)

Building Industries Association (Transvaal North)

Master Masons' and Quarry Owners' Association (South Africa)

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

Amalgamated Union of Building Trade Workers of South Africa

Construction and Allied Workers' Union

Building Industries Workers' Union

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

being the parties to the Industrial Council for the Building Industry (Transvaal),

CHAPTER I**1. AREA AND SCOPE OF APPLICATION OF
AGREEMENT**

1.1 The terms of this Agreement shall be observed in the Building and Masonry Industries—

1.1.1 (i) by all employers who are members of the employers' organisations and by all employees who are members of the trade unions;

(ii) (a) in the Magisterial Districts of Alberton, Balfour, Benoni, Boksburg, Brakpan, Delmas, Germiston, Heidelberg (Transvaal), Johannesburg, Nigel, Randburg, Randfontein (excluding that portion which falls outside a radius of 48,28 km of the General Post Office, Krugersdorp), Roodepoort, Springs and Wonderboom (excluding that portion which falls outside a radius of 32,18 km of the General Post Office, Pretoria); the area within a radius of 48,28 km of the General Post Office, Krugersdorp; the area within a radius of 32,18 km of the General Post Office, Vereeniging; the area within a radius of 32,18 km of the General Post Office, Pretoria (excluding that portion of the Black Area Uitvalgrond JQ 4341 which falls within the said radius); the areas within a radius of 16,09 km of the General Post Offices, Klerksdorp, Potchefstroom, Witbank and Middelburg (Transvaal) respectively; and in the Magisterial District of Kempton Park (excluding that portion which falls outside a radius of 32,18 km of the General Post Office, Pretoria, and which, prior to the publication of Government Notice No. 551 of 29 March 1956, fell within the Magisterial District of Pretoria);

(b) in the Magisterial District of Bethal (including that portion of the Magisterial District of Hoëveldrif which, prior to 1 March 1979, fell within the Magisterial District of Bethal).

1.2. Notwithstanding the provisions of clause 1.1, the terms of this Agreement shall—

1.2.1 apply only to those classes of employees for whom wages are prescribed in this Agreement;

1.2.2 apply to foremen and general foremen;

1.2.3 not apply to clerical employees and administrative staff;

1.2.4 not apply to persons who are engaged in the installation or wiring of lighting, heating or other permanent electrical fixtures in buildings or the repair or maintenance of lifts in buildings when such work is undertaken by an employer falling under the jurisdiction of another Industrial Council;

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

1.2.6 nie van toepassing nie op die Yster-, Staal-, Ingenieurs- en Metallurgiese nywerheid soos omskryf in paragraaf G van die Registrasiesertifikaat van die Nasionale Nywerheidsraad vir die Yster-, Staal-, Ingenieurs- en Metallurgiese Nywerheid van Suid-Afrika;

1.2.7 onderworpe aan die bepalinge van alle vasstellings gemaak deur die Nywerheidshof met betrekking tot die Bounywerheid en die Meubelnywerheid;

1.2.8 nie van toepassing nie op werknemers wat in die Bounywerheid betrokke is by die oprigting van individuele behuising van minder as 50 vierkante meter. Hierdie subklousule is egter nie van toepassing op massa-behuisingskontrakte nie.

2. GELDIGHEIDSDUUR VAN OOREENKOMS

Hierdie Ooreenkoms tree in werking op die datum van die Minister van Mannekrag kragtens artikel 48 van die Wet vasstel en bly van krag vir 'n tydperk eindigende 31 Oktober 1992 of vir die tydperk wat hy bepaal.

3. WOORDOMSKRYWING

Alle uitdrukkings wat in hierdie Ooreenkoms gebesig en in die Wet op Arbeidsverhoudinge, 1956, omskryf word, het dieselfde betekenis as in daardie Wet, en waar daar van 'n wet melding gemaak word, word ook alle wysigings van sodanige wet bedoel; voorts, tensy onbestaanbaar met die sinsverband, beteken—

“Wet” die Wet op Arbeidsverhoudinge, 1956;

“hulpambag,” ’n ambag wat in enige ander nywerheid as geskoold beskryf word;

“Gebied A” die landdrostdistrikte Alberton, Benoni, Germiston, Boksburg, Brakpan, Johannesburg (uitgesonderd enige gedeelte wat voor die publikasie van Goewermentskenningsgewing 1383 van 11 September 1964 binne die landdrostdistrik Roodepoort geval het maar buitekant ’n straal van 48,28 km vanaf die Hoofposkantoor, Krugersdorp), Kempton Park (uitgesonderd enige gedeelte wat voor die publikasie van Goewermentskenningsgewing 551 van 29 Maart 1956 binne die landdrostdistrik Pretoria geval het, maar buitekant ’n straal van 32,18 km vanaf die Hoofposkantoor, Pretoria), Krugersdorp, 32,18 km vanaf die Hoofposkantoor, Pretoria (uitgesonderd die gedeelte van die landdrostdistrik Brits wat binne genoemde straal van 32,18 km val en uitgesonderd die gedeelte van die Swart Gebied Uitvalgrond JQ 4341 wat binne hierdie straal val), en binne ’n straal van 32,18 km vanaf die Hoofposkantoor, Vereeniging, Randburg, Randfontein, Roodepoort, Springs en Wonderboom (uitgesonderd die gedeelte wat buite ’n straal van 32,18 km vanaf die Hoofposkantoor, Pretoria, val);

“Gebied B” die landdrostdistrikte Delmas, Heidelberg, Nigel, binne ’n straal van 16,09 km vanaf die Hoofposkantoor, Potchefstroom en Klerksdorp, alle ander gebiede wat binne ’n straal van 48,28 km vanaf die Hoofposkantoor, Krugersdorp, val, uitgesonderd die gebiede wat reeds in die omskrywing van Gebied A omvat is;

“Gebied C” die landdrostdistrikte Balfour en Bethal (met inbegrip van die gedeelte van die landdrostdistrik Hoëveldrif wat voor 1 Maart 1979 binne die landdrostdistrik Bethal geval het), en binne ’n straal van 16,09 km vanaf onderskeidelik die Hoofposkantoor Middelburg (Transvaal) en die Hoofposkantoor Witbank;

“ambagsman” ’n werknemer wat in ’n nie-aangewese ambag in diens is en wat sy ingeskrewe leertydperk as vakleerling ingevolge die Wet op Mannekragopleiding, 1981, suksesvol voltooi het;

“blok” ’n bouwerkeenheid waarvan die afmetings groter is as 300 mm × 100 mm × 75 mm;

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

1.2.6 not include the Iron, Steel, Engineering and Metallurgical Industries as defined in paragraph G of the Certificate of Registration of the National Industrial Council for the Iron, Steel, Engineering and Metallurgical Industry of South Africa;

1.2.7 be subject to the provisions of any determination by the Industrial Court in relation to the Building Industry and the Furniture Industry;

1.2.8 not apply to employees engaged in the Building Industry on individual housing of less than 50 square metres. However, this subclause shall not apply to mass housing contracts.

2. PERIOD OF OPERATION OF AGREEMENT

This Agreement shall come into operation on such date as may be fixed by the Minister of Manpower in terms of section 48 of the Act and shall remain in force for a period ending 31 October 1992 or for such period as may be determined by him.

3. DEFINITIONS

Any expressions used in this Agreement which are defined in the Labour Relations Act, 1956, shall have the same meaning as in the Act, and any reference to an Act shall include any amendment of such Act; further unless inconsistent with the context—

“Act” means the Labour Relations Act, 1956;

“ancillary trade,” means any trade defined as skilled in any other industry;

“Area A” means the Magisterial Districts of Alberton, Benoni, Germiston, Boksburg, Brakpan, Johannesburg (excluding any portion which, prior to the publication of Government Notice 1383 of 11 September 1964, fell within the Magisterial District of Roodepoort but outside a radius of 48,28 km of the General Post Office, Krugersdorp), Kempton Park (excluding any portion which, prior to the publication of Government Notice 551 of 29 March 1956, fell within the Magisterial District of Pretoria but outside a radius of 32,18 km of the General Post Office, Pretoria), Krugersdorp, 32,18 km of the General Post Office, Pretoria (excluding that portion of the Magisterial District of Brits falling within the said radius of 32,18 km and excluding that portion of the Black Area Uitvalgrond JQ 4341 falling within this radius) and within the radius of 32,18 km of the General Post Office, Vereeniging, Randburg, Randfontein, Roodepoort, Springs and Wonderboom (excluding that portion which falls outside a radius of 32,18 km of the General Post Office, Pretoria);

“Area B” means the Magisterial Districts of Delmas, Heidelberg, Nigel, within a radius of 16,09 km of the General Post Office, Potchefstroom and Klerksdorp, all other areas falling within the radius of 48,28 km of the General Post Office, Krugersdorp, excluding those areas already embraced in the definition of Area A;

“Area C” means the Magisterial Districts of Balfour and Bethal (including that portion of the Magisterial District of Hoëveldrif which, prior to 1 March 1979, fell within the Magisterial district of Bethal), and within a radius of 16,09 km of the General Post Office, Middelburg (Transvaal) and Witbank, respectively;

"Bounywerheid", sonder om die gewone betekenis van die uitdrukking enigerwyse te beperk, die Nywerheid waarin werkgewers en werknemers met mekaar geassosieer is met die doel om geboue en bouwerke op te rig, te voltooi, op te knap, te herstel, te onderhou of te verbou en/of om artikels te maak vir gebruik by die oprigting, voltooiing of verbouing van geboue en bouwerke, afgesien daarvan of die werk verrig, die materiaal berei of die nodige artikels gemaak word op die terrein van die gebou of bouwerk of elders, en omvat dit alle werk wat verrig word deur persone wat in genoemde Nywerheid betrokke is by ondergenoemde ambagte of onderafdelings daarvan:

Asfaltwerk, wat die volgende insluit: Die bedekking van vloere, plat- en/of staandakke, die waterdigting of vogdigting van kelders of fondamente, hetsy met bereide rolle dakbedekking of asfaltplate met geglasuurde of niegeglasuurde oppervlakke, of nie, en afgesien daarvan of teer, macadam, neuchatel, limmer of a ander tipe soliede of halfsoliede asfalt, mastik of emulsie-asfalt of bitumen wat of warm of koud op sodanige dak, vloer, kelder of fondament aangebring word, gebruik word of nie;

messelwerk, wat die volgende insluit: Betonwerk en die aanbring van betonblokke, -blaaie of -plate, die aanbring van teëls aan mure en vloere, voegwerk aan steenwerk, voegstryking, plaveiwerk, mosaikwerk, voorwerk met leiklip, met marmer en met komposiemateriaal, rioolaanlegwerk, leiklipwerk, pandekking en sementkalfaatwerk aan erdepypriole;

lakpoelerwerk, wat poelerwerk met 'n kwas of kussinkie en bespuiting met 'n komposisiestof insluit;

beglasing, wat die volgende insluit: Die sny en/of aanbring van alle soorte glas of dergelike materiaal in sponnings in hout- of metaaldeure, -vensters, -rame of dergelike vaste toebehore, en alle werksaamhede wat daarmee in verband staan;

skrynerwerk, wat die volgende insluit: Die aanbring van alle houttoebehore en die vervaardiging van alle skrynerwerkartikels wat met sodanige toebehore in verband staan, afgesien daarvan of die persoon wat sodanige artikel vervaardig of voorberei het, die aanbringwerk in die gebou of bouwerk doen of nie, en wat ook rakkaste, kombuiskaste of ander kombuistoebehore insluit wat as 'n permanente deel van die gebou aangebring word;

ruit-in-lood-werk, wat die volgende insluit: Die vervaardiging en/of aanbring van ruite in lood en/of ander metaal en van reklameborde (uitgesonderd die elektriese toebehore wat daarmee in verband staan) en die beglasing wat daarop betrekking het;

klipmesselwerk, wat die volgende insluit: Klipkapwerk, klipverwerking en klipbouwerk, asook die sny-, poleer- en profielsnywerk met klipwerkmasjinerie, afgesien daarvan of die persoon wat sodanige artikel vervaardig of voorberei het, die aanbringwerk doen of nie;

metaalwerk, wat die volgende insluit: Die aanbring van staalplafonne, metaalvensters, metaaldeure, siermetaalwerk, metaalrame en metaaltrappe en boumetaalwerk die vervaardiging en/of aanbring van getrokke metaal en plaat- en uitgedrukte metaal, afgesien daarvan of die persoon wat sodanige artikel vervaardig of voorberei het, die aanbringwerk in die gebou of bouwerk doen of nie;

verfwerk, wat die volgende insluit: Versierwerk, muurplakwerk, beglasing, distemperwerk, afwit- en kleurkalkwerk, beitswerk, verniswerk, vlamskilderwerk en marmering en bespuiting, spuitverfwerk, letterskilderwerk en muurversiering, die gebruik van teer en die produkte daarvan, asook skuurwerk en alle werk ter voorbereiding vir die werksaamhede soos voornoem, die afskuur van mure en houtwerk die opvul van barste in mure en die aanbring van stopverf in houtwerk;

"artisan" means an employee employed in a non-designated trade and who has successfully completed indenture-ship as an apprentice in terms of the Manpower Training Act, 1981;

"block" means any building work unit with dimensions in excess of 300 mm × 100 mm × 75 mm;

"Building Industry", means, without in any way limiting the ordinary meaning of the expression, the Industry in which employers and employees are associated for the purpose of erecting, completing, renovating, repairing, maintaining or altering buildings and structures and/or the making of articles for use in the erection, completion or alteration of buildings and structures, whether the work is performed, the material is prepared, or the necessary articles are made on the side of the building or structure or elsewhere, and shall include all work executed or carried out by persons in the said Industry who are engaged in the following trades or subdivisions thereof;

Asphalting, which includes covering floors, flat and/or sloping roofs, water proofing or damp proofing of basements or foundations, whether or not with prepared roll roofing or asphalt sheeting having glazed or unglazed surfaces, whether or not using tar, macadam, neuchatel, limmer or any other type of solid or semi-solid asphalt, mastic or emulsified asphalts or bitumens, applied either hot or cold to such roofs, floors or basements or foundations;

bricklaying, which includes concreting and the fixing of concrete blocks, slabs of plates, tiling of walls and floors, jointing of brick work, pointing, paving mosaic work, facing work in slate, in marble and in composition, drainlaying, slating, roof tiling and cement caulking of earthenware drains;

french polishing, which includes polishing with a brush or pad and spraying with any composition;

glazing, which includes the cutting and/or fixing of all kinds of glass or other like products into rebates formed in wood or metal doors, windows, frames or like fixtures and all operations incidental thereto;

joinery, which includes the fixing of all wooden fittings and the manufacture of all articles of joinery incidental to such fittings, whether or not the fixing in the building or structure is done by the person making or preparing the article used, and shall include cupboards, kitchen dressers or other kitchen fixtures which accrue to the building as a permanent part thereof;

lead-light making, which includes the manufacture and/or fixing of lead and/or other metals lights and display signs (excluding electrical fittings incidental thereto), and the glazing relating thereto;

masonry, which includes quarrying, processing and fixing of stone, and shall include the cutting, polishing and profiling by means of stoneworking machinery, whether or not the fixing was done by the person making or preparing the article used;

metal work, which includes the fixing of steel ceilings, metal windows, metal doors, builders' smith work, metal frames and metal stairs and architectural metal work, the manufacture and/or fixing of drawn metal and sheet and extruded metal, whether or not the fixing in the building or structure is done by the person making or preparing the article used;

painting, which includes decorating, paper-hanging, glazing, distemping, lime and colour washing, staining, varnishing, graining and marbling and spraying, spray painting, signwriting and wall decorating, the use of tar and its products and shall include sandpapering and all work preparatory to the operations aforementioned, sandpapering of walls and woodwork, filling cracks in walls and puttying of woodwork;

plastering, which includes, modeling, model making, mould making, facing of casts to moulds, making and fixing plaster board ceilings and fibrous plaster or other compositions, granolithic, terrazzo, and composition floorlaying, composition wall covering and polishing, operating a Mall and Biax or

pleisterwerk, wat die volgende insluit: Boetseerwerk, modelleerwerk, die maak van vorms, die aanbring van voorwerk in vorms vir stortsele, die maak en aanbring van pleisterbordplafonne en vesel- of ander komposisiepleister, granolitiese, terrasso en komposisievloerwerk, komposisiemuurbedekking en die poleerwerk daaraan, die bediening van 'n Mall en Biax- of dergelike tipe verplaasbare spinner, meerdoelige sny- en afwerkmasjinerie, voorafgegieste of kunsklipwerk, muur- en vloerteëlwerk, plavei- en mosaikwerk, metaallatwerk, akoestiekspuitwerk en alle prosesse wat in verband staan met die voltooiing van plafonne en mure, afgesien daarvan of die persoon wat sodanige artikel vervaardig of voorberei het, die aanbringwerk in die gebou of bouwerk doen of nie;

loodgieterswerk, wat die volgende insluit: Sweissoldeerwerk en sweiswerk, loodlaswerk, gasaanlegwerk, sanitêre- en huisingenieurswerk, rioolaanlegwerk, kalfaatwerk, ventileerwerk, verwarmingswerk, die aanlê van warm en koue water, brandbestrydingsinstallasie en die vervaardiging en aanbring van alle plaatmetaalwerk, afgesien daarvan of die persoon wat sodanige artikel vervaardig of voorberei het, die aanbringwerk in die gebou of bouwerk doen of nie;

winkel-, kantoor- en bankuitrustingswerk, wat die volgende insluit: Die vervaardiging en/of aanbring van winkelfronte, ventersafskortings, uitstalkaste, toonbanke, skerms en binnenshuise los en vaste toebehore;

staalwapening en/of staalkonstruksie, wat die volgende insluit: Die aanbring van alle soorte staal- of ander metaalstuile, dwarslêers, staalbalke, plaatmetaal of metaal in enige vorm wat deel uitmaak van 'n gebou of bouwerk;

houtwerk, wat die volgende insluit: Timmerwerk, fineerpaneelwerk en die polering en skuur daarvan, houtwerk, masjinerie, draaiwerk, houtsnijwerk, die bedekking van alle soorte dakke, die aanbring van klank- en akoestiek materiaal, kurk- en asbesisolasie, houtdraaiwerk, komposisieplafonne en -muurbedekking, die boor van gate en die aanbring van proppe in mure, die bedekking van houtwerk met metaal, blokkies- en ander vloerwerk, met inbegrip van hout, linoleum, rubberkomposisie, asfaltiese vloerbedekking of kurk, met inbegrip van die afskuur daarvan, die bediening van 'n Mall en Biax- of dergelike tipe verplaasbare spinner, meerdoelige sny, afwerk- en poleermasjinerie, bekisting en/of die voorbereiding van vorms vir beton, afgesien daarvan of die persoon wat sodanige artikel vervaardig of voorberei het, die aanbringwerk in die gebou of bouwerk doen of nie: Met dien verstande egter dat as linoleum gelê word deur die verskaffer daarvan, wie se vernaamste besigheid in die Kommersiële Distribusiebedryf is, dit uitgesluit moet word van hierdie omskrywing wanneer sodanige lêwerk iets bykomstigs is by die verkoop van sodanige linoleum en geen deel van die regstreekse koste van die klant uitmaak nie;

"kleedkamer" 'n geskikte afdak, kamer of soortgelyke bevredigende akkommodasie met 'n minimum skoonvloer-ruimte van sewe vierkante meter, wat bestaan uit vier mure en 'n dak en gemaak is van beton, bakstene, hout, yster of 'n kombinasie daarvan, wat skoongehou word en wat stewig toegesluit kan word om 'n geskikte plek vir die veilige bewaring van werknemers se klere te verskaf; en so 'n kleedkamer mag vir geen ander doel gebruik word nie as om daarin te verkleed en om die werknemers se klere veilig daarin te bewaar;

"skoonmaker" 'n werknemer wat een of meer van die volgende werksaamhede verrig:

Persele, deure, vensters, toerusting, gereedskap, masjinerie, meubels, voertuie, tenks, houers of ander artikels skoonmaak en/of was, met inbegrip van vloere, meubels of voertuie poleer, matte borsel, oortollige afvalmateriaal verwyder, persele gelykmaak en ander skoonmaakaktiwiteite wat met die voorafgaande gepaard gaan;

"Raad" die Nywerheidsraad vir die Bounywerheid (Transvaal), geregistreer ingevolge artikel 19 van die Wet;

"bydraes" enige bydraes wat die werkgewer of die werknemer ingevolge hierdie Ooreenkoms aan die Raad moet betaal; en "heffings" het dieselfde betekenis;

similar type of portable spinner, flexible cutting and finishing machinery, precast or artificial stone work, wall and floor tiling, paving and mosaic work, metal lathing, acoustic spraying and all processes incidental to the completion of ceilings and walls, whether or not the fixing in the building or structure is done by the person making or preparing the article used;

plumbing, which includes bracing and welding, lead burning, gas fitting sanitary and domestic engineering, drainlaying, caulking, ventilating, heating, hot and cold water fitting, fire installation and the manufacture and fitting of all sheet metal work, whether or not the fixing in the building or structure is done by the person making or preparing the article used;

shop, office and bank fittings, which includes the manufacture and/or fixing of shop fronts, window enclosures, show cases, counters, screens and interior fittings and fixtures;

steel reinforcing and/or steel construction, which includes the fixing of all classes of steel or other metal columns, girders, steel joists, sheeting or metal in any form which form part of a building or structure;

woodworking, which includes carpentry, veneer panelling, and polishing and sandpapering of same, woodworking, machining, turning, carving, the cladding of all types of roofs, fixing of sound and acoustic material, cork and asbestos insulation, woodlathing, composition ceiling and wall covering, drilling and plugging of walls, covering of woodwork with metal, block and other flooring, including wood, linoleum, rubber composition, asphalt based floor coverings or cork, including the sandpapering of same, operating a Mall and Biax or similar type of portable spinner, flexible cutting, finishing and polishing machinery, shuttering and/or preparation of forms or moulds for concrete, whether or not the fixing in the building or structure is done by the person making or preparing the article used: Provided, however, that the laying of linoleum by a supplier whose main business is in the Commercial Distributive Trade shall be excluded from this definition when such laying is incidental to the sale of such linoleum and forms no portion of the direct cost to the customer;

"change-room" means any suitable shed, room or similar satisfactory accommodation with a minimum clear floor space of seven square metres, constructed of four walls and a roof, composed of concrete, brickwork, wood, iron or any combination thereof, kept clean and which can be securely locked to provide a suitable place for the safe keeping of employees' clothing; and such change-room shall not be used for any other purpose than for the changing of clothing and the safe keeping of employees' clothing;

"cleaner" means an employee engaged on any one or more of the following activities:

Cleaning and/or washing premises, doors, windows, equipment, tools, machinery, furniture, vehicles, tanks, containers or other articles including polishing floors, furniture or vehicles, brushing carpets, removing excess waste material, levelling of premises and other cleaning activities incidental to the foregoing;

"Council" means the Industrial Council for the Building Industry (Transvaal) registered in terms of section 19 of the Act;

"contributions" means any payment which the employer or employee is liable to pay to the Council in terms of this Agreement, and "levies" shall have the same meaning;

"craftsman" means an employee employed in a designated trade who is permitted to perform the work as defined in clause 3, Chapter 2, who has successfully completed all prescribed courses for a particular trade at a practical institutional training centre and the on-site period of training as prescribed, and who has worked for at least two years in the Industry in the particular trade after having successfully completed his practical institutional training and on-site training;

"vakman" 'n werknemer wat in 'n aangewese ambag in diens is en wat as sodanig werk soos omskryf in klousule 3 van Hoofstuk 2, mag verrig, wat alle voorgeskrewe kurusse vir 'n bepaalde ambag by 'n praktiese institusionele opleidingsentrum en die voorgeskrewe indiensopleidingstydperk suksesvol voltooi het en wat minstens twee jaar in die bepaalde ambag in die Nywerheid gewerk het nadat hy sy praktiese institusionele opleiding en indiensopleiding suksesvol voltooi het;

"dag" die tydperk van 24 uur van middernag tot middernag;

"voorman" 'n werknemer wat een of meer van die volgende werksaamhede verrig:

(a) hoofsaaklik in 'n toesighoudende hoedanigheid werksaam is, maar wat ook die werk van 'n ambagsman kan verrig;

(b) werk aan ander werknemers onder sy beheer en toesig uitdeel;

(c) dissipline handhaaf;

(d) regstreeks aan 'n algemene voorman of die werkgewer of die werkgewer se gemagtigde verteenwoordiger verantwoordelik is vir doeltreffendheid en produksie op die terrein;

"algemene voorman" 'n werknemer wat werk uitdeel aan die klasse werknemers wat deur hierdie Ooreenkoms gedek word en wat dié werk regstreeks koördineer en daarvoor toesig hou en wie se pligte een of meer van die volgende werksaamhede insluit:

(a) Toesighouding;

(b) hantering van 'n kontrak of kontrakte;

(c) handhawing van dissipline;

(d) verantwoordelikheid aan die werkgewer vir doeltreffendheid en produksie op die terrein(e);

(e) wat ook geskoolde werk kan verrig, hetsy in die hoedanigheid van instrukteur of andersins;

"algemene werker" 'n werknemer wat enige taak of werksaamheid verrig wat nie elders vermeld word nie in enige van die omskrywings van die klasse werknemers bedoel in die omskrywing van "geskoolde werknemer" en "half-geskoolde werknemer", maar met inbegrip van toesighouding oor ander algemene werkers;

"Vakansiefondsboek" die amptelike bydraekaart wat die Raad aan elke werknemer in die Nywerheid uitreik;

"slegs-arbeid"-kontrak" 'n kontrak, ooreenkoms, reëling of verstandhouding waarvolgens 'n persoon onderneem om werk te doen en om betaal te word slegs vir die verskaffing van sy eie arbeid en/of dié van sy werknemers, as daar is, op ander voorwaardes as dié in klousule 4 van Hoofstuk 1 neergelê, en waarvolgens hy nie aan die vervaardigers of handelaars wat in die gewone loop van sake materiaal aan die Bounywerheid lewer verantwoordelik is vir betaling ten opsigte van al die materiaal wat vir die uitvoering van die werk gebruik sal word nie;

"slegs-arbeid"-kontraakteur" iemand wat 'slegs-arbeid'-kontrakwerk onderneem;

"kwekelingwerknemer (gespesifiseerde ambag)" 'n werknemer wat as sodanig by die Raad geregistreer is, wat in diens is ooreenkomstig 'n dienskontrak en wat geskoolde werk kan verrig in engeen van die gespesifiseerde ambagte omskryf in klousule 1 van Hoofstuk 2 waarvoor hy as sodanig geregistreer is, en wat nie vir 'n vakleerlingskap ingevolge die Wet op Mannekragopleiding, 1981, kwalifiseer nie;

"heffings" enige betaling wat die werkgewer of die werknemer ingevolge hierdie Ooreenkoms aan die Raad moet betaal; en

"oortyd" tyd wat gewerk word bo en behalwe die getal gewone werkure wat in klousule 8 van Hoofstuk 1 voorgeskryf word;

"day" means the period of 24 hours from midnight;

"foreman" means an employee engaged in any one or more of the following activities:

(a) being primarily employed in a supervisory capacity, but who may also be doing the work of an artisan;

(b) giving out work to other employees under his control and supervision;

(c) maintaining discipline;

(d) being directly responsible to a general foreman or the employer or the employer's authorised representative for efficiency and production on the site(s);

"general foreman" means an employee who gives out work to and directly co-ordinates and supervises those categories of employees covered by this Agreement and whose duties encompass any one or more of the following activities:

(a) Supervision;

(b) taking charge of a contract or contracts;

(c) maintaining discipline;

(d) being responsible to the employer for efficiency and production on the site(s);

(e) performing skilled work, whether in an instructional capacity or otherwise;

"general worker" means an employee engaged on any task or operation not elsewhere specified in any of the definitions of the categories of employees referred to in the definition of "skilled employee" and "semi-skilled employee", but including supervising other general workers;

"Holiday Fund book" means the official contribution card issued by the Council to each employee in the Industry;

"labour-only contract" means a contract, agreement, arrangement or understanding in terms of which a person undertakes to do work and to be paid only for the provision of his own labour and/or that of his employees, if any, on conditions other than laid down in clause 4 of Chapter I and where such person is not responsible for payment in respect of all the material to be used in the execution of the work to manufacturers or merchants who in the ordinary course of their business supply material to the Building Industry;

"labour-only contractor" means a person undertaking 'labour-only' contracting;

"levies" means any payment which the employer or employee is liable to pay to the Council in terms of this Agreement; and "contributions" shall have the same meaning;

"overtime" means all time worked in excess of the number of ordinary hours of work prescribed in clause 8 of Chapter I;

"person/s" include/s—

(a) a company which is a body corporate in its own right or registered as such under any Act; or

(b) any body of persons whether a body corporate or not;

"piece-work" means any system of work under which an employee's earnings are partly or wholly based on quantity or output of work done;

"Secretary" means the Secretary of the Council and includes any official nominated by the Council to act for the Secretary;

"persoon/personne" ook—

(a) 'n maatskappy wat op sigself 'n regspersoon is of kragtens enige wet as sodanig geregistreer is; of

(b) enige liggaam van persone, hetsy 'n regspersoon al dan nie;

"stukwerk" 'n werkstelsel waarvolgens 'n werknemer se verdienste gedeeltelik of uitsluitlik gebaseer word op die hoeveelheid of omvang van die werk wat hy verrig het;

"Sekretaris" die Sekretaris van die Raad, en omvat dit 'n beampte wat deur die Raad benoem word om namens die Sekretaris op te tree;

"halfgeskoolde werknemer" 'n werknemer (gespesifiseerde ambag), vakleerling, kwekelingvakman en kwekelingambagsman;

"geskoolde werknemer" 'n algemene voorman, voorman, vakman, ambagsman en 'n werknemer wat 'n hulpambag verrig;

"geskoolde werk" enige werk in die Bou- en Dimensionele-klipnywerheid wat verrig kan word deur 'n werknemer soos omskryf by "geskoolde werknemer" en "halfgeskoolde werknemer";

"werknemer (gespesifiseerde ambag)" 'n werknemer wat in 'n gespesifiseerde ambag in diens is en wat werk soos omskryf in klousule 1 van Hoofstuk 2 mag verrig, en wat die voorgeskrewe kursusse vir die gespesifiseerde ambag by 'n praktiese institusionele opleidingsentrum en die voorgeskrewe indiensopleidings tydperk suksesvol voltooi het;

"bouwerk" ook mure, grens-, tuin- en keurmure, die voorsiening van klip vir bedekking, vloere, monumente en aanvul-sitem;

"geskikte slaapplek" 'n waterdigte onderdak wat stewig toegesluit kan word, met 'n geskikte vloer en die nodige geskikte wasgeriewe, voubeddens, matrasse en aparte toiletgeriewe;

"tydelike algemene werker" 'n algemene werker gedurende die eerste vier agtereenvolgende weke van sy diens by dieselfde werkgever;

"kwekelingambagsman" 'n werknemer wat as sodanig by die Raad geregistreer is en by sy werkgever in diens is ooreenkomstig 'n dienskontrak, wat geskoolde werk ten opsigte van nie-aangewese ambagte, soos omskryf in klousule 2 van Hoofstuk 2, kan verrig en wat nie ingevolge die bepalings daarvan vir 'n vakleerlingskap kwalifiseer nie;

"kwekelingvakman" 'n werknemer wat as sodanig by die Raad geregistreer is en by sy werkgever in diens is ooreenkomstig 'n dienskontrak en wat geskoolde werk ten opsigte van die aangewese ambagte, soos omskryf in klousule 3 van Hoofstuk 2, kan verrig, met die doel om 'n meester vakman te word;

"loon" daardie gedeelte van die besoldiging wat ingevolge klousule 4 van Hoofstuk 1 aan die werknemer betaalbaar is ten opsigte van die gewone werkure soos in klousule 8 van Hoofstuk 1 voorgeskryf: Met dien verstande dat as 'n werkgever 'n werknemer gereeld ten opsigte van sodanige gewone werkure 'n hoër bedrag betaal as dié wat in klousule 4 van Hoofstuk 1 voorgeskryf word, dit sodanige hoër bedrag beteken; (vir die toepassing van hierdie omskrywing beteken "gereeld" twee agtereenvolgende betalings);

"natweerskuiling" 'n skuiling wat van weerbestande materiaal gebou is en wel op so 'n manier dat die okkupeerders daarvan in alle omstandighede droog gehou word en dit gerieflik sal hê;

"werkweek" van Maandag tot Vrydag.

(Sien ook Hoofstukke 2, 3 en 4 vir verdere omskrywings.)

4. LONE

4.1 *Algemeen:* Geen lone wat laer is as dié hieronder genoem, gelees met die res van die bepalings van hierdie klousule, mag deur 'n werkgever betaal en deur 'n werknemer aangeneem word nie.

"semi-skilled employee" means any specified skills employee, apprentice, trainee craftsman and trainee artisan;

"skilled employee" means any general foreman, foreman, craftsman, artisan and any employee engaged in an ancillary trade;

"skilled work" means any work in the Building and Dimensional Stone Industries which may be performed by an employee as defined under "skilled employee" and "semi-skilled employee";

"specified skills employee" means an employee employed in a specific skills trade who is permitted to perform work as defined in clause 1 of Chapter 2, and who has successfully completed the prescribed courses in the specified skills at a practical institutional training centre and the on-site period of training as prescribed;

"structure" includes walls, boundary, garden and retaining walls, supplying of stone for cladding, floors, monuments and complementary items;

"suitable sleeping accommodation" means a waterproof shelter, capable of being securely locked, with a suitable floor and the necessary suitable washing facilities, stretchers, mattress and separate lavatory accommodation;

"temporary general worker" means a general worker during the first four consecutive weeks of his employment by the same employer;

"trainee artisan" means an employee registered as such with the council and employed by his employer under a contract of service who is permitted to perform skilled work in respect of the non-designated trades as defined in clause 2 of Chapter 2, and who does not qualify for an apprenticeship in terms thereof;

"trainee craftsman" means an employee registered as such with the Council and employed by his employer under a contract of service who is permitted to perform skilled work in respect of the designated trades as defined in clause 3 of Chapter 2, with a view to becoming a craftsman;

"trainee specified skills employee" means an employee registered as such with the Council who is employed under a contract of service and who is permitted to perform skilled work in any one of the specified skills as defined in clause 1 of Chapter 2 for which he is so registered and who does not qualify for an apprenticeship in terms of the Manpower Training Act, 1981;

"wage" means that portion of the remuneration payable to an employee in terms of clause 4 of Chapter 1 in respect of the ordinary hours laid down in clause 8 of Chapter 1: Provided that if an employer regularly pays an employee in respect of such ordinary hours of work an amount higher than that prescribed in clause 4 of Chapter 1, it means such higher amount; (for the purposes of this definition, "regularly" means two subsequent payments);

"wet weather shelter" means a shelter constructed of weather-proof materials in such manner that the occupants will be kept dry and comfortable in any circumstances;

"working week" means from Monday to Friday.

(See also Chapters 2, 3 and 4 definitions.)

4. PRESCRIBED WAGES

4.1 *General:* No employer shall pay and no employee shall accept wages at rates lower than the following, read with the remaining provisions of this clause:

4.1.1

BYLAE

Klas werknemer	Per uur		
	Gebied A	Gebied B	Gebied C
	R	R	R
Vervaardigingswerker (massavervaardiging)	2,85	2,00	1,57
Algemene werker (nie op konstruksie)	2,66	1,86	1,46
Algemene werker (op konstruksie)	3,80	2,66	2,09
Dimensioneleklipnywerheid			
Algemene werker	3,80	2,66	2,09
Graad 1-werknemer	4,15	2,91	2,28
Graad 2-werknemer	4,51	3,16	2,48
Graad 3-werknemer	4,86	3,40	2,67
Graad 4-werknemer	5,22	3,65	2,87

4.1.2 Die volgende bedrae moet by die werklike loon gevoeg word wat elke werknemer op 27 September 1991 ontvang het: Met dien verstande voorts dat die minimum gewaarborgde loon nie van toepassing is nie op groot kontrakteurs wat loonooreenkomste met vakverenigings wat partye by die Raad is, aangegaan het voor die implementering van hierdie Ooreenkoms en die ondergenoemde algemene verhogings kan aangepas word deur enige verhogings wat na 27 September 1991 aan werknemers toegestaan is, af te trek: Met dien verstande dat die resultaat aldus bereik, minstens die tarief voorgeskryf by klousule 4.1.1 moet wees vir elke klas werknemer:

Gebied A: R0,40 per uur.

Gebied B: R0,30 per uur.

Gebied C: R0,25 per uur.

4.2 *Opskorting van diens van werknemers*: 'n Werkgewer moet behoudens klousule 8.3 'n werknemer wie se diens hy tydelik opgeskort het, 'n bedrag betaal wat gelyk is aan die loon en toelaes wat so 'n werknemer sou ontvang het as hy al die gewone werke gedurende sodanige tydperk van opskorting gewerk het: Met dien verstande dat hierdie subklousule nie van toepassing is nie op werknemers wie se diens opgeskort is as gevolg van gure weerstoestande of in gevalle waar die voortgang van werk onderbreek is deur 'n natuurkrag of oormag, brand, burgerlike onluste, staking, vyandelikhede, onwettige saamspan van werksmense, terrorisme, ontploffing en/of soortgelyke noodtoestand.

4.3 *Behoud van besoldiging*: Niks in hierdie Ooreenkoms moet die uitwerking hê dat die besoldiging wat aan 'n werknemer betaal word op die datum waarop hierdie Ooreenkoms in werking tree, verminder word nie, en 'n werknemer wat op genoemde datum hoër besoldiging ontvang as dié wat in hierdie Ooreenkoms vir sy klas werk voorgeskryf word, moet steeds sodanige hoër loon ontvang terwyl hy dieselfde klas werk by dieselfde werkgewer verrig.

4.4 *Differensiële lone*: 'n Werknemer wat op 'n bepaalde dag twee of meer klasse werk verrig waarvoor daar verskillende lone in hierdie Ooreenkoms of 'n ander ooreenkoms van die Raad voorgeskryf word, moet vir al die ure op so 'n dag gewerk teen die hoër loon besoldig word: Met dien verstande dat wanneer 'n werknemer drie uur of minder op 'n dag die werk van 'n hoër klas verrig, hy teen die hoër tarief betaal moet word slegs ten opsigte van die tyd wat hy werklik aan sodanige hoër gegradeerde werk bestee het.

4.5 *Tydlike algemene werker*

4.5.1 Die loon van 'n tydelike algemene werker is 10 per sent minder as die loon van die onderskeie klasse algemene werkers in klousule 4.1.1 bedoel.

4.1.1

SCHEDULE

Category of employee	Per hour		
	Area A	Area B	Area C
	R	R	R
Manufacturing worker (mass manufacturing)	2,85	2,00	1,57
General worker (not on construction)	2,66	1,86	1,46
General worker (on construction)	3,80	2,66	2,09
Masonry stone industry			
General worker	3,80	2,66	2,09
Grade 1 employee	4,15	2,91	2,28
Grade 2 employee	4,51	3,16	2,48
Grade 3 employee	4,86	3,40	2,67
Grade 4 employee	5,22	3,65	2,87

4.1.2 The following amounts shall be added to the actual wage every employee received on 27 September 1991: Provided that the minimum guaranteed wage shall not apply to major contractors who had entered into wage agreements with trade unions who are parties to the Council prior to the implementation of this Agreement and the undermentioned across the board increases may be adjusted by deducting any increases granted to employees after 27 September 1991: Provided further that the result so reached shall not be less than the rate prescribed in clause 4.1.1 for each category of employee;

Area A: R0,40 per hour.

Area B: R0,30 per hour.

Area C: R0,25 per hour.

4.2 *Suspension of employees*: Subject to the provisions of clause 8.3 an employer shall pay to any of his employees whom he has temporarily suspended from work an amount equivalent to the wages and allowances which any such employee would have received had he worked all the ordinary hours of work which occurred during such period of suspension: Provided that the provisions of this subclause shall not apply to employees suspended from work owing to inclement weather or where the progress of work has been interrupted by an act of God, or *vis major*, fire, riot, civil commotion, strike, hostilities, illegal combination of workmen, terrorism, explosion and/or similar emergency.

4.3 *Protection of remuneration*: Nothing in this Agreement shall operate to reduce the remuneration which is being paid to an employee on the date on which this Agreement comes into operation, and any employee who on the said date is in receipt of remuneration in excess of that prescribed for his class of work in the Agreement, shall continue to receive such higher remuneration whilst employed by the same employer on the same class of work.

4.4 *Differential rates*: An employee who on the same day performs two or more classes of work for which different rates of wages are prescribed in this Agreement or any other agreement of the Council, shall be paid at the highest rate for all the hours worked on that day: Provided that where an employee performs the work in a higher class for three hours or less per day, he shall only be paid at the higher rate in respect of the time actually occupied on such higher graded work.

4.5 *Temporary general worker*

4.5.1 The wage of a temporary general worker shall be 10 per cent less than the wage of the various categories of general worker referred to in clause 4.1.1.

4.5.2 Geen werkgewer mag op enige stadium meer as 20 persent van sy totale arbeidsmag as tydelike algemene werkers in diens hê nie.

4.5.3 'n Werkgewer mag nie 'n tydelike algemene werker binne 'n tydperk van minstens vier weke na beëindiging van diens weer in diens neem nie.

4.6 Indien 'n werkgewer nie aan die bepalings van klousule 4.5 voldoen nie, is hy verantwoordelik vir die betaling van lone en bydraes soos by hierdie Ooreenkoms voorgeskryf, asof die bepalings van klousule 4.5 nie van toepassing is nie.

5. STUKWERK

Die uitbesteding van werk deur werkgewers of die uitvoering van werk deur werknemers op 'n stukwerkgrondslag of 'n ander betaalstelsel vir arbeid waar die besoldiging van 'n werknemer gedeeltelik of in die geheel bereken word op die hoeveelheid of omvang van die werk wat verrig word, word toegelaat: Met dien verstande dat 'n werknemer wat op bogenoemde grondslag besoldig word nie minder betaal moet word nie as waarop hy geregtig sou gewees het indien hy as 'n uurliks besoldigde werknemer gewerk het.

6. BETALING VAN LONE, TOELAES EN OORTYD

6.1 *Algemeen:* Lone, verdienste vir oortyd, toelaes ingevolge hierdie Ooreenkoms en alle ander vergoeding wat verskuldig is aan 'n werknemer moet weekliks in kontant of, volgens ooreenkoms tussen die werkgewer en werknemer, per tjek of direk in die werknemer se bank- of bougenootskaprekening betaal word. Afhangende van 'n reëling tussen die werkgewer en die werknemer kan betaling twee-weekliks of maandeliks geskied op voorwaarde dat die werkgewer die Raad se toestemming verkry voordat hy sy werknemers anders as op 'n weeklikse grondslag betaal.

6.2 *Wagtyd:* By beëindiging van diens, moet 'n werkgewer so 'n werknemer alle lone, toelaes en ander besoldiging betaal tot tyd en wyl sodanige betaling gedoen word, ten opsigte van elke werkuur of gedeelte daarvan, vanaf die tydstip waarop diens beëindig word totdat betaling gedoen word, en dié betaling moet nie later gedoen word nie as twee werkdag na diensbeëindiging:

Met dien verstande dat—

- (i) daar vir wagtyd van hoogstens 16 uur betaal word;
- (ii) daar nie vir wagtyd, benewens betaling in plaas van kennisgewing ingevolge klousule 10 van Hoofstuk 1, betaal word nie;
- (iii) 'n werknemer wat sy diens beëindig sonder om die vereiste kennis te gee en uit te dien, nie op betaling vir wagtyd geregtig is nie;
- (iv) 'n werknemer wat nie op kennisgewing ingevolge klousule 10 van Hoofstuk 1 geregtig is nie, slegs op wagtyd geregtig is as hy nie binne 16 werkdag vanaf dit tydstip waarop diens beëindig is, betaal word nie.

Vir die toepassing van hierdie subklousule word uitbetaling per geregistreerde pos geag behoorlike betaling te wees. Die betaaldatum word geag dieselfde te wees as die datum waarop die brief gepos is.

6.3 *Besonderhede van betaling:* Elke werkgewer moet op die ooreenkomme betaaldag aan die werknemer 'n staat uitreik wat in besonderhede aandui hoe die bruto besoldiging bereken is, watter bedrae daarvan afgetrek is, die netto besoldiging wat in die koevert is, die waarde van die bydraes wat deur die werkgewer by die Raad inbetaal is en die kumulatiewe aantal bydraes wat tot en met die laaste datum van die tydperk ten opsigte waarvan betaling gemaak word, betaal is.

4.5.2 No employer may at any stage employ more than 20 per cent of his total workforce as temporary general workers.

4.5.3 An employer may not re-employ a temporary general worker within a period of at least four weeks after termination of service.

4.6 If an employer fails to comply with the provisions of clause 4.5, he shall be responsible for the payment of wages and contributions as prescribed by this Agreement as if the provisions of clause 4.5 were not applicable.

5. PIECE-WORK

The giving out by employers or the performance by employees of work on a piece-work basis, or any system of payment of labour by which earnings of an employee are based or calculated partly or wholly upon quantity or measurement of the work performed, is allowed: Provided that any employee remunerated on the above basis shall not be paid less than he would have been entitled to had he worked as an hourly paid employee.

6. PAYMENT OF WAGES, ALLOWANCES AND OVERTIME

6.1 *General:* Wages, earnings for overtime, allowances in terms of this Agreement and all other remuneration due to an employee shall be paid weekly in cash or, by agreement between employer and employee, by cheque or directly into the employee's bank or building society account. Depending upon an arrangement between the employee and the employer, payment may be made fortnightly or monthly on condition, however, that the employer must obtain the permission of the Council before paying his employees other than on a weekly basis.

6.2 *Waiting time:* Upon termination of employment an employer shall pay such employee all wages, allowances and other remuneration up to the time such payment is made, in respect of every working hour or part thereof, from the time of termination of employment until the time of final payment. Payment shall be made not later than two working days after termination of employment.

Provided that—

- (i) waiting time shall not be paid for more than 16 hours;
- (ii) waiting time shall not be payable in addition to payment in lieu of notice in terms of clause 10 of Chapter 1;
- (iii) an employee who terminates his employment without having given and served the required notice shall not be entitled to payment for waiting time;
- (iv) an employee who is not entitled to notice in terms of clause 10 of Chapter 1 shall only be entitled to waiting time if he is not paid within 16 working hours from the time of termination of employment.

For the purposes of this subclause, disbursement by registered post shall be deemed to constitute due payment. The date of payment shall be deemed to be the same as the date on which the letter was posted.

6.3 *Particulars of payment:* Every employer shall, on the agreed date of payment, issue the employee with a statement stating in detail how the gross remuneration has been calculated, what deductions have been made therefrom, the net remuneration contained in the envelope, the value of the contributions which the employer has paid to the Council and the cumulative number of contributions paid up to and including the last date in respect of which payment is made.

6.4 *Overtime:* For the purpose of this Agreement all time worked in excess of the number of ordinary hours of work prescribed in clause 8 hereof shall be deemed to be overtime: Provided that an employee shall be paid for overtime at overtime rates only after having completed 40 hours per

6.4 *Oortyd*: Vir die toepassing van hierdie Ooreenkoms moet alle tyd wat langer gewerk word as die getal gewone werkure wat in klousule 8 hiervan voorgeskryf word, geag word oortyd te wees: Met dien verstande dat 'n werknemer vir oortyd teen oortydtariewe betaal moet word slegs nadat 40 uur per week teen sy gewone loonskaal voltooi is, behalwe waar 'n werknemer gedurende 'n week waarin oortyd gewerk is by 'n werkgever in diens getree het en hy om dié rede nie in staat was om 40 uur per week te voltooi nie.

6.4.1 Ondanks bogenoemde bepaling moet 'n openbare vakansiedag wat binne 'n werkweek val, beskou word as tyd wat gewerk is vir die doel om oortyd soos hierbo te bereken.

6.4.2 'n Werknemer van wie vereis word om te werk buite die gewone ure voorgeskryf in klousule 8 hiervan, moet soos volg betaal word:

(a) Een en 'n vyfde maal sy werklike loonskaal vir alle oortyd wat van Maandae tot Vrydae gewerk word tot en met vyf uur;

(b) een en 'n half maal sy werklike loonskaal vir alle oortyd wat langer as vyf uur van Maandae tot Saterdag gewerk word tot en met 13 uur per week;

(c) teen twee maal die skaal van die werknemer se werklike loon vir alle oortyd wat langer gewerk word as dié voorgeskryf by paragrafe (a) en (b) en op Sondag, Nuwejaarsdag, Goeie Vrydag, Gesinsdag, Hemelvaartdag, Werkersdag, Republiekdag, Krugersdag, Kersdag en die verloftydperk soos voorgeskryf by klousule 9.3.

6.4.3 Die gewone werkure plus alle oortyd gewerk moet nie 53 uur per kalenderweek oorskry nie: Met dien verstande dat die totale getal ure in geval van noodwerk oorskry kan word.

6.5 *Afwesigheid—openbare vakansiedae*: 'n Werknemer wat afwesig is van sy werk sonder sy werkgever se toestemming en/of as gevolg van siekte sonder dat hy in staat is om 'n mediese sertifikaat te toon, op die werkdag onmiddellik voor of na 'n openbare vakansiedag met besoldiging van klousule 9 bedoel, is nie op betaling vir sodanige openbare vakansiedag/dae geregtig nie.

6.6.1 *Aanmelding van niebetaling*: 'n Werknemer wat ingevolge hierdie Ooreenkoms of enige ander ooreenkoms van hierdie Raad in aanmerking kom vir die betaling deur sy werkgever van lone en/of bydraes aan die Raad namens homself ingevolge die bepalings van die verskillende fondse, en wat nie ingevolge die bepalings van hierdie Ooreenkoms betaal is nie, moet sodanige niebetaling van lone of bydraes ingevolge klousule 2 van Hoofstuk 5, by die Raad aanmeld binne 'n tydperk van 10 weke vanaf die datum van sodanige versuim om te betaal.

'n Werknemer wat versuim om enige niebetaling aan te meld soos voorgeskryf, verbeur enige regte van verhaal tensy wanvoorstelling deur die werkgever gegee, bewys word.

6.6.2 Waar die werknemer die niebetaling binne die tydperk voorgeskryf in klousule 6.6.1 aangemeld het, is hy geregtig op betaling deur die Raad uit die waarborg wat gehou word ten opsigte van die werkgever wat versuim het om sodanige betaling te maak, maar slegs sover as wat die geld beskikbaar is ingevolge sodanige waarborg.

6.7 *Skofwerk*: 'n Werkgever kan sy werknemers skofte laat werk, mits daar in wese aan klousules 6 en 8 voldoen is.

7. VERBODE DIENS

7.1 Behoudens klousule 7.1 van die Raad se Ooreenkoms gepubliseer in *Staatskoerant* 10720 van 24 April 1987, soos van tyd tot tyd gewysig, mag geen werkgever toelaat dat 'n werknemer werk verrig, en geen werknemer mag werk verrig, waarvoor hy hom ingevolge klousule 7 van genoemde Ooreenkoms moet registreer, tensy sodanige werknemer in die toepaslike klas registreer is.

7.2 Behoudens artikel 83 van die Wet en ondanks andersluidende bepalings in hierdie Ooreenkoms, word geen bepaling wat 'n persoon verbied om 'n werksaamheid te verrig, geag 'n werkgever van sodanige persoon vry te stel van die betaling van die voorgeskrewe lone en toelaes wat hy sou moes betaal het en van die nakoming van die voorwaardes wat hy sou moet nagekom het indien die verrigting van daardie werksaamhede deur die betrokke persoon nie verbied

week at his ordinary rate of wage, except where an employee started working for an employer during a week in which overtime was worked and for that reason was not able to complete 40 hours per week.

6.4.1 Notwithstanding the above provision, any public holiday falling within any working week shall be deemed to be time worked for the purpose of calculating overtime as above.

6.4.2 Any employee who is required to work any time outside the ordinary hours prescribed in clause 8 hereof, shall be paid as follows:

(a) One and a fifth times his actual rate of wage for all overtime worked from Mondays to Fridays up to and including five hours;

(b) one and a half times his actual rate of wage for all overtime worked in excess of five hours from Mondays to Saturdays up to and including 13 hours per week;

(c) at double the rate of the employee's actual wage for all overtime worked in excess of that provided for in paragraphs (a) and (b) and on Sundays, New Year's Day, Good Friday, Family Day, Ascension Day, Workers' Day, Republic Day, Kruger Day, Christmas Day and the holiday period as prescribed in clause 9.3.

6.4.3 The ordinary hours of work plus all overtime worked shall not exceed 53 hours per calendar week: Provided that the total number of hours may be exceeded in the event of emergency work.

6.5 *Absenteeism—public holidays*: An employee who absents himself without his employer's permission and/or due to illness without being able to produce a medical certificate, on the working day immediately before or after a paid public holiday, referred to in clause 9, shall not be entitled to payment for such public holiday/days.

6.6.1 *Reporting of non-payment*: An employee who qualifies in terms of this Agreement or any other agreement of this Council for payment by his employer of wages and/or contributions to the Council on his behalf in terms of the various funds, and who was not paid in terms of the provisions of this Agreement, shall report such non-payment of wages or contributions in terms of clause 2 of Chapter 5 to the Council within a period of 10 weeks from the date of such failure to pay.

An employee who has failed to report any non-payment as prescribed, shall forfeit any rights of recovery unless misrepresentation by the employer has been proved.

6.6.2 Where the employee has reported the non-payment within the period as prescribed in clause 6.6.1, he shall be entitled to payment by the Council from the guarantee held by it in respect of the employer who has failed to make such payment, and then only to the extent of moneys available in terms of such guarantee.

6.7 *Shiftwork*: An employer shall be permitted to employ his employees on shift-work: Provided, however, that the provisions of clauses 6 and 8 have in essence been complied with.

7. PROHIBITED EMPLOYMENT

7.1 Subject to the provisions of clause 7.1 of the Agreement of the Council published in *Government Gazette* 10720 dated 24 April 1987, as amended from time to time, no employer shall permit an employee to perform and no employee shall perform any work for which he is required to register in terms of clause 7 of the said Agreement unless such employee is registered in the proper category.

7.2 Subject to the provisions of section 83 of the Act and notwithstanding anything to the contrary in this Agreement, no provision which prohibits a person to perform an operation shall be deemed to relieve the employer of such a person from paying the prescribed wages and allowances of an artisan which he would have had to pay and observing the conditions which he would have had to observe had the performance of the particular operations by the person con-

was nie, en die werkgewer bly aanspreeklik om sodanige besoldiging te betaal en sodanige voorwaardes na te kom asof die verrigting van daardie werksaamhede deur die betrokke persoon nie verbied was nie.

7.3 'n Werknemer wat by die Raad geregistreer is of wat kwalifiseer om by die Raad geregistreer te word in 'n hoër gekwalifiseerde klas, moet binne 10 werkdade na indiensneming as 'n algemene werker bewys aan sy werkgewer lewer van sodanige hoër kwalifikasie, by gebreke waarvan die werknemer geag word in algemene werker te wees.

8. WERKURE

8.1 Die gewone werkure wat deur alle werkgewers en werknemers nagekom moet word, is 40 uur in enige week, bereken teen hoogstens agt uur per dag van Maandag tot Vrydag.

8.2 Geen werknemer mag toegelaat word nie om langer as vyf uur op enige dag te werk sonder 'n pouse van minstens 30 minute.

8.3 *Korttyd*: Elke werkgewer wat as gevolg van onvoldoende werk van 'n werknemer vereis om korttyd te werk, moet die Raad van sodanige besluit in kennis stel na ooreenkomste met sy werknemer om korttyd te werk.

9. JAARLIKSE VERLOF EN OPENBARE VAKANSIEDAE

9.1 Die volgende dae word in die Nywerheid as betaalde openbare vakansiedae beskou wanneer sodanige vakansiedae op 'n werkdag val:

Nuwejaarsdag, Goeie Vrydag, Gesinsdag, Werkersdag, Hemelvaartdag, Republiekdag, Krugerdag en Kersdag.

9.2 'n Werknemer wat 48 weke in 'n jaar gewerk het en vir wie bydraes vir vakansiegeld betaal is, is op verlof van 20 ten volle betaalde werkdade per jaar geregtig.

9.3 Die verloftydperk is vier kalenderweke agtereenvolgende werkdade wat 'n aanvang neem op die Vrydag onmiddellik voor 16 Desember, of sodanige dag as wat die Raad bepaal, dog nie later as 16 Desember nie.

9.4 Geen werkgewer mag van 'n werknemer vereis om gedurende die verloftydperk voorgeskryf by klousule 9.3 werk in die Nywerheid te verrig nie, en geen werknemer mag gedurende hierdie tyd werk verrig sonder dat goedkeuring van die Raad verkry is nie.

9.5 Ondanks die bepalings van klousule 9.4 kan 'n werkgewer en sy werknemers ooreenkom om 'n maksimum tydperk van twee weke gedurende die jaarlikse verloftydperk te werk teen gewone skaal plus bydraes:

Met dien verstande dat geen werk verrig mag word gedurende die weke waarin Kersdag en Nuwejaarsdag val nie.

10. DIENSBEÏNDIGING

10.1 Wanneer 'n werkgewer of 'n werknemer voornemens is om 'n dienskontrak te beëindig—

10.1.1 gedurende die eerste 65 werkdade diens, word geen kennisgewingstermyn vir die beëindiging van diens vereis nie;

10.1.2 na die eerste 65 werkdade diens, tot en met 24 maande diens, moet hy aan die ander party vyf werkdade kennis gee van die beëindiging van sodanige dienskontrak;

10.1.3 na 24 maande diens, tot en met 60 maande diens, moet hy die ander party 10 werkdade kennis gee van die beëindiging van sodanige dienskontrak;

10.1.4 na 60 maande diens, moet hy die ander party 20 werkdade kennis gee van die beëindiging van sodanige dienskontrak.

10.2 Ondanks bogenoemde bepalings kan die partye 'n skriftelike kontrak aangaan wat voorsiening maak vir 'n langer kennisgewingstermyn as die termyn wat hierbo bepaal is.

10.3 Kennisgewing van diensbeëindiging moet skriftelik gegee word.

cerned not been prohibited, and the employer shall remain liable to pay such remuneration and observe such conditions as if the performance of the particular operations by the person concerned had not been prohibited.

7.3 An employee who is registered or who would qualify for registration with the Council in a higher qualified category shall, within 10 working days of engagement as a general worker, produce proof to his employer of such higher qualification, failing which the employee shall be deemed to be a general worker.

8. HOURS OF WORK

8.1 The ordinary hours of work which shall be observed by all employers and employees shall be 40 hours in any one week, calculated at not more than eight hours per day from Mondays to Fridays.

8.2 No employee shall be allowed to work for longer than five hours in any one day without an interval of at least 30 minutes.

8.3 *Short time*: Every employer who, owing to insufficient work, requires an employee to work short-time, shall notify the Council of such decision after agreement with his employees to work short-time.

9. ANNUAL LEAVE AND PUBLIC HOLIDAYS

9.1 The following days shall be regarded as paid public holidays in the Industry when such holidays fall on a working day:

New Year's Day, Good Friday, Family Day, Workers' Day, Ascension Day, Republic Day, Kruger Day and Christmas Day.

9.2 An employee who has worked 48 weeks in any one year and for whom holiday pay contributions have been paid shall be entitled to 20 fully paid working days' leave per annum.

9.3 The leave period shall be for four calendar weeks consecutive working days which shall commence on the Friday immediately before 16 December, or such day as the Council may determine, but not later than 16 December.

9.4 No employer shall require an employee to perform and no employee shall perform any work in the Industry during the holiday period prescribed in clause 9.3 without the permission of the Council being obtained.

9.5 Notwithstanding the provisions of clause 9.4 an employer and his employees may agree to work for a maximum period of two weeks during the annual holiday period at normal rate plus contributions:

Provided that no work shall be performed during the weeks in which Christmas Day and New Year's Day fall.

10. TERMINATION OF SERVICE

10.1 Whenever an employer or an employee intends terminating a contract of employment—

10.1.1 during the first 65 working days of employment, no period of notice of termination of employment shall be required;

10.1.2 after the first 65 working days of employment, up to and including 24 months of employment, he shall give to the other party five working days' notice of termination of such contract of employment;

10.1.3 after 24 months' employment, up to and including 60 months of employment, he shall give the other party 10 working days' notice of termination of such contract of employment;

10.1.4 after 60 months of employment, he shall give the other party 20 working days' notice of termination of such contract of employment.

10.2 Notwithstanding the above provisions, the parties may enter into a written contract which provides for a period of notice which is longer than the periods stipulated above.

10.3 Notice of termination of service shall be given in writing.

10.4 Hierdie klousule mag nie die reg van 'n werkgewer of 'n werknemer om die kontrak sonder kennisgewing om enige regsgeldige rede te beëindig raak nie, en die bepalings aangaande verbeurings en boetes wat kragtens wet van toepassing is op 'n werknemer wat dros mag ook nie daardeur geraak word nie.

10.5 'n Werkgewer moet by beëindiging van 'n dienskontrak, waar die werknemer se diens 65 werkdag oorskry, die werknemer van 'n dienssertifikaat voorsien wat die volle name van die werkgewer en die werknemer, die beroep van die werknemer, die aanvangsdatum en die datum van beëindiging van die kontrak en die werknemer se loonskaal op die datum van sodanige beëindiging, vermeld.

10.6 Beide die werkgewer en die werknemer kan in plaas van die voorgeskrewe kennisgewing die toepaslike besoldiging aan die ander party betaal.

11. AGENTE

11.1 Die Raad moet agente aanstel om behulpsaam te wees met die toepassing van hierdie Ooreenkoms en moet sodanige agente van 'n sertifikaat voorsien wat deur die Sekretaris of 'n gemagtigde beampte geteken is.

11.2 Voordat enige ondersoek ingevolge hierdie Ooreenkoms gedoen word, moet die agent, waar dit prakties moontlik is, die werkgewer of 'n verantwoordelike persoon in sy diens van sy voorneme in kennis stel.

11.3 Elke vir wie hierdie Ooreenkoms bindend is, moet na sy beste vermoë aan die agent hulp verleen om die agent in staat te stel om aan bogenoemde bepalings uitvoering te gee.

12. REGISTRASIE VAN WERKGEWERS

12.1 Elke werkgewer in die Nywerheid wat nie geregistreer is op die datum waarop hierdie Ooreenkoms in werking tree nie, moet binne een maand vanaf sodanige datum by die Raad registreer en elke werkgewer wat na die datum van inwerkingtreding van hierdie Ooreenkoms as 'n werkgewer in die Nywerheid optree, moet binne een maand vanaf die aanvangsdatum van optrede by die Raad registreer.

12.2 Elke werkgewer van wie vereis word om by die Raad te registreer, moet die volgende besonderhede op die voorgeskrewe vorm aan die Sekretaris verstrek:

- (a) Volle naam;
- (b) naam van besigheid;
- (c) besigheidsadres;
- (d) woonadres;
- (e) die ambag of ambagte wat hy in die Nywerheid beoefen.

12.3 Waar die werkgewer sake verrig as 'n vennootskap, 'n maatskappy of 'n beslote korporasie, moet die besonderhede ingevolge klousule 12.2 hiervan onderskeidelik ten opsigte van elke vennoot, direkteur of lid verstrek word.

12.4 Elke geregistreerde werkgewer moet die Raad binne 14 dae van enige verandering in die besonderhede in klousule 12.2 bedoel skriftelik van sodanige verandering in kennis stel.

12.5 'n Geregistreerde werkgewer wat voornemens is om sy optrede as sodanig te staak, moet die Sekretaris van die Raad minstens 14 dae voor die datum waarom hy voornemens is om sy optrede te staak, skriftelik daarvan in kennis stel.

12.6 Elke werkgewer in die Nywerheid, moet gelyktydig met sy aansoek om registrasie 'n waarborg by die Raad indien wat vir die Raad aanvaarbaar is om die volgende betalings ten opsigte van sy werknemers te dek:

12.6.1 Indien die werkgewer sy werknemers op 'n weeklikse grondslag betaal, moet die waarborg twee weke se lone soos in klousule 4 van hierdie Ooreenkoms voorgeskryf en twee weke se bydraes ingevolge hierdie Ooreenkoms ten opsigte van al sy werknemers dek: Met dien verstande dat die minimum waarborg minstens R1 000 moet wees.

10.4 The provisions of this clause shall not affect the right of an employer or an employee to terminate the contract without notice for any cause recognised by law as sufficient and shall not affect the operation of any forfeiture or penalty which by law may be applicable in respect of an employee who deserts.

10.5 An employer shall, upon termination of a contract of employment where the employee's employment exceeded 65 working days, furnish the employee with a certificate of service giving the full names of the employer and the employee, the occupation of the employee, the date of commencement and the date of termination of the contract and the wage of the employee as at the date of such termination.

10.6 Both the employer and the employee shall have the right to pay the other party the appropriate remuneration in lieu of the prescribed notice period.

11. AGENTS

11.1 The Council shall appoint agents to assist in giving effect to this Agreement and shall furnish every such agent with a certificate signed by the Secretary or an authorised official.

11.2 Before carrying out any investigation in terms of this Agreement, the agent shall, where practical, inform the employer or a responsible person in the employ of the employer of his intentions.

11.3 Every person upon whom the provisions of this Agreement are binding shall assist the agent to the best of his ability to enable the agent to carry out the above provisions.

12. REGISTRATION OF EMPLOYERS

12.1 Every employer in the Industry who is not registered at the date of coming into operation of this Agreement shall, within one month from such date, and every employer who after the date of coming into operation of this Agreement operates as an employer in the Industry shall, within one month from such commencement of operation, register with the Council.

12.2 Every employer required to register with the Council shall provide the Secretary on the prescribed form with the following particulars:

- (a) Full name;
- (b) trading name;
- (c) business address;
- (d) residential address;
- (e) the trade or trades which he is carrying on in the Industry.

12.3 Where an employer is carrying on business as a partnership, a company, or close corporation, the information in accordance with clause 12.2 hereof shall be furnished in respect of each partner, director or member respectively.

12.4 Every registered employer shall notify the Council in writing of any change in the particulars referred to in clause 12.2 within 14 days of such change.

12.5 Any registered employer who intends to cease operating as such is required to notify the Secretary of the Council in writing at least 14 days prior to the date on which he intends such cessation.

12.6 Every employer in the Industry, shall, together with his application for registration, lodge with the Council a guarantee in a form acceptable to the Council to cover the following payments in respect of his employees:

12.6.1 Where the employer pays his employees on a weekly basis, the guarantee shall cover two weeks' wages as prescribed in clause 4 of this Agreement and two weeks' contributions in terms of this Agreement in respect of all his employees: Provided that the minimum guarantee shall be not less than R1 000.

12.6.2 Indien 'n werkgewer sy werknemers tweeweekliks betaal, moet die waarborg drie weke se lone soos in klousule 4 van hierdie Ooreenkoms voorgeskryf en drie weke se bydraes ingevolge hierdie Ooreenkoms ten opsigte van alle werknemers dek: Met dien verstande dat die minimum waarborg minstens R1 000 moet wees.

12.6.3 Indien die werkgewer sy werknemers op 'n maandelike grondslag betaal, moet die waarborg vyf weke se lone soos in klousule 4 van hierdie Ooreenkoms voorgeskryf en vyf weke se bydraes ingevolge hierdie Ooreenkoms ten opsigte van al sy werknemers dek: Met dien verstande dat die minimum waarborg minstens R2 000 moet wees.

12.7 Indien 'n werkgewer sy waarborg ingedien het en vir 'n tydperk van minstens 12 agtereenvolgende kalendermaande nie aan klousule 2 van Hoofstuk 5 voldoen het nie, moet sodanige waarborg verbeur word aan die algemene fondse van die Raad en sy registrasie as werkgewer gekanselleer word nadat die Raad hom daarvan verwittig het deur 'n geregistreerde brief na sy jongste bekende adres te stuur: Met dien verstande dat die Raad op 'n later datum wanneer sodanige werkgewer daarom aansoek doen en sy aansoek vergesel gaan van die nodige bewys ter staving van sy eis, asook bewys dat hy ten volle voldoen het aan hierdie Ooreenkoms, soos deur die Raad vereis word, sodanige waarborg tesame met die rente wat daarop opgeloopt het teen 'n koers soos van tyd tot tyd deur die Raad bepaal aan sodanige werkgewer kan terugbetaal.

12.8 Die Raad kan 'n gedeelte of die hele bedrag van 'n waarborg wat deur 'n werkgewer betaal is gebruik om 'n bedrag te betaal wat deur sodanige werkgewer aan die Raad verskuldig is ten opsigte van toelaes, bydraes of lone verskuldig aan een of meer werknemers in diens by so 'n werkgewer indien die Raad oortuig is dat sodanige toelaes, bydraes of lone aan die betrokke werknemers verskuldig en betaalbaar is.

12.9 Werkgewers mag deur hul werkgewersorganisasies 'n versekeringspolis uitneem om die dekking te verkry wat in klousule 12.6.1 hiervan beoog word.

12.10 Elke werkgewer wat ingevolge hierdie klousule by hierdie Raad geregistreer is of onderworpe is aan registrasie by hierdie Raad, moet maandeliks 'n lys met die name en adresse van al die 'slegs-arbeid'-kontraheurs by hom in diens aan die Raad verstrek.

13. KENNISGEWINGBORD

Elke werkgewer moet wanneer hy bouwerk verrig wat langer as 'n maand duur, 'n kennisgewingbord van minstens 60 cm by 45 cm vertoon in 'n opvallende plek wat vir die publiek toeganklik is en sodanige kennisgewingbord moet die besigheidsnaam en die besigheidsadres van sodanige werkgewer verstrek: Met dien verstande dat waar meer as een werkgewer op die bouterrein optree, bostaande besonderhede van al die werkgewers op een gesamentlike kennisgewingbord kan verskyn.

14. VERTONING VAN OOREENKOMS

Elke werkgewer moet 'n leesbare kopie van hierdie Ooreenkoms in albei amptelike tale vertoon op elke werkerrein waar langer as ses maande gewerk word en by sy gewone besigheidsplek in 'n opvallende plek wat maklik vir al sy werknemers toeganklik is.

15. NATWEERSKUILING

15.1 By alle persele waar boubedrywighede aan die gang is, moet werkgewers geskikte akkommodasie verskaf —

15.1.1 om as skuiling vir werknemers gedurende nat weer te dien;

15.1.2 om as kleedkamer te dien: Met dien verstande dat hierdie bepaling nie van toepassing is nie op persele waar minder as 25 werknemers in diens is of waar die omstandighede eie aan die perseel of die aard van die werk wat aan die gang is, nie akkommodasie vir 'n kleedkamer toelaat nie.

12.6.2 Where an employer pays his employees fortnightly, the guarantee shall cover three weeks' wages as prescribed in clause 4 of this Agreement and three weeks' contributions in terms of this Agreement in respect of all employees: Provided that the minimum guarantee shall not be less than R1 000.

12.6.3 Where an employer pays his employees on a monthly basis, the guarantee shall cover five weeks' wages as prescribed in clause 4 of this Agreement and five weeks' contributions in terms of this Agreement in respect of all his employees: Provided that the minimum guarantee shall be not less than R2 000.

12.7 Where an employer has lodged a guarantee and has for a period of at least 12 consecutive calendar months not complied with the provisions of clause 2 of Chapter 5, such guarantee shall become forfeited to the general funds of the Council and his registration as an employer shall be cancelled after notification thereof by the Council by registered letter sent to his last known address: Provided that the Council shall at any subsequent date on application by such employer supported by the necessary proof substantiating his claim and proof that he has complied with all the provisions of the Agreement, as may be required by the Council, refund to such employer such guarantee together with interest accrued thereon at the rate as determined by the Council from time to time.

12.8 The Council shall be entitled to utilise any guarantee lodged by an employer, in whole or in part, to pay any amount which may be due to the Council by such employer in respect of allowances, contributions, or wages which may be due to any one or more employees employed by such employer, where the Council is satisfied that such allowances, contributions or wages are due and payable to the employees concerned.

12.9 Employers may through their organisations take out an insurance policy in order to obtain the cover as envisaged in clause 12.6.1 hereof.

12.10 Every employer who is registered or liable for registration with this Council in terms of this clause, shall submit to the Council on a monthly basis a list of the names and addresses of all the 'labour-only' contractors employed by him.

13. NOTICE-BOARD

Every employer shall wherever building operations are being carried out by him which are of more than one month's duration, display in a conspicuous place accessible to the public, a notice-board of a size not less than 60 cm by 45 cm showing the business name and business address of such employer: Provided that where more than one employer operates on a site, the above particulars of all such employers may be shown on one combined notice-board.

14. EXHIBITION OF AGREEMENT

Every employer shall exhibit a legible copy of this Agreement in both official languages on every job site of more than six months duration and at his ordinary place of business, in a conspicuous position, easily accessible to all his employees.

15. WET WEATHER SHELTER

15.1 At any site where building operations are being conducted, employers shall provide suitable accommodation —

15.1.1 to serve as a shelter for employees during wet weather;

15.1.2 to serve as a change-room: Provided that this provision shall not apply on sites where less than 25 employees are employed or where the circumstances peculiar to the site or the nature of the work in progress do not permit of accommodation for a change-room.

16. VERVERSINGS

Alle werknemers is geregtig op 'n pouse vir verversings in die oggend en in die middag en elke pouse moet minstens 10 minute duur, wat geag moet word as tyd gewerk. Geskikte geriewe vir die doel om verversings voor te berei moet deur die werkgewer verskaf word.

17. VRYSTELLING

17.1 Behoudens die voorbehoudsbepaling van artikel 51 (3) van die Wet kan die Raad om afdoende redes skriftelik vrystelling van enigeen van die bepalings van hierdie Ooreenkoms aan 'n persoon of persone verleen.

17.2 'n Vrystellingsertifikaat, onderteken deur die Sekretaris of 'n gemagtigde persoon moet uitgereik word aan elkeen wat vrygestel word.

17.3 'n Vrystellingsertifikaat moet die voorwaardes waarop 'n vrystelling toegestaan is, die duur van sodanige vrystelling en die gebied waar dit van toepassing is, meld.

17.4 Die Raad kan te eniger tyd 'n vrystellingsertifikaat wysig of intrek sonder om sy redes te verstrek, mits skriftelike kennis van 10 werkdag aan die vrygestelde persoon gegee is.

18. VAKVERENIGINGSGELDE EN REGTE VAN VAKVERENIGINGBEAMPTES

18.1 Beamptes van die vakverenigings wat partye by hierdie Raad is, moet in die gewone loop van hul pligte gedurende werkure toegang hê tot die bouterreine en werkwinkels met die doel om met werknemers wat op die terrein werk werwing en lidmaatskap van die vakverenigings te bespreek: Met dien verstande dat hulle nie mag voorkom dat 'n werknemer sy werk voortsit nie, tensy hulle vooraf die toestemming van die werkgewer of sy behoorlik gemagtigde verteenwoordiger verkry het: Voorts met dien verstande dat dié toestemming nie sonder billike rede weerhou mag word nie.

18.2 Elke werkgewer wat lid van een van die werkgewersorganisasies is wat partye by die Raad is, moet ten opsigte van elkeen van sy werknemers vir wie lone in klousule 4 van Hoofstuk 1 van hierdie Ooreenkoms voorgeskryf word en wat lid is van een van die vakverenigings wat partye by die Raad is, die bedrag wat deur sodanige werknemer as ledegeld aan die betrokke vakvereniging betaalbaar is van sy besoldiging aftrek en die bedrae wat so afgetrek word by die Raad inbetaal vir verspreiding aan genoemde vakverenigings.

19. HEFFINGS—WERKGEWERPARTYE

19.1 Elke werkgewer wat lid is van een van die werkgewersorganisasies wat 'n party is tot hierdie Ooreenkoms, moet ten opsigte van elke werknemer wat by hom in diens is, die bedrag aan die Raad betaal in die konstitusie van die onderskeie werkgewersorganisasies bepaal word.

19.2 Die Raad moet elke maand aan bogenoemde werkgewersorganisasies onderskeidelik die bedrae oorbetal wat hy ingevolge hierdie klousule invorder.

20. ALGEMEEN

20.1 Geen ooreenkoms, uitdruklik of stilswyend, hetsy dit aangegaan is voordat of nadat hierdie Ooreenkoms in werking getree het, mag die uitwerking hê dat dit die betaling aan 'n werknemer van minder besoldiging as die wat in hierdie Ooreenkoms voorgeskryf word of die toepassing op 'n werknemer van behandeling word of die toepassing op 'n werknemer van behandeling of die toekenning aan hom van voordele wat vir hom minder gunstig is as die behandeling of voordele in hierdie Ooreenkoms of 'n ander ooreenkoms voorgeskryf veroorloof nie, en ook mag dit nie afstand deur 'n werknemer van die toepassing op hom van enige bepaling van hierdie Ooreenkoms of 'n ander ooreenkoms bewerkstellig nie. Enige sodanige ooreenkoms is ongeldig.

16. REFRESHMENTS

All employees shall be entitled to a refreshment interval in the morning and afternoon and each interval shall not be longer than 10 minutes' duration and shall be deemed to be time worked. Suitable amenities for the purpose of preparing refreshments shall be provided by the employer.

17. EXEMPTIONS

17.1 Subject to the proviso to section 51 (3) of the Act, the Council may, for reasons which it may deem sufficient, grant written exemption to any person/s from any of the provisions of this Agreement.

17.2 A certificate of exemption under the signature of the Secretary or an authorised person shall be issued to every person exempted.

17.3 A certificate of exemption shall state the conditions on which such exemption is granted, the period of such exemption and the area to which it shall apply.

17.4 A certificate of exemption may be amended or withdrawn at any time by the Council without assigning any reason therefore: Provided that written notice of 10 working days has been given to the person exempted.

18. TRADE UNION FEES AND RIGHTS OF OFFICIALS

18.1 Officials of the trade unions which are parties to this Council shall in the ordinary course of their duties have access to building sites and workshops during working hours for the purpose of discussing with employees working on the site, recruitment and trade union membership: Provided that trade union officials shall not to be allowed to interfere with the continued performance of work by any employee without the prior consent of the employer or his duly authorised representative: Provided further that such permission shall not be unreasonably withheld.

18.2 Every employer who is a member of one of the employers' organisations which are parties to the Council shall, in respect of each of his employees for whom wages are prescribed in clause 4 of Chapter 1 of this Agreement and who is a member of one of the trade unions which are parties to the Council, deduct from such employee's remuneration the amount payable by such employee as a subscription to the trade union concerned and pay the amounts so deducted to the Council for distribution to the said trade unions.

19. EMPLOYER PARTIES' LEVIES

19.1 Every employer who is a member of one of the employers' organisations who is a party to this Agreement, shall, in respect of every employee employed by him, pay to the Council the amount prescribed in the Constitution of the respective employers' organisations.

19.2 The Council shall, on a monthly basis, pay over to the employers' organisations referred to above the amounts collected by it in terms of this clause.

20. GENERAL

20.1 No agreement, express or implied, whether entered into before or after the coming into operation of this Agreement, shall operate to permit of the payment to any employee of remuneration less than that prescribed in this Agreement or of the application to any employee of any treatment, or the granting to him of any benefits, less favourable to him than the treatment or benefits prescribed in this Agreement or any other agreement, nor shall it effect any waiver by any employee of the application to him of any provision of this Agreement or any other agreement. Any such agreement shall be void.

20.2 Elke bepaling, subklousule of klousule skep 'n reg of 'n verpligting, na gelang van die geval, en is onafhanklik van die bestaan van die ander bepalings. Ingeval 'n bepaling, subklousule of klousule van hierdie Ooreenkoms nie in werking is nie of *ultra vires* is vir sover dit die bevoegdhede van die partye of die Minister betref—hetsy voor of na die publikasie van hierdie Ooreenkoms in die *Staatskoerant* deur die Minister kragtens die bepalings van die Wet—raak dit hoegenaamd nie die res van die Ooreenkoms nie, wat in so 'n geval die Ooreenkoms uitmaak.

21. VEILIGHEIDSBEPALINGS

Elke werkgewer en elke werknemer moet voldoen aan die Wet op Masjinerie en Beroepsveiligheid, 1983, en die regulasies wat daarkragtens opgestel is.

HOOFSTUK 2

KLASSIFIKASIE EN OMSKRYWING VAN TAKE

1. GESPEESIFISEERDE AMBAGTE

1.1 Werknemers (gespesifiseerde ambag) en kwekeling-werknemers (gespesifiseerde ambag) kan werk in een of meer van die volgende gespesifiseerde ambagte verrig:

1.1.1 *Bloklêwerk*: Die lê van blokke soos omskryf; hoogstens meet; hoeke optrek; deurkosyne en venster-rame stel; profiele of setmate opstel.

1.1.2 *Plaveiwerk*: Die lê van plaveiblokke, plaveistene en slasto; uitlêwerk en bepaling van vlakke en valle.

1.1.3 *Oprigting van bekisting*: Hout- en staalbekisting monter en oprig vir mure, kolomme, balke en blaie.

1.1.4 *Oprigting van steiers*: Afmerkwark; oprig en waterpasmaak van alle tipes steiers.

1.1.5 *Pleistersteenmesselaar*: Pleisterstene volgens profiele en setmate, uitgesonderd die opstelling van inmessel profiele, setmate, deur- en vensterrame; gedurende aangrensende konstruksiewerk nagaan of deur- en vensterrame in die lood of waterpas is.

1.1.6 *Betonafstrykwerk*: Bepaling van vlakke en valle; afstryking en afwerk van beton met die hand of 'n masjien.

1.1.7 *Bediening en toerusting*: Hyskrane, grondverskuifingsmasjinerie en dergelike toerusting bedien; elektriese of meganiese masjiene soos betonmengers, sae, kantsnyers/-slypers, poleer- en sandstraalmasjiene en lettersnymasjiene bedien; swaaiarmhystoestelle bedien; voertuie, meganiese storters en trekkers dryf; houtwerkmasjiene en sproeispuite bedien en gereedskapmaak (klipmesselaarambag).

1.1.8 *Teël- en/of leiklipdekking*: Afmerkwark; aanbring, sny en/of vassit van dakteëls en nokdekking van beton/terracotta, asbes of leiklip.

1.1.9 *Dakplaatwerk*: Afmerkwark; aanbring, sny en/of vassit van metaaldakplaat en/-nokdekking en/of metaalteëls en/-nokdekking.

1.1.10 *Skrynwarkmontering*: Monteer en vassit van alle skrynwarkkomponente.

1.1.11 *Aluminiummontering en sweiswerk*: Vensters, winkelfronte, deure, deurrame, toonbanke, storthokkies, veranda-omsluitings en sonskerms van aluminium in die fabriek of werkwinkel, monteer, vassit en sweis met inbegrip van beglasing en vassit van aluminiumkomponente op die terrein.

1.1.12 *Plafonwerk*: Oprigting en installering van patente hangplafonstelsels.

1.1.13 *Oprigting van afskortings*: Oprigting en installering van aluminium- en droëmuurafskortings volledig met deure en slotte maar uitgesonderd doelgemaakte afskortings.

1.1.14 *Installering van voorafvervaardigde rakkaste*: Oprigting en installering van voorafvervaardigde staal- en houtrakkaste en kabinette.

20.2 Every provision, subclause or clause shall create a right or obligation, as the case may be, independently of the existence of other provisions. In the event of any provision, subclause or clause of this Agreement being inoperative or *ultra vires* the powers of the parties or the Minister, either before or after publication of this Agreement in the *Government Gazette* by the Minister under the provisions of the Act, this shall in no way affect the remainder of the Agreement, which shall in that event constitute the Agreement.

21. SAFETY PROVISIONS

Every employer and every employee shall comply with the provisions of the Machinery and Occupational Safety Act, 1983, and the regulations made thereunder.

CHAPTER 2

CLASSIFICATION AND DEFINITION OF TASKS

1. SPECIFIED SKILLS

1.1 Specified skills and trainee specified skills employees may perform any one or more of the following operations in the specified skills listed below:

1.1.1 *Blocklaying*: The laying of blocks as defined; taking levels; plumbing of angles; the placing in position of door jambs and window frames; setting up of profiles or jigs.

1.1.2 *Paving*: The laying of paving blocks, paving bricks, slasto; setting out; determining levels and falls.

1.1.3 *Formwork erection*: Assembling and erecting formwork of wood and steel for walls, columns, beams and slabs.

1.1.4 *Scaffold erection*: Harking out; erection and levelling of all forms of scaffolding.

1.1.5 *Stock bricklayer*: The laying of stock bricks to a profile or jig but excluding the setting up of profiles, jigs, door frames and window frames; checking of the plumbing and levelling of door frames and window frames during construction of adjoining work.

1.1.6 *Concrete floating*: Determining levels and falls; floating and finishing of concrete by hand or machine.

1.1.7 *Plant operating*: Operating cranes, earthmoving equipment or similar equipment; operating electrical or mechanical machines such as concrete mixers, saws, edge cutters/grinders, polishers and sand blasting and letter cutting machines; operating jib hoists; driving of vehicles, mechanical dumpers and tractors; operating woodworking machines and sprayguns; toolmaking (mason's trade).

1.1.8 *Roof tiling/slating*: Marking out; fitting, cutting and/or fixing of roof tiles and ridging of concrete/terra-cotta, asbestos or slate.

1.1.9 *Roof sheeting*: Marking out; fitting, cutting and/or fixing metal roof sheeting and ridging and/or metal tiles and ridging.

1.1.10 *Joinery assembling*: Assembling and fitting of all joinery components.

1.1.11 *Aluminium assembling and welding*: In factory or workshop assembling fixing and welding of aluminium windows, shopfronts, doors, door frames, counters, shower cubicles, verandah enclosures and awnings, including glazing and fixing of aluminium components on site.

1.1.12 *Ceiling fixing*: Erection and installation of patented suspended ceiling systems.

1.1.13 *Partition erection*: Erection and installation of aluminium and dry-wall partitioning systems complete with doors and locks but excluding purpose-made partitions.

1.1.14 *Prefabricated cupboard installation*: Erection and installation of prefabricated cupboards and cabinets in steel and wood.

1.1.15 *Hulp by pleisterwerk (pleisteraar se assistent):* Saksmeerwerk; eenlaagpleisterwerk op mure en plafonne, uitgesonderd kolomme, koepels, balke, penante en boë, afvlak van betonvloere, uitgesonderd trappe en deurdrumpels.

1.1.16 *Hulp by teëlwerk (teëlwerker se assistent):* Afvlak van vloere; lê van vloerteëls, met inbegrip van sny- en laswerk; vassit van muurteëls aan gepleisterde muur met kleefmiddel, met inbegrip van snywerk, maar uitgesonderd dagwange, drumpels, kolomme en penante.

1.1.17 *Hulp by waterdigting (waterdigtingswerker se assistent):* Waterdigting en vogdigting van alle horisontale en/of skuins en vertikale oppervlakke met inbegrip van tenks, met alle soorte dakmembrane, plate en lak- of semi-lakmastiklae.

1.1.18 *Geutwerk:* Vassit van metaal-, PVC- of asbesgeute en geutype; afmerk en vassit van ondervoegskorte of trappiesvoegskorte.

1.1.19 *Asfaltwerk:* Aanwending van asfalt op alle oppervlakke.

1.1.20 *Hulp by verfwerk (verwer se assistent):* Aanwending van grondverf en onderlae op alle oppervlakke; aanwending van eindlae op mure en plafonne met 'n roller, met inbegrip van insnywerk van geverfde panele met 'n kwas.

1.1.21 *Aanwendingswerk:* Uittêwerk, meng en aanwending van alle soorte spesiale muurbedekkings en/of tekstuurlae.

1.1.22 *Huisbeglasing:* Insit van en voorwerk aan gewone staal- of houtrame en staal- of houtkraalrame.

1.1.23 *Matlêwerk:* Uittê- en afmerkwerk; sny, lê en/of span en las van alle soorte matte.

1.1.24 *Veerkragtige vloerlêwerk:* Uittê- en afwerkwerk; die lê en vassit van hout-, mosaië- en komposisierubbervloere en vloere van enige ander metaal; die insit van alle soorte vloer- en muurbedekkings van teëls of stroke met inbegrip van veerkragtigebevoering linoleum, Malthoid, asfalteëls of materiaal met asfaltbasis, kurk-, rubber-, viniel- en plastiek-komposisies.

1.1.25 *Hulp by loodgieterswerk (loodgieter se assistent):* Aanmeakaarsit en vassit van gietyster-, staal-, PVC-, koper- en plastiekpype en toebehore aan mure en vloere; vassit van sanitêre los en vaste toebehore, met inbegrip van geisers aan mure.

1.1.26 *Hulp by rioolaanlegwerk (rioolleër se assistent):* PVC-, pikvesel-, erde-, gietyster- en betonpype lê; rioolpunte, vetsperders en soortgelyke toebehore aanbring.

1.1.27 *Oprigting van voorafgegiëte mure en heinings:* Uittêwerk; oprigting en loodregstel van voorafgegiëte mure en heinings, met inbegrip van die installering van deure en hekke.

1.1.28 *Oprigting van klipwerk:* Uittêwerk; hoogtes bepaal, fondamente lê; gedenkstone oprig en afbreek; voertuie dryf; hystoerusting bedien.

In geval van 'n meningsverskil oor die vertolking van bogenoemde omskrywings, moet die Raad 'n beslissing gee wat finaal en bindend is.

2. NIE-AANGEWESSE AMBAGTE (AMBAGSMANS-AMBAGTE)

2.1 'n Ambagsman of kwekelingambagsman kan een of meer van die volgende werksaamhede verrig in die ambagte wat gedeeltes is van 'n aangewese ambag soos hieronder aangedui:

2.1.1 *Messelaar:* Uittêwerk; pleister- en sierstone in fondamente en bobou inmessel; deur- en vensterrame inbou; hoeke in die lood bring; profiele of setmate opstel, maar uitgesonderd die bou van boë, penante, kappe, drumpels en dekoratiewe steenwerk.

1.1.15 *Plastering assistance (assistant to plasterer):* Bagging; one-coat plastering of walls and ceilings, excluding columns, domes, beams, piers and arches; screeding of concrete floors, excluding steps and thresholds.

1.1.16 *Tiling assistance (assistant tiler):* Screeding of floors; laying of floor tiles, including cutting and jointing; fixing of wall tiles to plastered walls with adhesive, including cutting, but excluding reveals, sills, columns and piers.

1.1.17 *Waterproofing assistance (assistant to waterproofer):* Waterproofing and dampproofing of all horizontal/sloping and vertical surfaces, including tanking with all types of roofing membranes, sheets and lacquer or semi-lacquer mastic coatings.

1.1.18 *Gutter fixing:* Fixing of metal, PVC or asbestos gutters and downpipes; marking out and fixing underflashing or stepflashing.

1.1.19 *Asphalting:* Application of asphalting to all surfaces.

1.1.20 *Painting assistance (assistant to painter):* Applying primers and undercoats to all surfaces; applying final coats to walls and ceilings with a roller, including cutting in the painted panels by brush.

1.1.21 *Applications:* Setting out; mixing and application of all types of special wall coverings and/or textured coating.

1.1.22 *Domestic glazing:* Fitting and facing of ordinary and beaded frames in both steel and timber.

1.1.23 *Carpet fitting:* Setting out and marking out; cutting, laying and/or stretching and jointing of all types of carpets.

1.1.24 *Resilient floor laying:* Setting out and marking out; laying and fixing of floors of wood, mosaic, composite rubber or any other material; fixing of all types of floor and wall coverings in tile or sheet form, including resilient flooring, linoleum, Malthoid, asphalt tiles or asphalt based material, cork, rubber, vinyl, and plastic compositions.

1.1.25 *Plumbing assistance (assistant to plumber):* Assembling and fixing of cast iron, steel, PVC, copper and plastic pipes and fittings to walls and floors; fixing of sanitary fixtures and fittings, including geysers to walls.

1.1.26 *Drainlaying assistance (assistant to drainlayer):* Laying of PVC, pitch fibre, earthenware, cast iron and concrete pipes; fixing of gullies, grease traps and similar fittings.

1.1.27 *Precast wall and fence erection:* Setting out; installation and plumbing of precast walls and fences, including installation of doors and gates.

1.1.28 *Stone fixing:* Setting out; determining levels, laying of foundations; fixing and dismantling of memorial stones; driving of vehicles; operating lifting equipment.

In the event of a difference of opinion on the interpretation of the above definitions, the Council shall give a ruling which shall be final and binding.

2. NON-DESIGNATED TRADES (ARTISAN TRADES)

2.1 An artisan or trainee artisan may perform any one or more of the following operations in the trades which are parts of a designated trade as listed hereunder:

2.1.1 *Bricklayer:* Setting out; the laying of stock and face bricks in foundations and superstructures; the building in of door frames and window frames; plumbing of angles; setting-up of profiles and jigs but excluding the building of arches, piers, copings and sills and decorative brickwork.

2.1.2 *Boutimmerwerk*: Uittêwerk; vertolking van tekeninge en bepaling van hoogstes; alle tipes bekisting maak en oprig; uittêwerk en skoring maak en oprig; uittêwerk en toesig hou oor die aanbring van wapening; vertolking van buigskedules en wapeninguitlegplanne.

2.1.3 *Afwerktimmerwerk*: Uittêwerk; vertolking van tekeninge en bepaling van hoogtes; deure hang; slotte installeer; rakkaste, kabinette, muurpaneelwerk, hanghoutvloere en afskortings vervaardig en aanbring; vloerlyste en lyswerk vassit.

2.1.4 *Daktimmerwerk*: Uittêwerk; vertolking van tekeninge en afmerkwêrk; hoogtes bepaal; houtkapdrastukke en kappe, wolfoeke en kiele maak, vassit en oprig; voegskorte opmaak en aanbring; toesig hou oor die aanbring, sny en/of vassit van dakteëls, dakplate en nokdekking van beton, asbes, leiklip en metaal of soortgelyke materiaal.

2.1.5 *Plafon- en afskortingsoprigting*: Uittêwerk; vertolking van tekeninge en bepaling van hoogtes; alle tipes afskortings en plafonne oprig, met inbegrip van deure hang en slotte installeer.

2.1.6 *Verfwerk*: Vertolking van tekeninge en verfskedules; alle lae verf, vernis, beits en lakvernis of dergelike materiaal op allerlei oppervlakke aanwend; kleure meng en pas.

2.1.7 *Beglasing (patent)*: Uittêwerk; vertolking van tekeninge en afmerkwêrk; gewone staal- en houtrame en staal- en houtkraalrame insit en beglaas; staal-, hout- en aluminiumkomponente met verskillende soorte glas insit en beglaas, met gebruikmaking van gewone en patentruitwerkmetodes; verseëling met silikon, polisulfied en dergelike produkte.

2.1.8 *Waterdigting*: Vertolking van tekeninge; uittêwerk; toesig hou oor en uitvoering van alle waterdigtings- en vogdigtingswerk, met inbegrip van tenks.

2.1.9 *Houtmasjiënwerk*: Uittêwerk; vertolking van tekeninge; sirkelsaagponse, radiaalraamsae, kettingsae, uitsnysae, skaaf-, lys-, tapgat-, tapsny- en skuurmasjiëne opstel en bedien; van houtdraaimasjiëne bedien; profielbeitels ontwerp en skerpmaak; slypsnymasjiëne; profiel- en skerpmaaktoerusting opstel en bedien; patroonplate en setmate maak en gebruik.

2.1.10 *Rioloaanlegwerk*: Uittêwerk; vertolking van tekeninge en bepaling van hoogtes; afmerkwêrk; riole lê volgens 'n val; betonbedekking; toetsing; mangate bou; vloevulling en skoring; toesig hou oor ander kategorieë werknemers.

2.1.11 *Loodgieterswerk*: Uittêwerk; vertolking van tekeninge; afmerkwêrk; hoogtes bepaal; toesig hou oor ander kategorieë werknemers; plaatmetaalwerk; alle tipes pype en toebehore vir warm- en kouewaterstelsels installeer, met inbegrip van vuilwaterpype; sanitêre los en vaste toebehore installeer, met inbegrip van geisers en kleppe.

2.1.12 *Pleisterwerke*: Uittêwerk; afmerkwêrk en vertolking van tekeninge; een- en tweelaagpleisterwerk aan alle oppervlakke; afvlakking van alle oppervlakke, met inbegrip van granolietafwerking.

2.1.13 *Klipkapwerk*: Uittêwerk, afmerkwêrk; vertolking van tekeninge; kap, vlakmaak en profileren van klip; patroonplate maak; toesig hou oor die oprig van gedenkstone.

2.1.14 *Muurpapier plakwerk*: Vertolking van tekeninge; afmerkwêrk; alle soorte muurpapier plak, met inbegrip van sny- en afwerking.

2.1.15 *Algemene ambagsman*: 'n Werknemer wat toegelaat word om die gedefinieerde take van twee of meer van die nie-aangewese ambagte te verrig.

2.1.16 *Aanbring van staalwapening*: Uittêwerk, vertolking van buigskedules en wapenuitlegplanne; toesighou oor die plasing en aanbring van alle klasse staal- en gaasdraadwapening.

2.1.2 *Construction carpentry*: Setting out; interpreting drawings and determining levels; constructing and erecting all types of formwork; setting out, and constructing and erecting shoring; setting out and supervising the fixing of reinforcing; interpreting bending schedules and reinforcing layouts.

2.1.3 *Finishing carpentry*: Setting out; interpreting drawings and determining levels; hanging doors; fitting locks; manufacturing and fixing cupboards, cabinets, wall panelling, suspended wooden floors and partitions; fixing skirtings and mouldings.

2.1.4 *Roofing carpentry*: Setting out; interpreting drawings and marking out; determining levels; making, fixing and erecting timber truss templets and trusses, hips and valleys; making up and fitting of flashing; supervising the fitting, cutting and/or roof tiles, roof sheeting and ridging of concrete, asbestos, slate and metal or similar material.

2.1.5 *Ceiling and partition erection*: Setting out; interpreting drawings and determining levels; erection all types of partitions and ceilings, including hanging of doors and fitting of locks.

2.1.6 *Painting*: Interpreting drawings and paintings schedules; application of all coats of paint, varnish, stain and lacquers or similar material to all surfaces; mixing and matching colours.

2.1.7 *Glazing (patent)*: Setting out; interpreting drawings and marking out; fitting and glazing of ordinary and beaded frames in both steel and timber; fitting and glazing of steel, wood and aluminium components with various types of glass, using conventional and patented glazing methods; sealing with silicone, polysulphide and similar products.

2.1.8 *Waterproofing*: Interpreting drawings; setting out; supervising and executing all waterproofing and dampproofing operations, including tanking.

2.1.9 *Wood machining*: Setting out; interpreting drawings; setting up and operating circular saw punches, radial arm saws, chain saws, jig saws, planing, moulding, morticing, tenoning and sanding machines; operating wood-turning machines; developing and sharpening moulding cutters; setting up and operating grinding cutters, profiling and sharpening equipment; making and using templets and jigs.

2.1.10 *Drainlaying*: Setting out; interpreting drawings and determining levels; marking out; laying of drains to falls; concrete encasement; testing; building of manholes; benching and shoring; supervising other categories of employees.

2.1.11 *Plumbing*: Setting out; interpreting drawings; marking out; determining levels; supervising other categories of employees; sheet metal work; installation of all types of pipes and fittings for hot or cold water systems, including waste pipes, installation of sanitary fixtures and fittings, including geysers and valves.

2.1.12 *Plastering*: Setting out; marking out and interpreting drawings; one and two-coat plastering to all surfaces; screeding of all surfaces, including granolithic finishing.

2.1.13 *Banker masonry*: Setting out; marking out; interpreting drawings; cutting, surfacing and profiling of stone; making templets; supervising the fixing of memorial stone.

2.1.14 *Wall paper hanging*: Interpreting drawings; marking out; applying of all types of wall paper, including cutting and trimming.

2.1.15 *General artisan*: An employee who is permitted to execute the defined task of two or more of the non-designated trades.

2.1.16 *Reinforcing steel fixing*: Setting out of interpreting bending schedules and reinforcing layouts; supervising the placing and fixing of all classes of steel reinforcing and mesh.

3. AANGEWSE AMBAGTE (VAKMANSAMBAGTE)

3.1 'n Gekwalifiseerde vakman, 'n vakleerling- of 'n kwekeling vakman kan een of meer van die volgende werksaamhede verrig in die vakmansambagte wat hieronder aangedui word:

3.1.1 *Messelwerk*: Uittêwerk; bepaling van hoogtes; vertolking van tekeninge; pleister- en sierstene in alle tipes verbande in fondamente en bobou inmessel; lateie bou; plaveiwerk in dagha; dekoratiewe steenwerk; alle tipes boë, penante, kappe en drumpels bou; venster- en deurrame opstel en inbou; hoeke in die lood bring; profiele of setmate opstel.

3.1.2 *Timmerwerk*: Uittêwerk; vertolking van tekeninge; bepaling van hoogtes; alle tipes bekisting; maak en oprig; uittêwerk; skoring maak en oprig; uittêwerk en wapening aanbring; vertolking van kraalskedules en wapeninguittêplanne; vorms vir voorafgegiëte eenhede maak; deure hang; slotte installeer; kabinette, rakkaste, muurpaneelwerk, hanghoutvloere en afskortings vervaardig en aanbring; vloerlyste en lyswerk aanbring; houtkapdrastukke en kappe; wolfhoeke en kiele maak, vassit en oprig; voegskorte opmaak en aanbring; aanbring, sny en/of vassit van dakteëls en nokdekking van beton, asbes, leiklip of dergelike materiaal; aanbring, sny en/of vassit van metaaldakteëls of -dakplate en -nokdekking; alle tipes afskortings en plafonne oprig.

3.1.3 *Skrynerwerk*: Uittêwerk; vertolking van tekeninge; alle items soos deurrame, vensterrame, deure, rakkaste, kabinette, toonbanke, kombuiske, afskortings en paneelwerk vervaardig, aanmekearsit, installeer, hang en vassit; alle houtwerkmasjiene bedien; slotte en ysterware installeer.

3.1.4 *Winkeltoerustingswerk*: Uittêwerk; vertolking van tekeninge; alle items soos deurrame, vensterrame, deure, rakkaste, kabinette, toonbanke, kombuiske, afskortings en paneelwerk vervaardig, aanmekearsit, installeer, hang en vassit; alle houtwerkmasjiene bedien; slotte en ysterware installeer; gas- of boogsweiswerk; vou- en buigwerk; vensterrame, deurrame, deure, vensters, winkelfronte, afskortings en gordynmure uit aluminium of ander metale vervaardig en installeer.

3.1.5 *Pleister- en plaveiwerk*: Uittêwerk; vertolking van tekeninge en bepaling van hoogtes; vloere, trappe en deurdrumpels afvlak; vloere, trappe en deurdrumpels granolities afwerk, vorms *in situ* maak; plaveiblokke, plaveistene en slasto lê; een- en tweelaagpleister aan alle oppervlakke aanbring; gepoleerde terazzo aan mure, vloere en trappe aanbring en afwerk; dekoratiewe pleisterwerk aanbring.

3.1.6 *Loodgieters- en rioolaanlegwerk*: Afmerk- en uittêwerk; bepaling van hoogtes; vertolking van tekeninge; toesig hou oor ander kategorieë werknemers; plaatmetaalwerk; alle tipes pype en toebehore vir warm- en kouewaterstelsels installeer, met inbegrip van vuilwaterpype; sanitêre los en vaste toebehore installeer, met inbegrip van geisers en kleppe; riole lê volgens 'n val; betondekking; toetsing; mangate bou, vloevulling en skoring.

3.1.7 *Muur- en vloerteëlwerk*: Uittêwerk; vertolking van tekeninge en bepaling van hoogtes; muurteëls en vloerteëls op alle tipes oppervlakke aanbring; mosaïek op alle tipes oppervlakke vassit.

3.1.8 *Verfwerk en versiering*: Uittêwerk; vertolking van tekeninge en verfskedules; toesig hou oor alle kategorieë werknemers; verf, vernis en beits op alle oppervlakke aanwend; verf met 'n sproeisuiet aanwend; kleure meng en pas; dekoratiewe afwerking soos marmering en vlamskildering, sjablonering, lakpolering, stippeling, muurplakwerk en huishoudelike beglasing aanwend.

3.1.9 *Klipmesselwerk*: Afmerkwerk; uittêwerk; vertolking van tekeninge; bepaling van hoogstens; natuurlike en fineerklip oprig, vasheg en demonteer.

3.1.10 *Lettersnywerk/Klipdekorasiewerk*: Uittêwerk; afmerkwerk; alle tipes letters en versierings uitsny; toesig hou oor alle ander kategorieë werknemers.

3. DESIGNATED TRADES (CRAFTSMAN TRADES)

3.1 A qualified craftsman, apprentice or trainee craftsman may perform one or more of the following operations in the craftsman trades listed below:

3.1.1 *Bricklaying*: Setting out; determining levels; interpreting drawings; laying stock and face bricks in all types of bonding in foundations and super structures; constructing lintels; paving in mortar; decorative brick work; building of all types of arches, piers, copings and sills; setting up and building in window frames and door frames; plumbing of angles; setting up profiles or jigs.

3.1.2 *Carpentry*: Setting out; interpreting drawings; determining levels; constructing and erecting all types of formwork; setting out; constructing and erecting shoring; setting out and fixing re-inforcing; interpreting beading schedules and re-inforcing layouts; constructing moulds for precast units; hanging doors; fitting locks; manufacturing and fixing cabinets, cupboards, wall panelling, suspended wooden floors and partitions; fixing skirtings and mouldings, making, fixing and erecting timber truss templates and trusses, hips and valleys; making up and fitting or flashing; fitting, cutting and/or fixing of roof tiles and ridging of concrete, asbestos, slate or similar material; fitting cutting and/or fixing of metal roof tiles or roof sheeting and ridging; erecting all types of partitions and ceilings.

3.1.3 *Joinery*: Setting out; interpreting drawings; fabricating, assembling, installing, hanging and fixing all items such as door frames, window frames, doors, cupboards, cabinets, counters, kitchen cupboards, partitions and panelling; operating all wood-working machines; fixing locks and ironmongery.

3.1.4 *Shopfitting*: Setting out; interpreting drawings; fabricating, assembling, installing, hanging and fixing all items such as door frames, window frames, doors, cupboards, cabinets, counters, kitchen cupboards, partitions and panelling; operating all wood-working machines; fixing locks and ironmongery; gas or arc welding; folding and bending; fabricating and installing window frames, door frames, doors, windows, shopfronts, partitions and curtain walling in aluminium and other metals.

3.1.5 *Plastering and paving*: Setting out; interpreting drawings and determining levels; screeding of floors, steps and thresholds; rendering granolithic finishes to floors, steps and thresholds; constructing, insitu mouldings; laying of paving blocks; paving bricks and slasto; one and two-coat plastering to all surfaces; applying and finishing polished terazzo to walls, floors and staircases; applying decorative plastering.

3.1.6 *Plumbing and drainlaying*: Marking out and setting out; determining levels; interpreting drawings; supervising other categories of employees; sheet metalwork; installing all types of pipes and fittings for hot and cold water systems, including waste pipes; installing sanitary fixtures and fittings, including geysers and valves; laying drains to falls; concrete encasement; testing; building manholes; benching and shoring.

3.1.7 *Wall and floor tiling*: Setting out, interpreting drawings and determining levels; laying wall and floor tiles to all types of surfaces; fixing mosaic to all types of surfaces.

3.1.8 *Painting and decorating*: Setting out; interpreting drawings and painting schedules; supervising all categories of employees; applying paints, varnishes and stains to all surfaces; applying paints by spraygun; fixing and matching colours; applying decorative finishing such as marbling and graining, stencilling, French polishing, stippling, wall paper hanging, domestic glazing.

3.1.9 *Massonry fixing*: Marking out; setting out; interpreting drawings; determining levels; setting up fixing and dismantling natural and reconstructed stone.

3.1.10 *Letter cutting stone decoration*: Setting out; marking out; cutting of all types of letters and embellishments; supervising all other categories of employees.

HOOFSTUK 3 MASSAVERVAARDIGING

1. ALGEMEEN

1.1 Hierdie Hoofstuk moet nagekom word deur alle werkgewers en werknemers wat betrokke is by of werksaam is in die Massavervaardigingseksie van die Bounywerheid.

1.2 Die bepalings van Hoofstukke 1, 2, 4, 5 en 6 in hierdie Ooreenkoms is *mutatis mutandis* van toepassing op hierdie Hoofstuk. Waar die bepalings van bogenoemde Hoofstukke strydig is met die bepalings in hierdie Hoofstuk vervat, is die bepalings van laasgenoemde Hoofstuk van toepassing en moet hulle voorkeur geniet.

2. WOORDOMSKRYWING

Alle uitdrukkings wat in hierdie Hoofstuk gebruik word maar nie hierin omskryf word nie maar wat omskryf is in Hoofstukke 1 en 2 van hierdie Ooreenkoms het dieselfde betekenis as in daardie Hoofstuk: Voorts beteken—

“ingebou” ’n proses waarvolgens ’n artikel struktureel permanent met ’n gebou geïntegreer of op ’n ander wyse daarby ingelyf word, of bedoel word daarmee geïntegreer of op ’n ander wyse daarby ingelyf te wees, op so ’n wyse dat dit sy eie afsonderlike identiteit en karakter verloor en deel van die samestel van die gebou word;

“vervaardigingswerker (massavervaardiging)” ’n werknemer wat onder toesig enigeen van die volgende werksaamhede verrig:

(1) Een of meer van die volgende masjiene versorg, bedien, aan- en afskakel maar nie sodanige masjiene opstel of verstelwerk daaraan verrig nie, behalwe vooraf bepaalde verstelwerk wat deel uitmaak van die bediening van die masjiene;

(a) Dubbel- of driedrom- of breëbandskuurmasjiene;

(b) paneel- of deurskuurmasjiene;

(c) skuifbandskuurmasjiene;

(d) dwarssae;

(e) tapgat- en meerkop-tapgatmasjiene;

(2) materiaal in meganiese gevoerde houtwerk-kragmasjiene voer en dit daarvan afhaal;

(3) onder toesig enigeen of meer van die volgende:

(a) Gestootlaste materiaal aanmeekaarsit en vassit en vervaardigde komponente in setapparate of klampe monteer;

(b) deure en vensterrame vasklamp of vasklem;

(c) outomatiese of handperse bedien;

(d) venster- of deurkosyne in paneelopeninge in posisie plaas en vassit;

(e) plafon- en vloerpaneel volgens setmate aanmeekaarsit;

(f) rugstukke aan toebehore vassit;

(g) laaie en vlaklaaie (met inbegrip van bome) vasspyker;

(h) timmerhout met verplaasbare skuurmasjiene skuur;

(i) gate in timmerhout boor, met gebruikmaking van draagbare kraggereedskap;

(j) wie sny en afwerk;

(k) ’n grondverflaag of ’n eerste verflaag op allerlei ongeverfde oppervlakke aanbring;

“Massavervaardigingseksie van die Bounywerheid”, behoudens die bepalings van ’n Afbakeningsvasstelling kragtens artikel 76 van die Wet, daardie Eksie van die Bounywerheid wat in klousule 3 van Hoofstuk 1 van hierdie Ooreenkoms omskryf word waarin werksaamhede uitgevoer word in verband met die massavervaardiging in werkwinkels buite die terrein, en met gebruikmaking van herhalingsprosesse om artikels en/of onderdele vir artikels te vervaardig en/of die aanmeekaarsit van sodanige artikels wat hoofsaaklik

CHAPTER 3 MASS MANUFACTURING

1. GENERAL

1.1 The provisions of this Chapter shall be complied with by all employers and employees engaged in the Mass-manufacturing Section of the Building Industry.

1.2 The provisions of Chapters 1, 2, 4, 5 and 6 of this Agreement shall *mutatis mutandis* be applicable to this Chapter. Where the provisions of those Chapters are inconsistent with the provisions contained in this Chapter, the latter provisions shall be applicable and shall have preference.

2. DEFINITIONS

Any term used in this Chapter which is not defined herein but is defined in Chapters 1 and 2 of this Agreement shall have the same meaning as in that Chapter; further—

“built-in” means any process whereby an article is, or is intended to be, structurally integrated or otherwise incorporated into a building permanently in such a manner that it loses its own separate identity and character and becomes part of the fabric of the building;

“manufacturing worker (mass manufacturing)” means a employee who under supervision performs any one or more of the following activities:

(1) Attending, operating, starting and stopping any one or more of the following machines, but excluding the setting up of or the making of adjustments to such machines other than pre-selected adjustments which form part of the operation of the machines:

(a) Double or treble drum or wide belt sanding machines;

(b) panel or door sanding machines;

(c) sliding belt sanding machines;

(d) cross-cut saws;

(e) morticers and gang morticers;

(2) feeding materials to and drawing materials from power-driven mechanically-fed woodworking machines;

(3) under supervision one or more of the following:

(a) Framing up and securing butt-jointed material and assembling manufactured components in jigs or cramps;

(b) clamping or cramping doors and sashes;

(c) operating automatic or manual presses;

(d) placing and fixing in position of windows or door frames in panel apertures;

(e) assembling ceiling and floor panels to jigs;

(f) fixing backs to fittings;

(g) nailing up drawers and trays (including bottoms);

(h) sanding of timber with portable sanders;

(i) drilling of holes in timber, using portable power tools;

(j) cutting and trimming of wedges;

(k) application of the priming coat of paint or first coat of paint on all unpainted surfaces;

“Mass-manufacturing Section of the Building Industry” means, subject to the provisions of any Demarcation Determination in terms of section 76 of the Act, that Section of the Building Industry as defined in clause 3 of Chapter 1 of this Agreement in which activities are carried out in connection with the mass-manufacturing in off-site workshops, using repetitive processes, of articles and/or component parts for

vervaardig is uit hout of hoofsaaklik uit 'n kombinasie van hout en plastiek en/of enige metaal en/of ander materiaal, vir gebruik by die oprigting, voltooiing, opknapping, herstel, onderhoud of verbouing van geboue of bouwerke en, sonder om enigsins die betekenis van die uitdrukking te beperk, omvat dit ook alle werk wat deur iemand in sodanige werkwinkels uitgevoer word;

"werkwinkel buite die terrein" 'n perseel wat nie op 'n plek geleë is waar bouwerksaamhede aan die gang is nie en wat ingevolge die Wet op Masjinerie en Beroepsveiligheid, Wet 6 van 1983, as 'n "fabriek" geregistreer is of moet wees.

"hout", hout, laaghout, fineerbord, lamelbord, ru-planke, spaanderbord en/of soortgelyke produkte waarvan hout die hoofkomponent uitmaak.

3. WERKDAE EN WERKURE

3.1 Die gewone werkure wat deur alle werkgewers en werknemers nagekom moet word, is—

3.1.1 in die geval van 'n werknemer van wie vereis word om ses dae per week te werk, hoogstens 46 uur in 'n week van Maandag tot en met Saterdag, bereken teen hoogstens agt uur per dag van Maandag tot Vrydag en ses uur op 'n Saterdag;

3.1.2 in die geval van 'n werknemer wat vyf dae per week werk, hoogstens 46 uur in 'n week van Maandag tot en met Vrydag, bereken teen hoogstens 9,2 uur per dag.

HOOFSTUK 4

KLIPMESSELNYWERHEID

1. ALGEMEEN

1.1 Die bepalings van hierdie hoofstuk moet deur alle werkgewers in die Klipmesselnywerheid nagekom word.

1.2 Die bepalings in Hoofstukke 1, 2, 3, 5 en 6 is *mutatis mutandis* op hierdie hoofstuk van toepassing. Waar die bepalings van daardie hoofstukke onbestaanbaar is met die bepalings in hierdie hoofstuk vervat, is laasgenoemde bepalings van toepassing en geniet hulle voorkeur.

2. WOORDOMSKRYWING

Enige uitdrukking wat in hierdie hoofstuk gebesig word en nie hierin omskryf word nie, maar in Hoofstukke 1 en 2 van hierdie Ooreenkoms omskryf word, het dieselfde betekenis as in daardie hoofstuk; voorts beteken—

"algemene werker" 'n werknemer wat enige taak of werksaamheid verrig wat nie elders vermeld word nie in enige van die omskrywings van die klasse werknemers bedoel in die omskrywing van "geskoolde werknemer" en "halfgeskoolde werknemer" soos omskryf in Hoofstuk 1, en omvat dit die volgende werknemers:

- (a) Versendingswerker;
- (b) oprigtersassistent;
- (c) werkwinkelwerker: onderhoud;
- (d) klipjoggie; en
- (e) lugboor-/handbooroperateur;

"graad 1-werknemer" enigene van die volgende klasse werknemers:

- (a) Elementêre tipe handkraanoperateur;
- (b) sandstraaloperateur;
- (c) werkwinkelassistent;
- (d) verpakkingswerker; en
- (e) operateursassistent;

"graad 2-werknemer" enig-een van die volgende klasse werknemers:

- (a) Handpoleerder;
- (b) draagbarepoleermasjienoperateur;
- (c) kwaliteitskontroleerder;
- (d) sy/kantpoleermasjienoperateur;
- (e) poleermasjienoperateur (Spekard/Jenilin)
- (f) staanbooroperateur;

articles and/or the assembly of such articles which are manufactured wholly of wood or mainly of wood in combination with plastic and/or any metal and/or any other material, for use in the erection, completion, renovation, repair, maintenance or alteration of buildings or structures, and, without in any way limiting the meaning of the expression, includes all work executed or carried out by persons in such workshops;

"off-site workshop" means any premises which is not situated on a site where building construction activities are being carried out, and which is registered or is liable to registration as a "factory" in terms of the provisions of the Machinery and Occupational Safety Act, Act 6 of 1983;

"wood" means wood, plywood, veneered boards, laminated boards, block boards, chip boards and/or any similar product of which wood constitutes the main component.

3. WORK-DAYS AND HOURS OF WORK

3.1 The ordinary hours of work which shall be observed by all employers and employees shall be—

3.1.1 in the case of an employee who is required to work a six-day week, not more than 46 hours in any week from Monday to Saturday inclusive, calculated at not more than eight hours per day from Monday to Friday and six hours on a Saturday;

3.1.2 in the case of an employee who works a five-day week, not more than 46 hours in any week from Monday to Friday, inclusive, calculated at not more than 9,2 hours per day.

CHAPTER 4

MASONRY INDUSTRY

1. GENERAL

1.1 The provisions of this chapter shall be complied with by all employers in the Masonry Industry.

1.2 The provisions of Chapters 1, 2, 3, 5 and 6 shall *mutatis mutandis* be applicable to this chapter. Where the provisions of those chapters are inconsistent with the provisions contained in this chapter, the latter provisions shall be applicable and shall have preference.

2. DEFINITIONS

Any term used in this chapter which is not defined herein but is defined in Chapters 1 and 2 of this Agreement shall have the same meaning as in that chapter; furthermore—

"general worker" means an employee engaged in any task or operation not elsewhere specified in any of the definitions of the categories of employees referred to in the definitions of "skilled employee" and "semi-skilled employee" as defined in Chapter 1 and shall also include the following employees:

- (a) Despatch worker;
- (b) erection assistant to fixer;
- (c) workshop helper: maintenance;
- (d) stone attendant; and
- (e) jackhammer/hand drill operator;

"grade 1 employee" means any one of the following category of employee:

- (a) Hand crane (elementary type) operator;
- (b) sandblaster;
- (c) workshop assistant;
- (d) export crating employee; and
- (e) operator's assistant;

"grade 2 employee" means any one of the following category of employee:

- (a) Hand polisher;
- (b) portable polishing machine operator;
- (c) quality controller;
- (d) side/edge polishing machine operator;
- (e) Spekard/Jenilin polishing operator; and
- (f) bench drill operator;

"graad 3-werknemer" enigeen van die volgende klasse werknemers:

- (a) Een-, twee- of drielemsaagoperateur;
- (b) dubbellembrugsagoperateur;
- (c) vlammasjienoperateur;
- (d) outomatiese poleermasjienoperateur; en
- (e) profielskuurder;

"graad 4-werknemer" enigeen van die volgende klasse werknemers:

- (a) ldra-operateur;
- (b) poleerblokmaker;
- (c) diamantbloksaagoperateur;
- (d) swaaisaagoperateur;
- (e) veellemsaagoperateur;
- (f) spanleier;
- (g) vurkhyserdrywer; en
- (h) drywer van 'n motorvoertuig met kode 8-lisensie;

"klipmesselnywerheid" die nywerheid waarin werkgewers en hul werknemers met mekaar geassosieer is met die doel om klipkapwerk, klipverwerking en klipbouwerk te verrig.

HOOFTUK 5

1. BYDRAES EN HEFFINGS TOT FONDSE

Ondanks enige bepalings vervat in hierdie Ooreenkoms wat die gewone werkure bepaal, moet die toelaes en bydraes in klousule 2 bedoel bereken word teen 40 uur per week.

2. BYDRAES EN HEFFINGS

2.1 Waar 'n werknemer drie volle werkdade of meer in 'n week vir 'n werkgewer gewerk het, moet die werkgewer benevens ander besoldiging waarop die werknemer ingevolge hierdie Ooreenkoms geregtig is, die bydraes ten opsigte van die loonband waarin die werknemer se werklike loon val, soos in die Bylae hieronder uiteengesit, aan die Raad betaal:

BYLAE

Loonbande min. tot maks. loon per uur		Vakansie- fonds	Pensioen- fonds	Bystands- fonds	Totale waarde van werkgewer- bydraes
R	R	R	R	R	R
4,25	en bo	15,20	12,60	0,20	28,00
3,75	tot 4,24 ...	13,20	11,20	0,20	24,60
3,25	tot 3,74 ...	11,60	9,80	0,20	21,60
2,75	tot 3,24 ...	10,00	8,40	0,20	18,60
2,25	tot 2,74 ...	8,40	7,00	0,20	15,60
1,75	tot 2,24 ...	6,80	5,60	0,20	12,60

2.2 Elke werkgewer moet weekliks die bedrae soos in die Bylae hieronder uiteengesit, aftrek van die besoldiging van 'n werknemer wie se werklike loonskaal in enige van ondergenoemde loonintervalle val en wat drie volle werkdade of meer in een week gewerk het, en dié bedrae is die werknemer se bydraes tot die Pensioenfonds, die Bystandsfonds en die Raadsheffing:

BYLAE

Loonbande min. tot maks. loon per uur		Pensioen- fonds	Bystands- fonds	Raads- heffing	Totale waarde van werknemers bydraes
R	R	R	R	R	R
4,25	en bo	12,60	0,20	0,10	12,90
3,75	tot 4,24 ...	11,20	0,20	0,10	11,50
3,25	tot 3,74 ...	9,80	0,20	0,10	10,10
2,75	tot 3,24 ...	8,40	0,20	0,10	8,70
2,25	tot 2,74 ...	7,00	0,20	0,10	7,30
1,75	tot 2,24 ...	5,60	0,20	0,10	5,90

"grade 3 employee" means any one of the following category of employee:

- (a) One-, two- or three-blade saw operator;
- (b) double-blade support saw operator;
- (c) flaming machine operator;
- (d) automatic polishing machine operator; and
- (e) profile grinder;

"grade 4 employee" means any one of the following category of employee:

- (a) ldra operator;
- (b) polish block maker;
- (c) diamond block saw operator;
- (d) swing saw operator;
- (e) multiple blade saw operator;
- (f) team leader;
- (g) forklift driver; and
- (h) driver of motor vehicle with code 8 licence;

"Masonry Industry" means the industry in which employers and their employees are associated for the purpose of quarrying, processing and fixing of stone.

CHAPTER 5

1. CONTRIBUTIONS AND LEVIES TO FUNDS

Notwithstanding any provisions contained in this Agreement stipulating the ordinary hours of work, the allowances and contributions referred to in clause 2 shall be calculated at 40 hours per week.

2. CONTRIBUTIONS AND LEVIES

2.1 Where an employee has worked for an employer for three full working days or more per week, the employer shall, in addition to any other remuneration to which the employee is entitled in terms of this Agreement, pay to the Council the contributions in respect of the wage band in which the employee's actual wage falls, as set out in the Schedule hereunder:

SCHEDULE

Wage Bands min. to max. rate per hour		Holiday Fund	Pension Fund	Benefit Fund	Total value of employer contributions
R	R	R	R	R	R
4,25	and above	15,20	12,60	0,20	28,00
3,75	to 4,24 ...	13,20	11,20	0,20	24,60
3,25	to 3,74 ...	11,60	9,80	0,20	21,60
2,75	to 3,24 ...	10,00	8,40	0,20	18,60
2,25	to 2,74 ...	8,40	7,00	0,20	15,60
1,75	to 2,24 ...	6,80	5,60	0,20	12,60

2.2 Every employer shall deduct weekly from the remuneration of an employee, whose actual wage rate falls in any of the undermentioned wage limits and who has completed three full working days or more during any week, the amounts as set out in the Schedule hereunder, which shall be the employee's contributions to the Pension Fund, the Benefit Fund and the Council levy:

SCHEDULE

Wage Bands min. to max. rate per hour		Pension Fund	Benefit Fund	Council Levy	Total value of employee contributions
R	R	R	R	R	R
4,25	and above	12,60	0,20	0,10	12,90
3,75	to 4,24 ...	11,20	0,20	0,10	11,50
3,25	to 3,74 ...	9,80	0,20	0,10	10,10
2,75	to 3,24 ...	8,40	0,20	0,10	8,70
2,25	to 2,74 ...	7,00	0,20	0,10	7,30
1,75	to 2,24 ...	5,60	0,20	0,10	5,90

2.3 Bo en behalwe die aftrekkings in klausule 2.2 hiervan bedoel, moet die werkgever, waar 'n werknemer drie volle werkdag of meer, maar minder as vyf volle werkdag in een week gewerk het, die bydraes soos aangetoon in die Bylae hieronder aftrek ten opsigte van elke uur wat sodanige werknemer minder as 40 uur per week gewerk het:

BYLAE

Loonbande min. tot maks. loon per uur		Aftrekking per per uur
Ongeskoolde werknemers		
R	R	R
4,25	en bo.....	0,70
3,75	tot 4,24.....	0,615
3,25	tot 3,74.....	0,54
2,75	tot 3,24.....	0,465
2,25	tot 2,74.....	0,39
1,75	tot 2,24.....	0,315

2.3.1 Die aftrekkings in klausule 2.3 hiervan
0,315

2.3.1 Die aftrekkings in klausule 2.3 hiervan bedoel, moet net gemaak word as 'n werknemer sonder toestemming van diens afwesig was.

2.4 Elke werkgever moet die heffings soos in die Bylae hieronder aangetoon aan die Raad betaal. Hierdie heffings moet bereken word op die grondslag van die totale aantal werknemers in sy diens gedurende 'n week en vir wie bydraes betaal is.

BYLAE

Loonbande min. tot maks. loon per uur		Nasionale ontwikke- lingsfonds	Raads- heffings	Totaal
Ongeskoolde werknemers				
R	R	R	R	R
4,25	en bo.....	0,45	0,10	0,55
3,75	tot 4,24.....	0,45	0,10	0,55
3,25	tot 3,74.....	0,45	0,10	0,55
2,75	tot 3,24.....	0,45	0,10	0,55
1,75	tot 2,24.....	0,45	0,10	0,55

2.5 Die bydraes en heffings in klausules 2.1 en 2.4 hiervan bedoel en die aftrekkings wat ingevolge klo3001bedoel en die aftrekkings wat ingevolge klausules 2.2 en 2.3 hiervan gemaak word, moet deur die werkgever op 'n weeklikse grondslag aan die Raad betaal word, tensy vrystelling van die Raad verkry is om die bedoelde bedrae met 'n langer tussenpose as een maal per week oor te betaal.

3. SPESIALE BEPALINGS

3.1 Geen werknemer vir wie lone in hierdie Ooreenkoms voorgeskryf word wat drie volle werkdag of meer per week gewerk het, mag met 'n werkgever ooreenstem of 'n ooreenkoms aangaan nie dat die bydraes en/of aftrekkings bedoel in klausule 2 óf regstreeks aan die werknemer betaal word óf dat gemelde bedrae nie aan die Raad betaal word nie.

3.2 'n Werkgever wat in gebreke bly of nalaat om die bydraes soos voorgeskryf ten opsigte van elke werknemer tydige by die Raad in te betaal, moet rente voorgeskryf volgens die Wet op Vasgestelde Rentekoers 1975 op die waarde van sodanige bydraes betaal, bereken vanaf die datum waarop die bydraes by die Raad inbetaal behoort te gewees het tot en met die datum waarop dit werklik betaal is.

3.3 Ten spyte van die feit dat 'n bepaalde bydrae vir 'n werknemer betaal is, is sodanige werknemer slegs geregtig op die voordele soos voorgeskryf deur die reëls van die verskeie Fondse ter waarde van die bydrae wat werklik namens hom by die Raad inbetaal is.

2.3 In addition to the deductions referred to in clause 2.2 hereof, the employer shall, in the case of an employee who has worked for three full working days or more but less than five full working days in any week, deduct the contributions as reflected in the Schedule hereunder in respect of every hour such employee has worked for less than 40 hours per week:

SCHEDULE

Wage bands min. to max. rate per hour		Deductions per hour
Unskilled employees		
R	R	R
4,25	and above.....	0,70
3,75	to 4,24.....	0,615
3,25	to 3,74.....	0,54
2,75	to 3,24.....	0,465
2,25	to 2,74.....	0,39
1,75	to 2,24.....	0,315

2.3.1 The deductions referred to in clause 2.3 hereof shall only be made if the employee has been absent from work without consent.

2.4 Every employer shall pay to the Council the levies as reflected in the Schedule hereunder, which levies shall be calculated on the basis of the total number of employees in his employ during any week and for whom contributions were paid.

SCHEDULE

Wage bands min. to max. rate per hour		National development fund	Council levy	Total
Unskilled employees				
R	R	R	R	R
4,25	and above.....	0,45	0,10	0,55
3,75	to 4,24.....	0,45	0,10	0,55
3,25	to 3,74.....	0,45	0,10	0,55
2,75	to 3,24.....	0,45	0,10	0,55
1,75	to 2,24.....	0,45	0,10	0,55

2.5 The contributions and the levies referred to in clauses 2.1 and 2.4 hereof and the deductions made in terms of clauses 2.2 and 2.3 hereof shall be paid by the employer to the Council on a weekly basis unless exemption has been obtained from the Council to pay over the amounts referred to at intervals greater than once a week.

3. SPECIAL PROVISIONS

3.1 No employee for whom wages are prescribed in this Agreement who has worked for three full working days or more per week may agree or enter into an agreement with an employer that the contributions and/or deductions referred to in clause 2 either be paid directly to the employee or that the said amounts not be paid to the Council.

3.2 An employer who neglects or fails to pay the prescribed contributions in respect of each employee to the Council timeously, shall pay interest at a rate prescribed in terms of the Prescribed Rate of Interest Act, 1975 on the value of such contributions, calculated from the date on which the contributions should have been paid to the Council up to and including the date actually paid.

3.3 Notwithstanding the fact that a specific contribution has been paid for an employee, such employee shall only be entitled to the benefits prescribed by the rules of the various Funds to the value of the contribution actually paid to the Council on his behalf.

4. VAKANSIEFONDSBOEK

4.1 Elke werknemer vir wie die bepalings van hierdie Ooreenkoms bindend is, moet binne 20 dae nadat hy in die Nywerheid begin werk het by die Raad aansoek doen om 'n Vakansiefondsboek.

4.2 Die sekretaris moet 'n alfabetiese en Mumerieke register hou van alle aansoeke om Vakansiefondsboeke en 'n spesifieke nommer wat op die boek aangeteken moet word aan elke aansoeker toeken. Genoemde register moet die volgende inligting verstrek ten opsigte van elke werknemer vir wie hierdie Ooreenkoms bindend is:

- (a) Volle naam;
- (b) geboortedatum;
- (c) persoonsnommer;
- (d) bedryf of beroep;
- (e) ras en nasionaliteit;
- (f) Vakansiefonds nommer deur die Fonds toegeken.

4.3 Die sluitingsdatum vir bydraes ten opsigte van 'n bepaalde jaar is die tweede Vrydag in Oktober.

4.4 Elke werkgever vir wie hierdie Ooreenkoms bindend is, moet, wanneer betalings ten opsigte van toelaes en/of bydraes aan die Raad gemaak word, die werknemer se Vakansiefondsnummer en persoonsnommer aanteken.

HOOFSTUK 6**FONDSE**

Die bepalings van klousules 1.1 (a), 1.1 (b), 2, 3, 4, 5, 6, 7 (uitgesonderd Hoofstuk 5 van 7.1.3, 7.3, 7.4 en 7.5), 8, 9 en 10 van *Staatskoerant* No. 10720, Goewermentskennisgewing R. 899 van 24 April 1987, soos gewysig, is bindend vir alle werkgevers en werknemers in die Bounywerheid binne die regsgebied van hierdie Raad.

Geteken te Johannesburg op hede die 14de dag van Januarie 1992.

F. G. MAYSTON,
Visevoorsitter.

J. M. DE CASTRO,
Lid van die Raad.

P. F. M. DE BRUYN,
Sekretaris Noordelike Streek.

**DEPARTEMENT VAN NASIONALE
GESONDHEID EN BEVOLKINGS-
ONTWIKKELING**

No. R. 830**20 Maart 1992**

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

REGULASIES BETREFFENDE TOLERANSIES VIR TOKSIENE VEROORSAAK DEUR SWAMME IN VOEDINGSMIDDELS: WYSIGING

Die Minister van Nasionale Gesondheid het kragtens artikel 15 (1) van die Wet op Voedingsmiddels, Skoonheidsmiddels en Ontsmettingsmiddels, 1972 (Wet No. 54 van 1972), die regulasies vervat in die Bylae hiervan, uitgevaardig.

BYLAE

1. In hierdie Bylae beteken "die Regulasies" die regulasies afgekondig by Goewermentskennisgewing No. R. 313 van 16 Februarie 1990, soos verbeter by Goewermentskennisgewing No. R. 614 van 23 Maart 1990.

4. HOLIDAY FUND BOOK

4.1 Application for a Holiday Fund book shall be made to the Council by every employee upon whom the provisions of this Agreement are binding within 20 days of accepting employment in the Industry.

4.2 The secretary shall maintain an alphabetical and numerical register of all applications for Holiday Fund books and allocate a specific number in respect of each applicant which shall be recorded on the book. The said register shall provide the following information in respect of each employee on whom the provisions of this Agreement are binding:

- (a) Full name;
- (b) date of birth;
- (c) identity card number;
- (d) trade or occupation;
- (e) race and nationality;
- (f) Holiday Fund number allocated by the Fund.

4.3 The closing date in respect of contributions in respect of any particular year shall be the second Friday in October.

4.4 Every employer on whom the provisions of this Agreement are binding shall, when making payment to the Council in respect of allowances and/or contributions, record the employee's Holiday Fund number and identity number.

CHAPTER 6**FUNDS**

The provisions contained in clauses 1.1 (a), 1.1 (b), 2, 3, 4, 5, 6, 7 (excluding 7.1.3, 7.3, 7.4 and 7.5), 8, 9 and 10 of Chapter 5 of *Government Gazette* No. 10720 Notice R. 899 of 24 April 1987, as amended, shall be binding on all employers and employees in the Building Industry within the area of jurisdiction of this Council.

Signed at Johannesburg on this the 14th day of January 1992.

F. G. MAYSTON,
Vice-Chairman.

J. M. DE CASTRO,
Member of Council.

P. F. M. DE BRUYN,
Secretary Northern Area.

**DEPARTMENT OF NATIONAL
HEALTH AND POPULATION
DEVELOPMENT**

No. R. 830**20 March 1992**

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

REGULATIONS GOVERNING TOLERANCES FOR FUNGUS-PRODUCED TOXINS IN FOODSTUFFS: AMENDMENT

The Minister of National Health has, in terms of section 15 (1) of the Foodstuffs, Cosmetics and Disinfectants Act, 1972 (Act No. 54 of 1972), made the regulations contained in the Schedule hereto.

SCHEDULE

1. In this Schedule "the Regulations" means the regulations published under Government Notice No. R. 313 of 16 February 1990, as corrected by Government Notice No. R. 614 of 23 March 1990.

Wysiging van regulasie 1 van die Regulasies

2. Regulasie 1 van die Regulasies word hierby gewysig—

(a) deur die woordskrywing "*Ergot sclerotia*" deur die volgende woordskrywing te vervang:

"'ergotsklerotia' die sklerotia van die swam *Claviceps purpurea*.";

(b) deur die woordskrywing "Aanhangsel" te skrap.

Wysiging van regulasie 2 van die Regulasies

3. Regulasie 2 van die Regulasies word hierby gewysig deur paragraaf (b) deur die volgende paragraaf te vervang:

"(b) koring, rog, gars en hawer wat meer as 0,02% (m/m) ergotsklerotia bevat."

Skraping van regulasie 3 van die Regulasies

4. Regulasie 3 van die Regulasies word hierby geskrap.

Skraping van die Aanhangsel van die Regulasies

5. Die Aanhangsel van die Regulasies word hierby geskrap.

No. R. 870

20 Maart 1992

WET OP GESONDHEID, 1977

REGULASIES BETREFFENDE DIE VOORWAARDES VERBONDE AAN DIE BETALING VAN SUBSIDIES AAN PLAASLIKE BESTURE: WYSIGING

Die Minister van Nasionale Gesondheid het kragtens artikel 26 van die Wet op Gesondheid, 1977 (Wet No. 63 van 1977), die regulasies vervat in die Bylae hiervan uitgevaardig.

BYLAE

1. In hierdie Bylae beteken "die Regulasies" die regulasies afgekondig by Goewermentskennisgewing R. 1496 van 8 Julie 1983.

2. Die Regulasies word hierby gewysig deur regulasie 6 deur die volgende regulasie te vervang:

"6. Ondanks die voorgaande bepalings van hierdie regulasies, kan 'n plaaslike bestuur vir enige boekjaar by die Streekdirekteur aansoek doen om die betaling van 'n voorskot ten opsigte van die subsidie goedgekeur by regulasie 4 (2), of 'n bykomstige subsidie indien besonderhede ten opsigte van die betrokke uitgawes nie in die aansoek ingevolge regulasie 3 verskaf kan word nie."

No. R. 876

20 Maart 1992

REGULASIES BETREFFENDE DIE VERPLIGTE AANMELDING VAN GEBOORTES: WYSIGING

Die Minister van Nasionale Gesondheid het kragtens artikel 33 (2) van die Wet op Gesondheid, 1977 (Wet No. 63 van 1977), die regulasies uiteengesit in die Bylae hiervan, uitgevaardig.

BYLAE

1. In hierdie Bylae beteken "die Regulasies" die regulasies afgekondig by Goewermentskennisgewing R. 1575 van 19 Julie 1985, soos gewysig.

Amendment of regulation 1 of the Regulations

2. Regulation 1 of the Regulations is hereby amended by—

(a) the substitution for the definition "*Ergot sclerotia*" of the following definition:

"'ergot sclerotia' means the sclerotia of the fungus *Claviceps purpurea*.";

(b) the deletion of the definition "Annex".

Amendment of regulation 2 of the Regulations

3. Regulation 2 of the Regulations is hereby amended by the substitution for paragraph (b) of the following paragraph:

"(b) wheat, rye, barley and oats which contain more than 0,02% (m/m) of ergot sclerotia."

Deletion of regulation 3 of the Regulations

4. Regulation 3 of the Regulations is hereby deleted.

Deletion of the Annex to the Regulations

5. The Annex to the Regulations is hereby deleted.

No. R. 870

20 March 1992

HEALTH ACT, 1977

REGULATIONS RELATING TO CONDITIONS ATTACHED TO THE PAYMENT OF SUBSIDIES TO LOCAL AUTHORITIES: AMENDMENT

The Minister of National Health has, in terms of section 26 of the Health Act, 1977 (Act No. 63 of 1977), made the regulations set out in the Schedule hereto.

SCHEDULE

1. In this Schedule "the Regulations" shall mean the regulations published under Government Notice R. 1496 of 8 July 1983.

2. The Regulations are hereby amended by the substitution for regulation 6 of the following regulation:

"6. Notwithstanding the foregoing provisions of these regulations, a local authority may, for any financial year, apply to the Regional Director for payment of an advance in respect of the subsidy approved by regulation 4 (2), or an additional subsidy if it was unable to furnish particulars of the expenditure concerned in the application made in terms of regulation 3."

No. R. 876

20 March 1992

REGULATIONS RELATING TO THE COMPULSORY NOTIFICATION OF BIRTHS: AMENDMENT

The Minister of National Health has, in terms of section 33 (2) of the Health Act, 1977 (Act No. 63 of 1977), made the regulations set out in the Schedule hereto.

SCHEDULE

1. In this Schedule "the Regulations" means the regulations published under Government Notice R. 1575 of 19 July 1985, as amended.

2. Aanhangsel A van die Regulasies word hierby gewysig deur die toevoeging, in alfabetiese volgorde, van die volgende plaaslike besture:

(a) *Munisipaliteite en Stadsrade:*

Boshof.
Brandfort.
Dealesville.
Dewetsdorp.
Edenburg.
Estcourt.
Excelsior.
Fauresmith.
Fouriesburg.
Frankfort.
Harrismith.
Heilbron.
Hertzogville.
Hoopstad.
Jacobsdal.
Lindley.
Luckhoff.
Petrusburg.
Senekal.
Theunissen.
Trompsburg.
Tweespruit.
Viljoenskroon.
Welkom.
Wepener.
Wesselsbron.
Zastron.

(c) *Ander:*

Allanridge-dorpsbestuur.
Van Stadensrus-dorpsbestuur.

2. Annexure A to the Regulations is hereby amended by the addition, in alphabetical order, of the following local authorities:

(a) *Municipalities and City Councils:*

Boshof.
Brandfort.
Dealesville.
Dewetsdorp.
Edenburg.
Estcourt.
Excelsior.
Fauresmith.
Fouriesburg.
Frankfort.
Harrismith.
Heilbron.
Hertzogville.
Hoopstad.
Jacobsdal.
Lindley.
Luckhoff.
Petrusburg.
Senekal.
Theunissen.
Trompsburg.
Tweespruit.
Viljoenskroon.
Welkom.
Wepener.
Wesselsbron.
Zastron.

(c) *Other:*

Allanridge Village Management Board.
Van Stadensrus Village Management Board.

DEPARTEMENT VAN NASIONALE OPVOEDING

No. R. 862

20 Maart 1992

REGULASIES KRAGTENS DIE WET OP DIE SUID- AFRIKAANSE SERTIFISERINGSRAAD, 1986

Die Suid-Afrikaanse Sertifiseringsraad het kragtens artikel 18 van die Wet op die Suid-Afrikaanse Sertifiseringsraad, 1986 (Wet No. 85 van 1986), en met die goedkeuring van die Minister van Nasionale Opvoeding, die regulasies in die Bylae vervat, uitgevaardig.

BYLAE

DEEL I

WOORDOMSKRYWING

1. In hierdie regulasies het 'n woord of uitdrukking waaraan in die Wet 'n betekenis geheg word, die betekenis aldus daaraan geheg en, tensy uit die samehang anders blyk, beteken—

“**algemene onderwysbeleid**” die algemene onderwysbeleid ten opsigte van skool- en tegniese kollege-onderwys beoog in artikel 2 (1) (d) van die Wet op die Nasionale Beleid vir Algemene Onderwysake, 1984 (Wet No. 76 van 1984);

“**die Wet**” die Wet op die Suid-Afrikaanse Sertifiseringsraad, 1986 (Wet No. 85 van 1986);

“**eksamen**” 'n skriftelike, mondelinge of praktiese evaluering, na gelang van die geval, in ooreenstemming met die algemene onderwysbeleid, asook 'n aanvullende eksamen, en sluit 'n eksterne eksamen in;

DEPARTMENT OF NATIONAL EDUCATION

No. R. 862

20 March 1992

REGULATIONS IN TERMS OF THE SOUTH AFRICAN CERTIFICATION COUNCIL ACT, 1986

The South African Certification Council has, in terms of section 18 of the South African Certification Council Act, 1986 (Act No. 85 of 1986) and with the approval of the Minister of National Education, framed the regulations contained in the Schedule hereto.

SCHEDULE

PART I

DEFINITIONS

1. In these regulations any word or expression to which a meaning has been assigned in the Act, has the meaning thus assigned and, unless the context otherwise indicates—

“**examination**” means a written, oral or practical evaluation, as the case may be, in accordance with the general education policy, and also a supplementary examination, and includes an external examination;

“**external examination**” means an examination at a point of withdrawal written by all the candidates of an examining body;

“**external moderator**” means a moderator appointed by the council to moderate examination papers, memoranda and samples of examination scripts of all the examining bodies;

"eksterne eksamen" 'n eksamen by 'n uitreepunt wat deur alle kandidate van 'n eksamineringsinstansie afgelê word;

"eksterne moderator" 'n moderator wat deur die raad aangestel is om vraestelle, memoranda en steekproewe van eksamenantwoordskrifte van alle eksamineringsinstansies te modereer;

"interne moderator" 'n moderator wat deur 'n eksamineringsinstansie aangestel is om 'n vraestel, memorandum en steekproef van eksamenantwoordskrifte van daardie eksamineringsinstansie te modereer;

"memorandum" die modelantwoord en die raamwerk van bepunting van 'n eksamenvraestel;

"modereringsinstrument" 'n vraestel of onderdeel van 'n vraestel wat deur eksaminatore van verskeie eksamineringsinstansies saamgestel en deur die eksterne moderator gemodereer is.

DEEL II

VEREISTES VIR DIE AFNEEM VAN EKSTERNE EKSAMENS

2. Ten opsigte van 'n eksterne eksamen wat na 4 September 1992 afgeneem word, moet 'n eksamineringsinstansie—

(a) toereikende maatreëls, met inbegrip van maatreëls om onreëlmatighede in die eksamenlokaal te bekamp en sekuriteitsmaatreëls vir die geheimhouding van vraestelle, tref wat die integriteit van die eksamens sal verseker;

(b) toesien dat elke vraestel in 'n eksterne eksamen verteenwoordigend is van die voorgeskrewe leerstof bedoel in regulasie 4;

(c) indien deur die raad daartoe gelas, 'n modereringsinstrument in die eksamens insluit;

(d) toesien dat elke vraestel in 'n eksterne eksamen deur minstens een kundige interne moderator gemodereer word;

(e) indien deur die raad daartoe gelas,

(i) 'n vraestel of memorandum, of beide, in 'n eksterne eksamen aan 'n eksterne moderator voorlê ter bevestiging deur sodanige moderator dat dit aan die voorgeskrewe standaarde voldoen,

(ii) toesien dat 'n steekproef van die eksamenantwoordskrifte deur 'n eksterne moderator nagegaan word,

(iii) 'n bepaalde vraestel in 'n eksterne eksamen vir 'n datum van tyd deur die raad bepaal, op 'n eksamenrooster skeduleer;

(f) aan die raad 'n punt vir elke vak waarin 'n kandidaat 'n eksterne vraestel afgelê het, in die vorm en op of voor 'n datum wat die raad bepaal, verstrek; en

(g) volle besonderhede oor enige onreëlmatigheid wat in verband met 'n eksterne eksamen voorgekom het, asook sy optrede in daardie verband, onverwyld skriftelik aan die raad rapporteer.

DEEL III

NORME EN STANDAARDE WAARAAN KANDIDATE IN EKSAMENS MOET VOLDOEN

3. Ten einde in 'n eksamen te slaag moet 'n kandidaat voldoen aan die slaagvereistes vir so 'n eksamen soos vervat in die algemene onderwysbeleid.

"general education policy" means the general education policy in respect of school and technical college education referred to in section 2 (1) (d) of the National Policy for General Education Affairs Act, 1984 (Act No. 76 of 1984);

"internal moderator" means a moderator appointed by an examining body to moderate an examination paper, memorandum and sample of examination scripts of that examining body;

"memorandum" means the model answers and the framework of marking of an examination paper;

"moderating instrument" means a paper or subset of a paper set by examiners of various examining bodies and moderated by the external moderator;

"the Act" means the South African Certification Council Act, 1986 (Act No. 85 of 1986).

PART II

REQUIREMENTS FOR CONDUCTING EXTERNAL EXAMINATIONS

2. In respect of an external examination to be conducted after 4 September 1992 an examining body shall—

(a) take adequate measures, including measures to combat irregularities in the examination venue and security measures for ensuring the secrecy of examination papers, to ensure the integrity of the examinations;

(b) ensure that each paper in an external examination is representative of the prescribed subject matter intended in regulation 4;

(c) if ordered by the council, include a moderating instrument in the examinations;

(d) ensure that each paper in an external examination is moderated by at least one competent internal moderator;

(e) if ordered by the council—

(i) submit a paper or memorandum, or both, in an external examination to an external moderator for confirmation that they conform to the required standards;

(ii) ensure that a sample of the examination scripts is moderated by an external moderator;

(iii) schedule a particular paper in an external examination for a stipulated date and time on the examination time-table;

(f) supply the council on or before a date and in the form determined by the council, with a mark for each subject in which a candidate sat for an external paper; and

(g) supply the council without delay in writing with full details of any irregularities that occurred in respect of an external examination as well as the steps taken in consequence.

PART III

NORMS AND STANDARDS TO BE COMPLIED WITH BY CANDIDATES IN EXAMINATIONS

3. To pass in an examination a candidate shall fulfil the pass requirements for such examination as prescribed in the general education policy.

DEEL IV**DIE VOORGESKREWE LEERSTOF**

4. Die minimum leerstof vir 'n bepaalde onderrig-aanbieding in 'n vak is dié vervat in die algemene onderwysbeleid.

DEEL V**ALGEMEEN**

5. Die heffings vir die uitreiking van sertifikate is—

(a) R7 vir 'n sertifikaat dat 'n kandidaat voldoen het aan die minimum vereistes om by 'n uittreepunt te slaag;

(b) R2 per vak, met 'n maksimum van R7 per kandidaat, vir 'n sertifikaat dat 'n kandidaat voldoen het aan die minimum vereistes om in 'n vak te slaag;

(c) R5 vir 'n sertifikaat dat 'n kandidaat voldoen het aan die minimum vereistes om by 'n uittreepunt te slaag, ter vervanging van sertifikate van vakke geslaag;

(d) R5 vir 'n duplikaat van 'n sertifikaat.

6. Hierdie regulasies tree op 4 September 1992 in werking.

DEPARTEMENT VAN OMGEWINGSKE**No. R. 872****20 Maart 1992**

WET OP SEEVISSERY, 1988
(WET No. 12 VAN 1988)

WYSIGING VAN REGULASIES

Die Minister van Omgewingsake het kragtens artikel 45 van die Wet op Seevisserij, 1988 (Wet No. 12 van 1988), die regulasies uitgevaardig kragtens genoemde Wet, gewysig soos in die Bylae uiteengesit.

BYLAE

1. In hierdie regulasies beteken "die Regulasies" die regulasies afgekondig by Goewermentskennisgewing No. R. 1804 van 27 Julie 1990 soos gewysig deur Goewermentskennisgewing No. R. 637 van 28 Maart 1991 en R. 1191 van 24 Mei 1991.

2. Regulasie 1 van die Regulasies word hierby gewysig—

(a) deur die volgende omskrywing na subregulasie (xiv) in te voeg:

"(xivA) "koningklip" enige vis van die spesie *Genypterus capensis*; (xivA)";

(b) deur die volgende omskrywing na subregulasie (xviii) in te voeg:

"(xviiiA) "langlyn" enige lyn of aaneengeskakelde lyne waaraan in totaal meer as 10 vishoeke geheg is; (xviA)"; en

(c) deur die volgende omskrywing na subregulasie (xxxiii) in te voeg:

"(xxxiiiA) "stokvis" enige vis van die spesie *Merluccius capensis* en *Merluccius paradoxus*; (xiiiA)".

PART IV**THE PRESCRIBED SUBJECT MATTER**

4. The minimum subject matter for a particular instructional offering in a subject shall be as stipulated in the general education policy.

PART V**GENERAL**

5. The levies for the issuing of certificates are—

(a) R7 for a certificate that a candidate has complied with the minimum requirements to pass at a point of withdrawal,

(b) R2 per subject, with a maximum of R7 per candidate, for a certificate that a candidate has complied with the minimum requirements to pass in a subject,

(c) R5 for a certificate that a candidate has complied with the minimum requirements to pass at a point of withdrawal, which replaces certificates of subjects passed,

(d) R5 for a duplicate of a certificate.

6. These regulations shall take effect on 4 September 1992.

**DEPARTMENT OF ENVIRONMENT
AFFAIRS****No. R. 872****20 March 1992**

SEA FISHERY ACT, 1988
(ACT No. 12 OF 1988)

AMENDMENT OF REGULATIONS

The Minister of Environment Affairs has in terms of section 45 of the Sea Fishery Act, 1988 (Act No. 12 of 1988), amended the regulations promulgated in terms of the said Act, as set out in the Schedule.

SCHEDULE

1. In these regulations "the Regulations" means the regulations published under Government Notice No. R. 1804 of 27 July 1991 as amended by Government Notice No. R. 637 of 28 March 1991 and R. 1191 of 24 May 1991.

2. Regulation 1 of the Regulations is hereby amended—

(a) by the insertion of the following definition after subregulation (xiii):

"(xiiiA) "hake" means any fish of the species *Merluccius capensis* and *Merluccius paradoxus*; (xxxiiiA)";

(b) by the insertion of the following definition after subregulation (xiv):

"(xivA) "kingklip" means any fish of the species *Genypterus capensis*; (xivA)"; and

(c) by the insertion of the following definition after subregulation (xvi):

"(xviA) "longline" means any line or connected lines, to which more than a total of 10 fishing hooks are attached; (xviiiA)".

3. Regulasie 13 van die Regulasies word hierby gewysig deur die volgende subregulasies respektiewelik na subregulasie (1) (k) in te voeg:

“(1) wat oor ’n permit beskik, wat die houer daarvan magtig om tuna met ’n langlyn te vang, enige stokvis of koningklip vang, aan boord hê of land nie, terwyl hy sodanige langlyn aan boord van die betrokke boot het nie.

(m) wat oor ’n permit beskik om die vang van haaie met ’n langlyn te magtig, meer as 10 stokvis en vyf koningklip vang, aan boord hê of land nie, terwyl hy sodanige langlyn aan boord van die betrokke boot het nie.”.

No. R. 873

20 Maart 1992

WET OP SEEVISSERY, 1988
(WET No. 12 VAN 1988)

WYSIGING VAN KENNISGEWING

Kragtens artikel 33 van die Wet op Seevisserij, 1988 (Wet No. 12 van 1988), wysig ek, Louis Alexander Pienaar, Minister van Omgewingsake, na oorleg met die Seevisserij Advieskomitee, Goewermentskennisgewing No. R. 1806 van 27 Julie 1990 soos in die Bylae aangedui.

L. A. PIENAAR,

Minister van Omgewingsake.

BYLAE

1. In hierdie kennisgewing het enige woord of uitdrukking waaraan in die Wet ’n betekenis geheg is, daardie betekenis en beteken “kennisgewing” die kennisgewing gepubliseer by Goewermentskennisgewing No. R. 1806 van 27 Julie 1990, soos gewysig deur R. 635 van 28 Maart 1991, R. 1192 van 24 Mei 1991 en R. 2676 van 8 November 1991.

2. Deur die woorde “stokvis (*Merluccius spp.*)” te skrap waar dit in subparagraaf (2) van paragraaf 24 voorkom.

DEPARTEMENT VAN ONTWIKKELINGS HULP

No. R. 852

20 Maart 1992

DIE ADMINISTRASIE VAN EN BEHEER OOR SEKERE STADSGBIEDE IN NATAL: IMPENDHLE: BEGRAAFPLAASREGULASIES

Ek, Jacob de Villiers, Minister van Streek- en Grondsake, maak hierby bekend dat ek, kragtens die bevoegdheid my verleen by regulasie 19 (3) van die Regulasies vir die Administrasie van en Beheer oor Sekere Stadsgebiede in Natal, afgekondig by Proklamasie No. R. 86 van 14 Mei 1982, die regulasies uiteengesit in bygaande Bylae, soos deur die Dorpsraad van Impendhle aanvaar, goedgekeur het.

J. DE VILLIERS,

Minister van Streek- en Grondsake.

3. Regulation 13 of the Regulations is hereby amended by the insertion of the following subregulations respectively after subregulation (1) (k):

“(1) while he is in possession of a permit authorising the holder thereof to catch tuna by means of a longline, catch, keep on board or land any hake or kingklip, at any time when he has on board the fishing boat concerned such longline.

(m) while he is in possession of a permit authorising the holder thereof to catch sharks by means of a longline, catch, keep on board or land more than 10 hake and five kingklip, at any time when he has on board the fishing boat concerned such longline.”.

No. R. 873

20 March 1992

SEA FISHERY ACT, 1988
(ACT No. 12 OF 1988)

AMENDMENT OF NOTICE

I, Louis Alexander Pienaar, Minister of Environment Affairs, after consultation with the Sea Fishery Advisory Committee, hereby under section 33 of the Sea Fishery Act, 1988 (Act No. 12 of 1988), amend Government Notice No. R. 1806 of 27 July 1990 as set out in the Schedule.

L. A. PIENAAR,

Minister of Environment Affairs.

SCHEDULE

1. In this notice any word or expression to which a meaning has been assigned in the Act shall have the meaning so assigned and notice means the notice published under Government Notice No. R. 1806 of 27 July 1990 as amended by R. 635 of 28 March 1991, R. 1192 of 24 May 1991 and R. 2676 of 8 November 1991.

2. By the deletion of the words “hake (*Merluccius spp.*)” where it appears in subparagraph (2) of paragraph 24.

DEPARTMENT OF DEVELOPMENT AID

No. R. 852

20 March 1992

THE ADMINISTRATION AND CONTROL OF CERTAIN URBAN AREAS IN NATAL: IMPENDHLE: CEMETERY REGULATIONS

I, Jacob de Villiers, Minister of Regional and Land Affairs, do hereby make known that I, under the powers vested in me by regulation 19 (3) of the Regulations for the Administration and Control of Certain Urban Areas in Natal, published under Proclamation No. R. 86 of 14 May 1982, have approved the regulations set out in the accompanying Schedule adopted by the Town Board of Impendhle.

J. DE VILLIERS,

Minister of Regional and Land Affairs.

BYLAE**Woordomskrywings**

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

“**beampste**” ’n beampste in diens van die Raad, aangewys om die Raad se werksaamhede ingevolge hierdie regulasies te verrig;

“**komitee**” ’n begraafplaaskomitee deur die Raad ingestel kragtens regulasie 7;

“**Minister**” die Minister van Streek- en Grondsake;

“**Openbare begraafplaas**” ’n begraafplaas daargestel en in stand gehou deur die Raad binne die dorpsgebied en wat hoofsaaklik of uitsluitlik in stand gehou word met die doel om persone wat in daardie dorpsgebied te sterwe gekom het, te begrawe en enige begraafplaas waarvoor ’n komitee deur die Raad ingestel is;

“**Raad**” die Dorpsraad van Impendhle ingestel by regulasie 2 van die Regulasies vir die Administrasie van en Beheer oor Sekere Stadsgebiede in Natal, Proklamasie No. R. 86 van 1982;

“**stedelike gebied**” die gebied waarbinne die Raad sy jurisdiksie uitoefen;

“**werknemer**” iemand, uitgesonderd ’n beampste, in die diens van die Raad;

HOOFSTUK I**Openbare begraafplase deur Raad daargestel te word**

2. (1) (a) Die Raad kan, en indien deur die Minister daartoe versoek, moet, een of meer openbare begraafplase daarstel wanneer ook al so ’n behoefte ontstaan: Met dien verstande dat voordat enige sodanige begraafplaas daargestel word, die goedkeuring van die Minister verkry word ten opsigte van die ligging, grootte en voorgestelde uitleg daarvan.

(b) Wanneer ook al die Minister die grense van die stedelike gebied op so ’n wyse uitbrei dat dit daarna ’n openbare begraafplaas insluit waarvoor ’n komitee ingestel is, moet daardie komitee ontbind en sodanige begraafplaas en die beheer daarvoor en bestuur en instandhouding daarvan, tesame met die regte en verpligtinge van die komitee, op die Raad oorgaan of deur hom oorgeneem word as synde die regsopvolger van sodanige komitee.

Bevoegdhede van die Raad om enige grond te betree

3. (1) Die Raad het die bevoegdheid om enige grond deur bemiddeling van sy beamptes of werknemers te betree ten einde na die geskiktheid van sodanige grond of enige deel daarvan vir die instelling van ’n openbare begraafplaas ondersoek in te stel.

(2) In die uitoefening van sy bevoegdheid kragtens subregulasies (1) het die Raad ten opsigte van sodanige grond of deel daarvan ook die bevoegdheid om grondtoetste uit te voer ten einde die geskiktheid van enige terrein vir die begrawing van die stoflike oorskot van mense vas te stel: Met dien verstande dat sewe dae kennis aan die eienaar of okkupeerder gegee word voor betreding van die eiendom: Met dien verstande verder dat in die geval van enige geskil wat ontstaan ten opsigte van die bedrag van die vergoeding wat betaal moet word, die aangeleentheid geskik word ooreenkomstig met die bepalings van die Wet op Arbitrasie, 1965 (Wet No. 42 van 1965).

SCHEDULE**Definitions**

1. In these regulations, unless the context otherwise indicates—

“**Board**” means the Town Board of Impendhle established by regulation 2 of the Regulations for the Administration and Control of Certain Urban Areas in Natal, Proclamation No. R. 68 of 1982.

“**committee**” means a cemetery committee appointed by the Board in terms of regulation 7;

“**employee**” means a person, other than an officer, in the employ of the Board;

“**Minister**” means the Minister of Regional and Land Affairs;

“**officer**” means an officer in the employ of the Board assigned to perform the functions of the Board in terms of these regulations;

“**public cemetery**” means a cemetery established and maintained by the Board in the urban area and maintained principally if not solely for the burial therein of persons who died in the urban area, and any cemetery for which a committee has been appointed by the Board;

“**urban area**” means the area in which the Board exercises jurisdiction.

CHAPTER I**The Board to establish public cemeteries**

2. (1) (a) The Board may and if so required by the Minister, must establish one or more public cemeteries whenever such a need arises: Provided that before any such cemetery is established, the approval of the Minister in respect of its location, size and proposed layout shall be obtained.

(b) Whenever the Minister shall extend the boundaries of the urban area in such a manner that it shall thereupon include a public cemetery for which a committee was appointed, the committee shall be dissolved and such cemetery and the control, management and maintenance thereof and the rights and liabilities of the committee shall vest in or be taken over by the Board, as being the legal successor of such committee.

Powers of the Board to enter upon any land

3. (1) The Board shall, through its officers or employees, have power to enter upon any land for the purpose of inspection to determine the suitability of such land or any portion thereof for the establishment of a public cemetery.

(2) In the exercising of its powers under subregulation (1) the Board shall also have power in respect of such land or any portion thereof the conduct soil tests in order to establish the suitability of any site for the burial of mortal human remains: Provided that seven days' notice shall be given to the owner or occupier before the property is entered upon: Provided further that in the event of any dispute arising in respect of the amount of the compensation to be paid, the matter shall be settled in accordance with the provisions of the Arbitration Act, 1965 (Act No. 42 of 1965).

Wanneer die Raad die begrawing van afgestorwenes in sy gebied moet toelaat

4. Wanneer iemand in die stedelike gebied te sterwe kom, moet die betrokke komitee, indien by hom aansoek gedoen word deur die persoon wat vir die begrawing van sodanige oorledene verantwoordelik is, toelaat dat die oorledene begrawe word in enige openbare begraafplaas wat aan hom toegewys is en deur hom in stand gehou word en teen betaling van sodanige heffings as wat voorgeskryf is.

Betaling deur Raad van gedeelte van begrafniskoste onder sekere omstandighede

5. Waar 'n oorlede persoon onmiddellik voor sy dood permanent in die stedelike gebied gewoon het en na sy dood begrawe is in 'n begraafplaas wat deur die Raad in stand gehou word, kan die Raad aan die persoon verantwoordelik vir die betaling van die begrafniskoste sodanige bedrag terugbetaal as wat hy bepaal of aan sodanige persoon 'n korting op voormelde bedrag toestaan.

Sluiting van begraafplase

6. (1) Nieteenstaande die feit dat enige persoon enige reg op of belang in enige grafperseel in 'n begraafplaas hierin bedoel, het, kan die Minister—

(a) op skriftelike versoek van die komitee van die openbare begraafplaas;

(b) met ses maande kennisgewing aan die komitee van 'n openbare begraafplaas; of

(c) waar daar geen sodanige komitee is nie, nadat kennis gegee is in die *Staatskoerant* en een maal in 'n nuusblad of nuusblaaie ingevolge die bepalings van artikel 91 van die Grondwet van die Republiek van Suid-Afrika, 1983 (Wet No. 110 van 1983), van sy voorneme om dit te doen,

sodanige begraafplaas of enige gedeelte daarvan sluit vir verdere begrawings daarin: Met dien verstande dat die Minister enige begraafplaas of gedeelte daarvan om dringende redes van openbare gesondheid kan sluit sonder om aan die bepalings van paragraaf (b) of (c) te voldoen.

(2) Nadat 'n begraafplaas ingevolge subregulasie (1) gesluit is, mag geen persoon enige menslike oorskot daarin begrawe of toelaat dat dit daarin begrawe word of deelneem aan sodanige begrawing nie: Met dien verstande dat vir 'n tydperk van tien jaar na so 'n sluiting, dit vir die Raad geoorloof is om die begrawing van 'n oorlede gade van 'n vooroorlede gade wat daarin begrawe is, toe te laat indien sodanige grafperseel beskikbaar is en sodanige begrawing kan geskied sonder gevaar vir die openbare gesondheid.

(3) Wanneer 'n openbare begraafplaas ingevolge subregulasie (1) gesluit is, ontbind die komitee en sodanige begraafplaas en die beheer, bestuur en instandhouding daarvan, asook die regte en verpligtinge van die komitee, gaan oor op die Raad of word deur die Raad oorgeneem as die wettige opvolger van sodanige komitee.

HOOFSTUK II

Instelling van begraafplaaskomitee

7. (1) Die Raad kan van tyd tot tyd en onderworpe aan sodanige voorwaardes as wat hy goeie dink, vir enige openbare begraafplaas 'n komitee instel wat as die begraafplaaskomitee bekend staan.

When the Board is required to permit the burial of deceased persons in its area

4. Whenever a person dies in the urban area, the committee concerned shall, if application is made to it by the person responsible for the burial of such deceased person, permit the burial of such deceased person in any public cemetery designated to and maintained by it and upon payment of such levies as may be prescribed.

Payment by Board of portion of burial charges under certain circumstances

5. In respect of a deceased person who, immediately before his death, was permanently resident in the urban area and who, after his death, was buried in a cemetery maintained by the Board, the Board may refund to the person responsible for payment of the burial charges such amount as it may determine or grant a rebate on such amount to such person.

Closing of cemeteries

6. (1) Notwithstanding the fact that any person has any right to or interest in any burial site in any cemetery referred to herein, the Minister may—

(a) on the written request of the committee of the public cemetery;

(b) with six months' notice to the committee of a public cemetery; or

(c) where there is no such committee, after having given notice in the *Government Gazette* and once in a newspaper or newspapers in terms of the provisions of section 91 of the Republic of South Africa Constitution Act, 1983 (Act No. 110 of 1983) of his intention to do so,

close such cemetery or any part thereof for further burials therein: Provided that the Minister may, for urgent reasons of public health, close any cemetery or part thereof without complying with the provisions of paragraph (b) or (c).

(2) After a cemetery has been closed in terms of subregulation (1), no person shall bury or permit the burial or take part in the burial of any human remains therein: Provided that, for a period of ten years following such closure, the Board shall be allowed to permit the burial of the deceased spouse of a predeceased spouse buried therein if such a burial site is available and such burial can be effected without danger to public health.

(3) When a public cemetery is closed in terms of subregulation (1), the committee shall be dissolved and such cemetery and the control, management and maintenance thereof and the rights and liabilities of the committee shall vest in or be taken over by the Board as the legal successor of such committee.

CHAPTER II

Establishment of cemetery committee

7. (1) The Board may, from time to time and subject to such conditions as it may deem fit, appoint for any public cemetery a committee to be known as the cemetery committee.

(2) Die begraafplaaskomitee moet uit drie lede bestaan, van wie een deur die voorsitter van die Raad as voorsitter aangewys word. Elke lid van die komitee beklee die amp vir 'n tydperk van drie jaar en is herkiesbaar.

(3) Die Raad het die bevoegdheid om 'n lid van die komitee weens onbevoegdheid of wangedrag van sy amp te onthef.

(4) Enige vakature in 'n komitee kan gevul word deur die aanstelling deur die Raad van 'n nuwe lid, en sodanige nuwe lid beklee die amp vir die oorblywende tydperk waarvoor die uitredende lid aangestel is.

(5) Die komitee kan onderworpe aan die goedkeuring van die Raad, reëls vir sy verrigtinge maak: Met dien verstande dat die kuorum vir enige vergadering van die komitee nie minder as twee lede mag wees nie.

(6) Die komitee is, behoudens die bepalings van hierdie regulasies, verantwoordelik vir die beheer oor en die bestuur en instandhouding van die openbare begraafplaas ten opsigte waarvan dit ingestel is, en kan vir daardie doel, met die goedkeuring van die Raad, 'n beampte of beamptes en sodanige personeel aanstel as wat hy nodig ag.

(7) Die inkomste van die komitee bestaan uit alle gelde wat hy gemagtig is om te vorder, boetes opgelê deur 'n bevoegde geregshof en verbeurde borggeld ten opsigte van oortredings van hierdie regulasies wanneer sulke oortredings plaasvind met betrekking tot die begraafplaas waarvoor die komitee ingestel is.

(8) Die Raad kan te eniger tyd wanneer grondige redes daarvoor bestaan, 'n komitee afskaf en ontbind en indien dit nodig geag word, 'n nuwe komitee aanstel om die vorige een op te volg.

(9) In enige regsproses wat deur of teen 'n komitee ingestel word, is dit voldoende om sodanige komitee as die-begraafplaaskomitee te beskryf sonder vermelding van die name van die persone waaruit dit saamgestel is.

Aanlê en instandhouding van openbare paaie

8. Die Raad kan, tot voordeel van die publiek, openbare paaie wat toegang verleen tot enige openbare begraafplaas onder sy beheer, aanlê en in stand hou: Met dien verstande dat goedkeuring vooraf van die Minister verkry is.

Toekennings of lenings aan komitees

9. Die Raad kan die betaling van 'n toekenning of die toestaan van 'n lening om die koste verbonde aan die aanlê, instandhouding, verbetering of uitbreiding van 'n openbare begraafplaas te dek, aan enige komitee magtig.

Beperking op begrawings buite begraafplaas

10. Geen persoon mag enige menslike oorskot begrawe of toelaat dat dit begrawe word of deelneem aan sodanige begrawing in enige gebied behalwe in 'n openbare begraafplaas wat deur 'n komitee geadministreer word nie.

Wanneer van Raad verwag word om persone te begrawe wat in landelike gebiede oorlede is

11. Wanneer 'n persoon te sterwe kom in 'n landelike gebied of in die gebied van 'n plaaslike owerheid deur die Minister ingestel waarin daar geen begraafplaas vir sy begrawing geleë is nie en die naaste openbare

(2) The cemetery committee shall consist of three members, one of whom shall be designated by the chairman of the Board as chairman. Every member of the committee shall hold office for a period of three years and be eligible for reappointment.

(3) The Board shall have the authority to remove a member of the committee from his office for incompetence or misbehaviour.

(4) Any vacancy in a committee may be filled by the appointment of a new member by the Board, and such new member shall hold office for the remainder of the period for which the outgoing member was appointed.

(5) The committee may, subject to the approval of the Board, make rules for its proceedings: Provided that the quorum for any meeting of the committee shall not be less than two members.

(6) The committee shall, subject to the provisions of these regulations, be responsible for the control, management and maintenance of the public cemetery in respect of which it was established, and for that purpose may, with the approval of the Board, appoint an officer or officers and such staff as it may deem necessary.

(7) The revenue of the committee shall consist of all monies which it is authorised to collect, fines imposed by a competent court of law and estreated bails in respect of offences under these regulations committed in respect of the cemetery for which the committee was established.

(8) The Board may at any time for valid reasons abolish and dissolve a committee and, if deemed necessary, appoint a new committee to succeed the previous committee.

(9) In any legal proceedings which may be instituted by or against a committee, it shall be sufficient to describe such committee as the Cemetery Committee without mentioning the names of the persons constituting it.

Construction and maintenance of public roads

8. The Board may, to the benefit of the public, construct and maintain public roads giving access to any public cemetery under its control: Provided that prior approval has been obtained from the Minister.

Grants or loans to committees

9. The Board may authorise the granting of a loan or payment of a grant to any committee to meet the costs involved in the establishment, maintenance, improvement or extension of a public cemetery.

Restriction of burials outside cemeteries

10. No person shall bury or permit to be buried, or take part in the burial of any human remains in any area except in a public cemetery administered by a committee.

When the Board is required to bury persons who died in rural areas

11. Whenever a person dies in a rural area or in the area of a local authority established by the Minister in which no cemetery is situated for his burial and the

begraafplaas aan sy plek van oorlye een is wat deur die Raad geadministreer word, moet die Raad in oorleg met die betrokke begraafplaaskomitee die begrawing van sodanige persoon oorweeg op aansoek aan hom van die persoon wat vir die begrawing verantwoordelik is. Na oorweging van sodanige aansoek kan die Raad die begrawing in enige openbare begraafplaas wat deur hom geadministreer word, goedkeur by betaling van sodanige gelde as wat voorgeskryf word.

HOOFSTUK III

Opgraving van lyke

12. (1) Behalwe waar die opgraving van 'n lyk om mediese, regs- of openbare gesondheidsdoeleindes kragtens 'n wet gelas word en behoudens subregulasie (2), mag niemand 'n lyk opgrawe sonder die goedkeuring van die Minister en ooreenkomstig sodanige voorskrifte en voorwaardes as wat hy bepaal nie: Met dien verstande dat geen aansoek om sodanige goedkeuring deur die Minister oorweeg word nie tensy dit in die voorgeskrewe vorm in Bylae A hiervan gedoen is, en die skriftelike goedkeuring van die langslewende eggenoot/eggenote of 'n naaste oorlewende naasbestaande bo die ouderdom van 21 jaar verkry is.

(2) Ongeag die voorbehoudsbepaling in subregulasie (1) kan die Minister afsien van die goedkeuring van die persoon daarin vermeld indien hy oortuig is dat die applikant alle redelike stappe gedoen het om sodanige goedkeuring te verkry, maar sonder sukses, en dat die opgraving van enige lyk in openbare belang is: Met dien verstande dat die Minister nie sy goedkeuring gee nie tensy en totdat hy oortuig is dat die applikant onderneem het om behoorlike en voldoende reëlins, op eie koste, te tref vir die opgraving, vervoer na die nuwe begraafplek en herbegrawing van die lyk en om enige gedenk- en randstene wat op die bestaande grafperseel opgerig is, te verwyder, te vervoer en weer op die nuwe grafperseel op te rig. 'n Aansoek om opgraving onder die omstandighede gemeld in hierdie subregulasie, moet in die voorgeskrewe vorm in Bylae B hiervan gedoen word.

(3) Die langslewende gade of kind of ouer of broer of suster of boedeleksekteur of naaste volwasse naasbestaande van die oorlede persoon wie se lyk opgegrawe en herbegrawe is ingevolge goedkeuring deur die Minister kragtens regulasie 12 (2) verleen, moet per geregistreerde pos, as sy of haar posadres bekend of geredelik verkrygbaar is, deur die applikant in kennis gestel word van die ligging van die grafperseel waarin sodanige lyk herbegrawe is.

(4) Behalwe waar verlang word om 'n lyk van een graf na 'n ander in dieselfde begraafplaas te verskuif, mag die Raad, behoudens spesiale omstandighede, nie sy toestemming vir die opgraving van 'n lyk verleen alvorens daar minstens twee of, in die geval van iemand wat aan 'n aansteeklike siekte oorlede is, minstens vier jaar na die begrawing verloop het nie. Sodanige voorwaardes as wat deur die Raad ingevolge subregulasie (1) opgelê word met die doel om die skepping van 'n oorlas te voorkom en vir die beskerming van die openbare gesondheid, moet nagekom word.

(5) Die Raad kan sonder opgaaf van redes enige aansoek kragtens subregulasie (1) afkeur.

(6) Vir die doel van hierdie regulasie beteken "lyk" die liggaam van 'n oorlede persoon, asook die oorblyfsels van sodanige liggaam.

nearest public cemetery to the place of his death is one administered by the Board, the Board shall, in consultation with the cemetery committee concerned, consider the burial of such person on application made to it by the person responsible for the burial. After having considered such application, the Board may approve the burial in any public cemetery administered by it upon payment of such fee as may be prescribed.

CHAPTER III

Exhumation of dead bodies

12. (1) Except where the exhumation of any dead body is ordered for medical, legal or public health purposes in terms of any law and subject to subregulation (2), no person shall exhume any dead body without the approval of the Minister and in accordance with such terms and conditions as he may determine: Provided that no application for such approval shall be considered by the Minister unless it is made in the form prescribed in Annexure A hereto and with the written approval of the surviving spouse or nearest surviving relative over the age of 21 years.

(2) Notwithstanding the proviso in subregulation (1) the Minister may dispense with the approval of the person mentioned therein if he is convinced that the applicant has taken all reasonable steps to secure such approval, but without success, and that the exhumation of any dead body is in the public interest: Provided that the Minister shall not give his approval unless and until he is convinced that the applicant has undertaken to make proper and adequate provision at his own expense for the exhumation, conveyance to the new place of burial and reinterment of the dead body and for the removal, conveyance and re-erection on the new grave site of any memorial stones and kerbing which may have been erected on the existing grave site. An application for exhumation under the circumstances mentioned in this subregulation shall be made in the form prescribed in Annexure B hereto.

(3) The surviving spouse or child or parent or brother or sister or estate executor or nearest adult relative of the deceased person whose body has been exhumed and reinterred in terms of the Minister's approval granted under regulation 12 (2) shall, if his or her postal address is known or is readily ascertainable, be informed by the applicant by registered post of the location of the grave site where such body has been reinterred.

(4) Except where it is desired to remove a dead body from one grave to another in the same cemetery, the Board shall not, except in special circumstances, give its consent for the exhumation of a dead body until at least two years after interment and in the case of a person who died of an infectious disease, until at least four years after interment have lapsed. Such conditions as may be imposed by the Board in terms of subregulation (1) for the purpose of preventing the creation of a nuisance and for the safeguarding of public health shall be observed.

(5) The Board may reject any application in terms of subregulation (1) without stating reasons.

(6) For the purpose of this regulation, the expression "dead body" means the body of a deceased person and includes the remains of such body.

Bykomende dokumente benodig

13. (1) Elke aansoek ingevolge subregulasie 12 (1) ingedien, gaan vergesel van die volgende:

(a) 'n Mediese sertifikaat wat die oorsaak van dood aandui of 'n behoorlik gewaarmerkte afskrif daarvan of ander bewys van die oorsaak van dood tot bevrediging van die Minister indien sodanige sertifikaat of afskrif of ander bewys gereedlik verkrygbaar is;

(b) die skriftelike toestemming van die Raad of begraafplaaskomitee in wie se gebied die lyk begrawe is;

(c) die skriftelike toestemming van die Raad of begraafplaaskomitee in wie se gebied die lyk begrawe gaan word;

(d) indien aansoek onderteken is deur 'n ander persoon as die naasbestaande van die oorledene gemeld in regulasie 12 (1) of die eksekuteur van sy boedel, die skriftelike goedkeuring van sodanige naasbestaande of eksekuteur, en as sodanige goedkeuring nie gereedlik verkrygbaar is nie, 'n verklaring van die omstandighede en besonderhede van pogings aangewend om sodanige goedkeuring te verkry.

(2) Elke aansoek ingevolge regulasie 12 (2) ingedien, gaan vergesel van die volgende:

(a) Die dokumente gemeld in subregulasie (1) (a), (b) en (c);

(b) 'n skriftelike onderneming deur die applikant om op sy eie koste behoorlike en voldoende voorsiening te maak vir die opgraving, vervoer na die nuwe begraafplek en herbegrawing van die lyk en om enige gedenken en randstene wat op die bestaande grafperseel opgerig is, te verwyder, te vervoer en weer op die nuwe grafperseel op te rig;

(c) 'n skriftelike onderneming dat die persoon bedoel in regulasie 12 (1), indien sy of haar posadres bekend of gereedlik verkrygbaar is, deur die applikant per geregistreerde pos in kennis gestel sal word van die ligging van die nuwe grafperseel waar die lyk herbegrave is.

Bykomende inligting kan verlang word

14. Die Minister kan, by ontvangs van 'n aansoek ingevolge regulasie 12 (1), van die applikant vereis om sodanige verdere inligting en besonderhede te verstrek as wat hy nodig ag, bykomend by die inligting en besonderhede ingevolge regulasies 12 en 13 verlang.

Vervoer van lyk wat opgegrawe is

15. Behoudens die bepalings van regulasie 16 word enige lyk wat opgegrawe is ingevolge hierdie regulasies, op 'n ordelike en behoorlike manier in 'n behoorlike kis of ander geskikte bedekking vervoer na die plek van herbegrawing.

Opgegrawe lyk moet verseël word

16. Waar, onder omstandighede van 'n spesiale aard, die Minister ingevolge regulasie 12 (1) toestem tot die opgraving van die lyk van enige persoon wat vir minder as twee jaar begrawe is, of in die geval van enige persoon wat aan 'n aansteeklike siekte oorlede is en wat vir minder as vier jaar begrawe is, moet sodanige lyk, voordat dit verwyder word, geplaas en verseël word in 'n plaatmetaalomhulsel in 'n stewige houtkis of in 'n plastiekhouer, of afgesonder word op 'n ander wyse tot bevrediging van die Minister.

Additional documents required

13. (1) Each application submitted in terms of subregulation 12 (1) shall be accompanied by the following:

(a) A medical certificate stating the cause of death or a duly certified copy thereof or other evidence of the cause of death to the satisfaction of the Minister, if such certificate or copy or other evidence is readily obtainable;

(b) the written consent of the Board or cemetery committee within whose area the dead body was interred;

(c) the written consent of the Board or cemetery committee within whose area the dead body is to be interred;

(d) if the application was signed by any person other than the deceased's relative mentioned in regulation 12 (1) or the executor in his estate, the written approval of such relative or executor, and if such approval is not readily obtainable, a statement of the circumstances and details of the efforts made to obtain such approval.

(2) Each application submitted in terms of regulation 12 (2) shall be accompanied by the following:

(a) The documents mentioned in subregulation (1) (a), (b) and (c);

(b) a written undertaking by the applicant to make proper and adequate provision at his own expense for the exhumation, conveyance to the new place of burial and reinterment therein of the dead body and for the removal, conveyance to and re-erection on the new grave site of any memorial stones and kerbing which may have been erected on the existing grave site;

(c) a written undertaking that the person referred to in regulation 12 (1), if his or her postal address is known or readily ascertainable, shall be informed by the applicant by registered post of the location of the new grave site where the dead body has been reinterred.

Additional information may be required

14. The Minister may, upon receipt of an application in terms of regulation 12 (1), require the applicant to provide such further information and details as he may deem necessary in addition to the information and details required in terms of regulations 12 and 13.

Conveyance of exhumed dead body

15. Subject to the provision of regulation 16, any dead body which has been exhumed in terms of these regulations shall be conveyed to the place of reinterment in an orderly and proper manner in a proper coffin or other appropriate covering.

Exhumed dead body to be enclosed

16. Where, under circumstances of a special nature, the Minister consents in terms of regulation 12 (1) to the exhumation of the dead body of any person who has been interred for less than two years, or in the case of any person who died of an infectious disease, who has been interred for less than four years, such dead body shall, prior to removal, be placed and sealed in either a sheet metal shell enclosed in a stout wooden coffin or in a plastic container, or shall be enclosed in some other manner to the satisfaction of the Minister.

Opgraving van begrafnisondernemer toevertrou te word

17. Die opgraving, vervoer en herbegrawing van enige lyk word aan 'n bevoegde en betroubare begrafnisondernemer toevertrou, behalwe waar die Minister onder uitsonderlike omstandighede andersins goedkeur.

Magtiging vir opgraving

18. Geen opgraving vind plaas sonder die skriftelike toestemming van die Minister aan die applikant bedoel in regulasie 12 (1) in die voorgeskrewe vorm in Bylae C hiervan nie.

HOOFSTUK IV

Begraafplaas omhein te word

19. Begraafplase word tot bevrediging van die Raad omhein met behoorlike heinings met paslike hekke op gerieflike plekke en alle omheinings en hekke moet in 'n goeie toestand gehou word.

Uitleg van begraafplaas

20. (1) 'n Begraafplaas word op 'n goed beplande en ordelike wyse uitgelê sodat toegang tot enige grafperseel verleen word vanaf ten minste een kant van 'n deurgang of paadjie. Gedeeltes van die begraafplaas kan afgesonder word vir die begrawing van persone van ander rasse en godsdienstige oortuigings.

(2) Tensy anders deur die Raad goedgekeur, is die afmetings van grafpersele soos volg:

(a) Vir volwassenes

Grafpersele moet minstens 1,10 meter van mekaar, 2,20 meter in lengte, 0,80 meter in breedte en 1,80 meter in diepte wees.

(b) Vir kinders onder die ouderdom van 10 jaar

Grafpersele moet minstens 0,65 meter van mekaar, 1,40 meter in lengte, 0,50 meter in breedte en 1,40 meter in diepte wees.

Uitlegplan

21. Die komitee hou 'n uitlegplan van die begraafplaas waarop die volgende inligting aangedui word:

- (i) Die ligging van elke grafperseel met die identifikasienommer wat die komitee daaraan toegeken het; en
- (ii) die feit dat daar in 'n spesifieke grafperseel 'n begrawing plaasgevind het, waar dit die geval is.

Begrawings in 'n begraafplaas

22. Behoudens regulasie 5 en onderworpe aan enige spesiale voorwaardes wat regtens by die aanlê van die begraafplaas gemaak is, is begrawings daarin hoofsaaklik beperk tot persone wat oorlede is in die stedelike gebied.

Bespreking en toewysing van grafpersele

23. (1) Enige inwoner van die stedelike gebied wat begerig is om 'n grafperseel of -persele vir homself en lede van sy gesin te bespreek, doen by die komitee aansoek daarom. Die komitee kan sodanige aansoek toestaan of weier of enige ander grafperseel of -persele wat hy bereid is om te laat bespreek, toeken in die plek van dié waarom aansoek gedoen is. Van 'n grafperseel wat aldus deur enige persoon bespreek is, mag nie sonder die skriftelike goedkeuring van die komitee ontslae geraak word nie.

Exhumation to be entrusted to undertaker

17. The exhumation, conveyance and reinterment of any dead body shall be entrusted to a competent and reliable undertaker, except where, under special circumstances, the Minister otherwise approves.

Authority of exhumation

18. No exhumation shall take place without the written consent of the Minister in the form prescribed in Annexure C hereto to the applicant referred to in regulation 12 (1).

CHAPTER IV

Cemetery to be fenced

19. Cemeteries shall, to the satisfaction of the Board, be fenced with proper fences with suitable gates at convenient places and all fences and gates shall be maintained in good condition.

Layout of cemetery

20. (1) A cemetery shall be laid out in a well-defined and orderly manner so that access to any burial plot may be gained from at least one side of a walk or pathway. Portions of the cemetery may be set apart for the interment of persons of different races and religious denominations.

(2) Unless otherwise approved by the Board, the measurements for grave sites shall be as follows:

(a) For adults

Grave sites shall be not less than 1,10 metres apart, 2,20 metres in length, 0,80 metres in width and 1,80 metres in depth.

(b) For children under the age of 10 years

Grave sites shall be not less than 0,65 metres apart, 1,40 metres in length, 0,50 metres in width and 1,40 metres in depth.

Layout plan

21. The committee shall keep a layout plan of the cemetery, reflecting the following information:

- (i) The location of every grave site with the identification number which the committee has assigned to it; and
- (ii) the fact that a burial has been effected in any particular grave site, where this is the case.

Interments in a cemetery

22. Subject to regulation 5 and to any special conditions lawfully made upon the establishment of the cemetery, interments therein shall be restricted mainly to persons who died in the urban area.

Reservation and allocation of grave sites

23. (1) Any resident of the urban area who desires to have a grave site or sites reserved for himself and members of his family shall make application therefor to the committee. The committee may grant or refuse such application or allocated any other grave site or sites which it is prepared to have reserved instead of those applied for. No grave site thus reserved by any person may be disposed of without the written approval of the committee.

(2) Elke begrawing in 'n bespreekte grafperseel geskied in ooreenstemming met hierdie regulasies.

(3) Die komitee bring, na die toewysing van enige grafperseel, hetsy dit deur 'n besprekingsaansoek of andersins geskied, op die bespreekte grafperseel 'n merker aan waarop die perseelnommer, soos op die uitlegplan van die begraafplaas aangedui word, duursaam gegraveer of gestempel is. Sodanige merker is eenvormig vir die gemelde begraafplaas.

24. By die toekenning van enige grafperseel teken die komitee die nommer van die perseel aldus toegeken in die onderskeie registers vir aansoeke en begrawings aan.

Aansoek om begrawing

25. Aansoek om begrawing moet in die voorgeskrewe vorm in Bylae D hiervan by die begraafplaaskomitee gedoen word, minstens 12 uur voor die vasgestelde tyd vir die begrafnis behalwe in gevalle van uiterste nood, en sodanige aansoek moet inligting bevat aangaande die volle naam, geslag, ouderdom, nasionaliteit, ambag of beroep, laaste adres en die datum en oorsaak van afsterwe van die oorledene asook die datum van die voorgenome begrafnis.

Begrawing nie toegelaat sonder begrafnismagtiging

26. Geen begrawing word in die begraafplaas toegelaat nie tensy 'n begrafnismagtiging wat ingevolge die Wet op die Registrasie van Geboortes, Huwelike en Sterfgevalle, 1963 (Wet No. 81 van 1963), uitgereik is, aan die begraafplaasopsigter getoon word.

Register deur begraafplaaskomitee gehou te word

27. Die begraafplaasopsigter hou 'n ware en juiste register van alle begrawings in die begraafplaas. Sodanige register is op aansoek beskikbaar vir inspeksie en moet sodanige inligting bevat as wat ingevolge artikel 14 van die Wet op die Registrasie van Geboortes, Huwelike en Sterfgevalle, 1963 (Wet No. 81 van 1963), vereis word.

Oop- en toemaak van grafte

28. Die begraafplaaskomitee reël die oop- en toemaak van alle grafte, en geen persoon mag 'n graf oop- of toemaak of daarmee behulpsaam wees sonder die toestemming van die begraafplaaskomitee en sonder die toesig van die begraafplaasopsigter nie.

29. Behoudens die bepalings van regulasie 20 (2) word nie meer as een liggaam in 'n graf geplaas nie, tensy die graf, toe dit die eerste keer begrawe is, so diep gemaak is dat geen lyk nader as 124 cm aan die oppervlak sal wees nie.

Wanneer begrawings nie toegelaat word nie

30. Geen begrawing vind plaas in die begraafplaas tussen sonsondergang en sonsopkoms nie tensy om spesiale redes, en dan slegs met die toestemming van die voorsitter van die komitee.

31. Geen begrawing vind plaas in die begraafplaas sonder die begraafplaasopsigter se medewete nie.

(2) Each interment in a reserved grave site shall be in accordance with these regulations.

(3) The committee shall, after the allocation of any grave site, whether upon an application for reservation or otherwise, cause to be erected on the reserved grave site a marker on which the site number as indicated on the layout plan of the cemetery is engraved or stamped in durable form. Such marker shall be uniform for the said cemetery.

24. On the allocation of any grave site the committee shall cause the number of the site thus allocated to be entered in the respective registers of burials and applications.

Application for interment

25. Application for interment shall be made to the cemetery committee in the form prescribed in Annexure D hereto at least 12 hours before the appointed time of burial, except in cases of extreme urgency, and such application shall contain information concerning the full name, sex, age, nationality, trade or occupation, last address and the date and cause of death of the deceased person and the date of the proposed burial.

Interment not permitted without burial order

26. No interment shall be permitted in the cemetery unless a burial order issued in terms of the Births, Marriages and Deaths Registration Act, 1963 (Act No. 81 of 1963), is shown to the cemetery keeper.

Register to be maintained by cemetery committee

27. The cemetery keeper shall keep a true and accurate register of all burials in the cemetery. Such register shall be open for inspection by any person upon application and shall contain such information as is required in terms of section 14 of the Births, Marriages and Deaths Registration Act, 1963 (Act No. 81 of 1963).

Opening and closing of graves

28. The cemetery committee shall arrange for the opening and closing of all graves and no person shall open or close a grave or assist in doing so save with the consent of the cemetery committee and under the supervision of the cemetery keeper.

29. Subject to the provisions of regulation 20 (2), no more than one body shall be placed in a grave unless, when initially dug, the grave was deep enough to ensure that no body shall be closer than 124 cm to the surface.

When burials are not permitted

30. No burials shall take place in the cemetery between sunset and sunrise except for special reasons and then only with the consent of the chairman of the committee.

31. No interment shall take place in the cemetery without the knowledge of the cemetery keeper.

Oprigting van gedenktekens, randstene, traliewerk, ens.

32. Gedenktekens, randstene, traliewerk, ens. word volgens die voorskrifte van die begraafplaasopsigter opgerig: Met dien verstande dat—

(a) as enige inskripsie op 'n gedenkteken in stryd is met die algemene norme van openbare ordentlikheid, dit deur die komitee of 'n werknemer van die Raad na die Raad verwys kan word vir oorweging;

(b) as die Raad sou bevind dat die inskripsie op die gedenkteken onbehoorlik is soos voormeld, hy 'n kennisgewing aan die naasbestaandes van die oorledene of sodanige persoon/persone wat vir die inskripsie verantwoordelik is, kan beteken wat die verwydering van 'n gedeelte daarvan of die geheel binne 'n sekere tydperk gelas;

(c) in geval van versuim om te voldoen aan 'n bevel wat ingevolge paragraaf (b) uitgereik is, die Raad die gedenkteken kan verwyder en deur 'n staalplaat kan vervang waarop die naam en ander relevante besonderhede van die oorledene getoon word;

(d) in die geval van stappe wat ingevolge paragraaf (c) gedoen is, die koste wat aangegaan is, verhaal word van die naasbestaandes of persoon/persone wat vir die inskripsie verantwoordelik is.

Oop- en toemaaktye van 'n begraafplaas

33. Die begraafplaas is tussen 07:00 en sonsondergang vir die publiek oop en geen persoon gaan die begraafplaas binne of is daarbinne gedurende enige tyd dat die begraafplaas vir die publiek gesluit is nie, behalwe met die toestemming van die begraafplaasopsigter.

Veroorsaking van steurnis of beskadiging van eiendom binne 'n begraafplaas

34. Geen persoon veroorsaak enige steurnis in die begraafplaas of pleeg enige onwettige daad of meng hom in met enigiemand of verrig enige handeling of doen iets wat die vrede versteur of wat nadeel of ergernis veroorsaak vir mense wat die begraafplaas wettig gebruik of besoek nie.

35. Niemand beskadig, vernietig of peuter aan 'n gedenksteen of ander eiendom in die begraafplaas of verwyder 'n gedenksteen, randsteen, traliewerk, pen, merker of ander eiendom sonder die toestemming van die begraafplaaskomitee nie.

Diere binne 'n begraafplaas

36. Geen diere word binne die begraafplaas toegelaat nie. Enige dier wat binne die begraafplaas aangetref word, sal geskut word.

Gelde en heffings

37. (1) Die gelde en heffings wat vir die bespreking van grafpersele, die oop- en toemaak van grafte en ander dienste of fasiliteite wat deur die komitee of die begraafplaasopsigter of werknemers van die komitee gelewer of verskaf word, aan die komitee betaalbaar is, geskied volgens tariewe wat deur die Raad bepaal en deur die Minister goedgekeur is.

(2) 'n Afskrif van sodanige tariewe word aangebring op 'n opvallende plek in die begraafplaas of in die kantoor van die begraafplaasopsigter. 'n Ware afskrif daarvan word op aanvraag ook aan enigiemand beskikbaar gestel.

Erection of memorials, kerbings, railings, etc.

32. The erection of memorials, kerbings, railings, etc., shall be according to directions of the cemetery keeper: Provided that—

(a) if any inscription on a memorial is at variance with the general norms of public decency, it may be referred to the Board by the committee or an employer of the Board for consideration;

(b) if the Board should find that the inscription on the memorial is indecent as aforesaid, it may serve a notice on the relatives of the deceased or such person/persons responsible for the inscription, ordering the removal of a part or the whole thereof within a certain period;

(c) in the event of failure to comply with an order issued in terms of paragraph (b), the Board may have the memorial removed and replaced by a steel plate on which the name and other relevant particulars of the deceased are shown;

(d) in the event of steps having been taken in terms of paragraph (c), the costs incurred shall be recovered from the relatives or person/persons responsible for the inscription.

Opening and closing hours of a cemetery

33. The cemetery shall be open to the public between 07:00 and sunset and no person shall enter or be in the cemetery at any time during which it is closed to the public, except by consent of the cemetery keeper.

Causing disturbance or damaging property within a cemetery

34. No person shall cause any disturbance in the cemetery or commit any unseemly act or interfere with any person or do any act or thing which disturbs the peace or will cause hurt or annoyance to persons lawfully using or visiting the cemetery.

35. No person shall damage, destroy or tamper with any memorial stone or other property in the cemetery or, without the consent of the cemetery committee, remove any memorial stone, kerbing, railing, peg, marker or other property.

Animals within a cemetery

36. No animals shall be permitted in the cemetery. Any animals found within the cemetery will be impounded.

Fees and levies

37. (1) The fees and levies payable to the committee for the reservation of grave sites, the opening and closing of graves and other services or facilities rendered or supplied by the committee or the cemetery keeper or employees of the committee shall be according to tariffs determined by the Board and approved by the Minister.

(2) A copy of such tariffs shall be posted in a conspicuous place in the cemetery or in the office of the cemetery keeper. A true copy thereof shall also be made available to any person on request.

(3) Die komitee kan, met die toestemming van die Raad, slegte skuld afskryf en waar grondige redes bestaan, kan die komitee enige onvoldoende of foutiewe vorderings ten opsigte van die bestaande tariewe kondoneer.

Hou van boeke en rekeninge

38. Die komitee hou behoorlik boek van alle gelde wat namens die komitee ontvang is en van alle bedrae wat uitbetaal is, met vermelding van die doel waarvoor dit ontvang of uitbetaal is.

39. Geen koste of aanspreeklikheid word namens die komitee aangegaan of aanvaar nie tensy dit gedoen word op gesag van 'n behoorlik genotuleerde besluit geneem tydens 'n behoorlik gekonstitueerde vergadering van die komitee.

40. Alle gelde wat die komitee toekom of ontvang, word by die Raad inbetaal.

41. Onttrekking van geld geskied slegs onder die handtekening van die voorsitter en een van die lede van die komitee. Al drie lede van die komitee is egter gemagtig om kragtens 'n spesiale besluit van die komitee vir die onttrekking van geld te teken.

42. (1) Geen uitbetaling word gemaak nie tensy dit ingevolge die bepalings van regulasie 41 gemagtig is en alle uitbetalings word bevestig deur behoorlik gekwiteerde uitbetalingsbewysstukke met duidelike besonderhede aangaande die betalings.

(2) Uitbetalingsbewysstukke word genommer en so gebere dat hulle te alle tye gereedlik beskikbaar is.

43. Notule van die verrigtinge van alle vergaderings van die komitee word opgeteken in 'n boek wat vir daardie doel gehou word en sodanige notules word ten tyde van sodanige optekening of op die eersvolgende vergadering onderteken deur die voorsitter of deur die komiteelid wat op sodanige vergadering as voorsitter optree.

Voorlegging van jaarlikse finansiële state

44. Gedurende April van elke jaar stuur die komitee state van ontvangste en uitbetalings en van bates en laste, gestaaf deur die nodige bewysstukke, vir die voorafgaande 12 maande geëindig op 31 Maart aan die Raad.

Aanstelling van ouditeur

45. Die ouditeure van die Raad word deur die Raad aangestel om die boeke van die komitee na te sien, en hulle stel jaarliks 'n ondertekende verslag met betrekking tot die finansiële aspekte van die begraafplaas-komitee op en lê dit aan die Raad voor.

Oortredings en strawwe

46. Enigiemand wat—

(a) enige bepaling van hierdie regulasies oortree of in gebreke bly om daaraan te voldoen; of

(b) die begaan van enige oortreding verswyg of enige ondersoek of vervolging in verband met enige beweerde oortreding verhinder of versteur; of

(c) weier of in gebreke bly om aan 'n wettige versoek van 'n beampde gehoor te gee,

is aan 'n misdryf skuldig en is by skuldigbevinding strafbaar met die strawwe voorgeskryf in regulasie 20 (1) van die Regulasies vir die Administrasie van en Beheer oor Sekere Stadsgebied in Natal, afgekondig by Proklamasie No. 86 van 1982.

(3) The committee may, with the consent of the Board, write off bad debts and upon good cause being shown, the committee may condone any undercharges or errors in respect of the existing tariffs.

Keeping of books and accounts

38. The committee shall keep proper account of all moneys received on behalf of the committee and of all amounts paid out and shall mention the purpose for which they were received or paid out.

39. No costs may be incurred or liability accepted on behalf of the committee unless it is done on the authority of a properly minuted resolution taken at a duly convened meeting of the committee.

40. Any moneys accruing to or received by the committee shall be deposited with the Board.

41. Withdrawals of money shall only be made against the signature of the chairman and one of the members of the committee. All three members of the committee shall, however, be authorised to sign for the withdrawal of money by a special resolution of the committee.

42. (1) No payments may be made unless authorised in accordance with the provisions of regulation 41 and all payments shall be confirmed by properly receipted payment vouchers clearly stating the particulars of the payments.

(2) Payment vouchers shall be numbered and filed in such a way that they are readily accessible at all times.

43. Minutes of the proceedings of all meetings of the committee shall be entered in a book to be kept for that purpose and such minutes shall be signed at the time of such entry or at the ensuing meeting by the chairman or by the member of the committee acting as chairman at such meeting.

Submission of annual financial statements

44. The committee shall, during April of each year, submit to the Board statements of receipts and payments and of assets and liabilities, confirmed by the necessary vouchers, for the previous 12 months ended 31 March.

Appointment of auditor

45. The auditors of the Board shall be appointed by the Board to audit the books of the committee and they shall prepare and submit annually to the Board a signed report on the financial aspects of the cemetery committee.

Offences and penalties

46. Any person who—

(a) contravenes or fails to comply with any provision of these regulations; or

(b) conceals the commission of any offence or prevents or disrupts any investigation or prosecution in connection with any alleged offence; or

(c) refuses or fails to comply with a lawful request of any official,

shall be guilty of an offence and shall be liable on conviction to the penalties prescribed in regulation 20 (1) of the Regulations for the Administration and Control of Certain Urban Areas in Natal, published under Proclamation No. R. 86 of 1982.

BYLAE A**AANSOEK OM DIE MINISTER SE GOEDKEURING VIR DIE OPGRAWING VAN 'N LYK**

Ek (naam), , van (adres)
 as die (meld verwantskap met die
 oorledene) en die naaste oorlewende/naasbestaande/eksekuteur van die boedel (skrap wat nie van toepassing is nie) van die
 oorledene,

(volle naam van die oorledene), doen hiermee aansoek om die goedkeuring van die Minister kragtens regulasie 12 (1) van die
 Begraafplaasregulasies, 1992, om die lyk van die genoemde oorledene op te grawe en verskaf die volgende inligting ter
 ondersteuning van my aansoek:

1. Ras, geslag en ouderdom van die oorledene
2. Plek en oorsaak van dood
3. Plek en datum van begrafnis
4. Plek waar oorledene herbegrawe sal word
5. Redes vir die voorgestelde opgraving en verwydering van die lyk
6. As hierdie aansoek deur enigiemand anders as die oorlewende gade of naaste oorlewende naasbestaande ouer as
 21 jaar of die eksekuteur van die oorledene se boedel onderteken is, meld of die voorgenoemde partye se toestem-
 ming verkry is (Ja of Nee)
 As sodanige toestemming nie geredelik verkrygbaar is nie, moet 'n verklaring waarin die omstandighede van die
 aangeleentheid en die pogings wat aangewend is om sodanige toestemming te verkry uiteengesit is, hierby aange-
 heg word.
7. Voorgestelde wyse van verseëling en vervoer van die lyk
8. Sal 'n begrafnisondernemer in diens geneem word met die opgraving en herbegrawing van die lyk? (Ja of Nee).

Nota: Indien 'n begrafnisondernemer nie in diens geneem gaan word nie, moet die redes verstrek word en 'n
 verduideliking gegee word van die alternatiewe reëlins wat getref word:

NB: Die volgende dokumente moet hierdie aansoekvorm vergesel:

- (a) 'n Mediese sertifikaat of behoorlik gesertifiseerde afskrif daarvan of ander getuienis betreffende die oorsaak van
 dood van die oorledene tot bevrediging van die Minister.
- (b) Die skriftelike toestemming van die plaaslike owerheid of begraafplaaskomitee in wie se gebied die lyk begrawe is, of
 van die eienaar van 'n private begraafplaas of die eienaar van die grond waar die lyk begrawe is.
- (c) Die skriftelike toestemming van die plaaslike owerheid of begraafplaaskomitee in wie se gebied die lyk herbegrawe
 sal word of die eienaar van 'n private begraafplaas of die eienaar van die grond waar of in wie se gebied die lyk
 herbegrawe sal word.
- (d) As die aansoek deur enigiemand anders as die naaste oorlewende naasbestaande/eksekuteur van die oorledene se
 boedel onderteken is, die toestemming van sodanige naaste oorlewende naasbestaande of eksekuteur.

.....
Handtekening van Applikant

ANNEXURE A**APPLICATION FOR THE APPROVAL OF THE MINISTER TO EXHUME A DEAD BODY**

I (name), of
 (address) , being the
 (state relationship to deceased)
 and the nearest surviving relative/executor in the estate (delete whichever is not applicable of the late
 (full name of deceased),
 hereby apply for the approval of the Minister in terms of regulation 12 (1) of the Cemetery Regulations, 1992, to exhume the
 dead body of the said deceased and submit the following information in support of my application:

1. Race, sex and age of deceased

2. Place and cause of death.....
3. Place and date of interment.....
4. Place where deceased is to be reinterred.....
5. Reasons for proposed exhumation and removal of the dead body.....
6. If this application is signed by any person other than the surviving spouse or nearest surviving relative over the age of 21 years or executor in the estate of the deceased, state whether the consent of the aforementioned parties has been obtained (Yes or No).....
 If such consent is not readily obtainable, a statement of the circumstances of the case and the efforts made to obtain such consent, must be attached hereto.
7. Proposed method of enclosing and mode of conveyance of the dead body.....
8. Will an undertaker be employed in the exhumation and reinterment of the dead body? (Yes or No).....
Note: If an undertaker is not to be employed, the reasons must be stated and an explanation given of the alternative arrangements made:.....

N.B.: The following documents must accompany this application form:

- (a) A medical certificate stating the cause of death or a duly certified copy thereof or other evidence of the cause of death of the deceased to the satisfaction of the Minister.
- (b) The written consent of the local authority or cemetery committee in whose area the dead body was interred or of the proprietor of a private cemetery or the owner of the land where the dead body was interred.
- (c) The written consent of the local authority or committee in whose area the dead body is to be reinterred or of the proprietor of a private cemetery or the owner of the land in which the dead body is to be reinterred.
- (d) If the application was signed by any person other than the nearest surviving relative/executor in the estate of the deceased, the written consent of such nearest surviving relative or executor.

.....
Signature of Applicant

BYLAE B

AANSOEK OM DIE MINISTER SE GOEDKEURING VIR DIE OPGRAWING VAN 'N LYK

Ek (naam), van (adres)

....., doen hiermee aansoek om die Minister se goedkeuring kragtens regulasie 12 (2) van die Begraafplaasregulasies, 1992, om die lyk van die oorledene (volle naam van die oorledene)....., op te grawe en verskaf die volgende inligting ter ondersteuning van my aansoek:

1. Ras, geslag en ouderdom van die oorledene.....
2. Plek en oorsaak van dood.....
3. Plek en datum van begrafnis.....
4. Plek waar oorledene herbegrawe sal word.....
5. Redes vir die voorgestelde opgrawing en verwydering van die lyk.....
6. Meld pogings aangewend om die skriftelike toestemming van die naaste oorlewende naasbestaande/eksekuteur van die boedel van die oorledene te verkry.....

7. Voorgestelde wyse van verseëling en vervoer van die lyk
8. Sal 'n begrafnisondernemer in diens geneem word met die opgrawing en herbegrawing van die lyk? (Ja of Nee)

Nota: As 'n begrafnisondernemer nie in diens geneem sal word nie, moet die redes verstrek word en 'n verduideliking gegee word van die alternatiewe reëlings wat getref sal word:

.....
Handtekening van Applikant

Notas

1. Die applikant moet tot bevrediging van die Minister aantoon dat die openbare belang deur die voorgestelde opgrawing gedien sal word. As hierdie ruimte onvoldoende is, meld redes op afsonderlike velle
2. Die naaste oorlewende naasbestaande is, in die volgorde hier vermeld, 'n gade, 'n kind ouer as 21 jaar, 'n ouer, 'n broer/suster ouer as 21 jaar van die oorledene of, as daar geen sodanige oorlewende naasbestaandes is nie, die eksekuteur van die boedel van die oorledene, of as daar geen sodanige eksekuteur is nie, die naaste beskikbare volwasse naasbestaande van die oorledene.

NB: Die volgende dokumente moet die aansoekvorm vergesel:

- (a) 'n Mediese sertifikaat van die doodsoorsaak of 'n behoorlik gesertifiseerde afskrif daarvan of ander getuienis betreffende die dood van die oorledene tot bevrediging van die Minister.
- (b) Die skriftelike toestemming van die plaaslike owerheid of begraafplaaskomitee in wie se gebied die lyk begrawe is, of van die eienaar van 'n private begraafplaas of die eienaar van die grond waar die lyk begrawe is.
- (c) Die skriftelike toestemming van die plaaslike owerheid of begraafplaaskomitee in wie se gebied die lyk herbegrawe sal word of die eienaar van 'n private begraafplaas of die eienaar van die grond waar die lyk herbegrawe sal word.
- (d) 'n Skriftelike onderneming deur die applikant dat hy op sy eie koste voldoende en paslike voorsiening sal maak vir die opgrawing, vervoer na die nuwe begraafplek en herbegrawing van die lyk en vir die verwydering, vervoer en heroprigting van enige gedenksteen en randstene wat by die huidige graf opgerig is.
- (e) 'n Skriftelike onderneming deur die applikant dat hy per geregistreerde pos die naaste oorlewende naasbestaande/eksekuteur van die boedel van die oorledene (as sy/haar posadres bekend is of geredelik vasgestel kan word) in kennis sal stel van die ligging van die nuwe grafperseel waarin die lyk herbegrawe is.

ANNEXURE B

APPLICATION FOR THE APPROVAL OF THE MINISTER TO EXHUME A DEAD BODY

I (name),, of (address), hereby

apply for the approval of the Minister in terms of regulations 12 (2) of the Cemetery Regulations, 1992, to exhume the dead body of the late (full name of deceased) and submit the following information in support of my application:

1. Race, sex and age of deceased
2. Place and cause of death
3. Place and date of interment
4. Place of reinterment
5. Reasons for proposed exhumation and removal of dead body
6. State efforts made to obtain the written consent of the nearest surviving relative/executor in the estate of the deceased
7. Proposed method of enclosing and mode of conveyance of the dead body
8. Is an undertaker to be entrusted with the exhumation and reinterment of the dead body? (Yes or No)
If an undertaker is not to be employed, the reasons must be stated and an explanation given of the alternative arrangements made:

.....
Signature of Applicant

Notes

1. The applicant must prove to the satisfaction of the Minister that the public interest will be served by the proposed exhumation. If this space is insufficient, state reasons on separate sheets.
.....
.....
2. The nearest surviving relative is, in the order stated here, a spouse, a child over 21 years, a parent, a brother/sister of the deceased over 21 years or, if there is no such surviving relative, the executor in the estate of the deceased or, if there is no such executor, the nearest available adult relative or the deceased.

N.B.: The following documents must accompany this application form:

- (a) A medical certificate of the cause of death or a duly certified copy thereof or other evidence of the cause of death to the satisfaction of the Minister.
- (b) The written consent of the local authority or cemetery committee in whose area the dead body was interred, or of the proprietor of a private cemetery or the owner of the land where the dead body was interred.
- (c) The written consent of the local authority or cemetery committee in whose area the dead body is to be reinterred or of the proprietor of a private cemetery or the owner of the land where the dead body is to be reinterred.
- (d) A written undertaking by the applicant that he will, at his own expense, make adequate and proper provision for the exhumation, conveyance to the new place of burial and reinterment therein of the dead body and for the removal, conveyance to an re-erection on the new grave site of any memorial stone and kerbings erected on the existing grave site.
- (e) A written undertaking by the applicant that he will, by registered post, notify the nearest surviving relative/executor in the estate of the deceased (if his/her postal address is known or readily ascertainable) of the location of the new grave site in which the dead body has been reinterred.

BYLAE C**MAGTIGING VIR DIE OPGRAWING VAN 'N LYK**

Hiermee word gesertifiseer dat dit die Minister behaag het om, kragtens regulasie 12 (1) van die Begraafplaasregulasies, 1992, goedkeuring te verleen vir die opgrawing van die lyk van die afgestorwe tans begrawe in (plek), en vir die vervoer van die lyk na en herbegrawing te (plek), onderworpe aan die volgende voorwaardes:

1. Die lyk word opgegrawe, vervoer en herbegrawe op 'n ordelike en gepaste wyse en word —
 - (a) vervoer en herbegrawe in 'n behoorlike kis of ander fatsoenlike en voldoende bedekking; of
 - (b) voor die verwydering daarvan geplaas en verseël, hetsy in 'n plaatmetaalomhulsel in 'n stewige houtkis of in 'n plastiekhouer, of afgesonder op 'n ander wyse tot bevrediging van die Minister.
2. Alle moontlike voorsorg moet getref word om die openbare gesondheid te beskerm.

.....
Direkteur-generaal: Ontwikkelingshulp

ANNEXURE C**AUTHORISATION TO EXHUME DEAD BODY**

It is hereby certified that the Minister has been pleased, in terms of regulation 12 (1) of the Cemetery Regulations, 1992, to approve to the exhumation of the dead body of the late at present buried in (place), and the conveyance of the dead body to and its reinterment in (place), subject to the following conditions:

1. The dead body shall be exhumed, conveyed and reinterred in an orderly and proper manner and shall —
 - (a) be conveyed and reinterred in a proper coffin or other decent and sufficient covering; or
 - (b) prior to removal thereof be placed and sealed either in a sheet metal shell enclosed in a stout wooden coffin or in a stout wooden coffin or in a plastic container, or enclosed in some other manner to the satisfaction of the Minister.
2. All possible precautions must be taken to safeguard the public health.

.....
Director-General: Development Aid

BYLAE D

AANSOEK OM BEGRAWING

Ek (naam van aansoeker,
 van (adres)
 doen hiermee aansoek om die begrawing van

 wie se besonderhede soos volg is:

Volle naam
 Geslag
 Ouderdom
 Nasionaliteit
 Beroep of besigheid
 Laaste adres

 Datum en oorsaak van dood

 Tyd en datum van voorgenome begrafnis

Applikant

Datum

ANNEXURE D

APPLICATION FOR INTERMENT

I (name of applicant),
 of (address)
 hereby apply for the interment of
 whose particulars are as follows:

Full name
 Sex
 Age
 Nationality
 Occupation or trade
 Last address

 Date and cause of death

 Time and date of proposed burial

Applicant

Date

No. R. 853

20 Maart 1992

DIE ADMINISTRASIE VAN EN BEHEER OOR SEKERE GEBIEDE IN NATAL: DORPERAAD: WATervoorsieningsregulasies

Ek, Jacob de Villiers, Minister van Streek- en Grondsake, maak hierby bekend dat ek, kragtens die bevoegdheid my verleen by regulasie 17 (3) (b) van die Regulasies vir die Administrasie van en Beheer oor Sekere Gebiede in Natal, afgekondig by Proklamasie No. 67 van 6 Mei 1983, die regulasies uiteengesit in bygaande Bylae, soos deur die Dorperaad aanvaar, goedgekeur het.

Hierdie Goewermentskennisgewing is *mutatis mutandis* op al die dorpe vermeld in Bylae A van Proklamasie No. 67 van 6 Mei 1983 van toepassing.

J. DE VILLIERS,

Minister van Streek- en Grondsake.

No. R. 853

20 March 1992

THE ADMINISTRATION AND CONTROL OF CERTAIN AREAS IN NATAL: TOWNSHIPS BOARD: WATER SUPPLY REGULATIONS

I, Jacob de Villiers, Minister of Regional and Land Affairs, do hereby make known that I, under the powers vested in me by regulation 17 (3) (b) of the Regulations for the Administration and Control of Certain Areas in Natal, published under Proclamation No. 67 of 6 May 1983, have approved the regulations set out in the accompanying Schedule adopted by the Townships Board.

This Government Notice shall apply *mutatis mutandis* to all the townships referred to in Schedule A of Proclamation No. 67 of 6 May 1983.

J. DE VILLIERS,

Minister of Regional and Land Affairs.

BYLAE**WATEROORSIENINGSREGULASIES**

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

“**aansluiting**” of “**verbruikerspyp**” die pyp wat vanaf die Raad se hoofleiding na ’n verbruiker se perseel lei tot by die grens van sodanige perseel, insluitende die watermeter;

“**dienshoofleiding**” alle pype wat water van die Raad se suiweringwerke na die verskillende reservoirs voer, maar dit sluit nie in ’n hoofleiding of pyp wat veroorsaak dat ’n eiendom waarnaby dit verbyloop in die watervoorsieningsgebied is nie;

“**eienaar**” ten opsigte van grond of ’n perseel, ’n persoon wat die huurgeld of winste van sodanige perseel van ’n huurder of okkupeerder ontvang of wat sodanige huurgeld of winste sou ontvang as sodanige perseel verhuur sou word, synde in die eerste plek die persoon wat sodanige huurgeld of winste vir eie rekening ontvang of, in die tweede plek, die persoon wat dit as ’n agent vir hom in sy afwesigheid ontvang;

“**goedgekeur**” deur die Raad goedgekeur;

“**hoofleiding**” enige pyp, waterleiding of soortgelyke werk op die eiendom of onder die uitsluitlike beheer van die Raad en wat deur die Raad gebruik word vir die doel van die hooftoevoer van water na verbruikers en vir die Raad se eie behoeftes;

“**huishoudelike doeleindes**” die gewone huishoudelike gebruik van water vir voedingkundige en kookdoeleindes, wassery in die huishouding, badens en die spoel van riolerende middel van ’n apparaat wat water outomaties of andersins uitlaat, die skoonmaak van plaveisel en werwe, om tuine, diere en voëls water te gee en die was van motorvoertuie en dergelike, mits dit nie vir handelsdoeleindes aangehou of gebruik word nie, maar omvat dit nie die gebruik van water in ’n enjin of masjien vir die uitoefening van ’n bedryf, besigheid of beroep of vir vervaardigings-, fabrieks- of boudoeleindes nie, en ook nie die benutting van openbare tuine, grasperke, kwekerie, tennisbane of speelgronde deur middel van buise, pype, sprinkelaars of ander toestelle of die lê en konstruksie daarvan of die gebruik van water vir fontein of ornamentele doeleindes of vir besproeiing nie. Die voorsiening van water aan hostelle, klubs, hospitale, verpleeginrigtings, losieshuise, skole, skoolkoshuise, wasserye, melkerye, barakke, kampongs, arbeidswerwingsagentskappe en dergelike word nie as huishoudelike gebruik geklassifiseer nie, en ook nie die gebruik van water vir beeste, perde of huisdiere of voëls of vir die was van motorvoertuie en dergelike wat vir handels doeleindes aangehou word nie. Die gebruik van water in die geval van bediende-kwartiere vas aan ’n privaat woonhuis wat bewoon word deur bediendes wat in sodanige woonhuis in diens is, word ook as huishoudelike doeleindes geklassifiseer;

SCHEDULE**WATER SUPPLY REGULATIONS**

1. In these regulations, unless the context otherwise indicates—

“**approved**” means approved by the Board;

“**area of supply**” means the area within which the Board is empowered to supply water under any general or special Act;

“**Board**” means the Townships Board established by regulation 2 of the Regulations;

“**connection**” or “**service pipe**” means the pipe which extends from the Board’s main to the premises of any consumer as far as the boundary of such premises, including the water meter;

“**consumer**” means any person supplied or applying to be supplied with or using the water of the Board or any person or persons otherwise liable for payment of the water rate;

“**consumer’s fittings**” means all fittings and equipment used in connection with a supply of Board water that are not the property of the Board;

“**domestic purposes**” means the ordinary household use of water for dietetic or culinary purposes, washing within the household, baths and flushing of sewers by means of any apparatus that discharges automatically or otherwise, the cleaning of pavements and yards, the watering of gardens, animals and birds and the washing of motor vehicles and the like, provided they are not kept or used for trade purposes, but shall not include the use of water in any engine or machine used in the carrying on of any trade, business or profession or for any manufacturing, factory or building purposes, nor shall it include the watering of public gardens, lawns, nurseries, tennis courts or playing fields by means of tubes, pipes, sprinklers or other devices or the laying down and construction of the same or the use of water for fountains or any ornamental purposes or for irrigation. Supplies of water for hostels, clubs, hospitals, nursing homes, boarding houses, schools, school hostels, laundries, dairies, barracks, compounds, labour recruiting agencies or the like shall not be classed as being for domestic purposes nor shall the use of water for cattle, horses or domestic animals or birds or for washing motor vehicles or the like that are kept for trade purposes. The use of water in the case of servants’ quarters attached to a private dwelling house and occupied by servants employed in such dwelling house shall be classed as being for domestic purposes.

“**main**” means any pipe, aqueduct or other similar work on the property of or under the exclusive control of the Board and used by such Board for the purpose of conveying the main supply of water to consumers and for the Board’s own requirements;

"okkupeerder" 'n persoon wat 'n perseel werklik okkupeer ongeag die titel waaronder hy sodanige perseel okkupeer, en, in die geval van persele wat onderverdeel en aan loseerders of verskillende huurders verhuur word, die persoon wat die huur-geld betaalbaar deur sodanige loseerders of huurders ontvang, hetsy vir sy eie rekening of as 'n agent vir 'n persoon wat daarop geregtig is of 'n belang daarby het;

"perseel" 'n gebou, kamer, wooneenheid, hut, skuur of 'n tuin, werf of grond wat in verband daarmee gebruik word of onbesette grond of enige speelveld of grond wat vir sportdoeleindes en so meer gebruik word;

"Regulasies" die Regulasies vir die Administrasie van en Beheer oor Sekere Gebiede in Natal, afgekondig by Proklamasie No. 67 van 1983;

"Raad" die Dorperaad ingestel by regulasie 2 van die Regulasies;

"toevoerpyp" 'n pyp wat gebruik word of bedoel is om gebruik te word vir of in verband met die lewering van water deur die Raad aan 'n verbruiker se perseel en wat strek vanaf die grens van en geleë is op sodanige perseel;

"verbruiker" 'n persoon wat voorsien word of aansoek doen om voorsien te word of wat gebruik maak van die Raad se water of 'n persoon of persone wat andersins vir die betaling van die Waterbelasting aanspreeklik is;

"verbruikerspyp" of **"aansluiting"** die pyp wat vanaf die Raad se hoofwaterpyp na 'n verbruiker se perseel lei tot by die grens van sodanige perseel, insluitende die watermeter;

"verbruikerstoebehore" alle toebehore en toerusting wat in verband met die voorsiening van Raadswater gebruik word en nie die Raad se eiendom is nie;

"voorsieningsgebied" die gebied waarin die Raad gemagtig is om water te lewer ingevolge 'n algemene of spesifieke wet;

"watervoorsieningsgebied", en sluit dit in alle persele in die dorp wat binne 'n afstand van 200 meter vanaf 'n Raadshoofleiding lê, met uitsondering van 'n dienshoofleiding.

2. (a) As 'n perseel in die dorp binne die watervoorsieningsgebied na die Raad se mening nie van 'n permanente of genoegsame voorraad drinkbare water vir huishoudelike doeleindes voorsien word nie, kan die Raad deur skriftelike kennisgewing van die eienaar van sodanige perseel vereis om die Raad se water vanaf die naaste hoofleiding te kry en om vir dié doeleindes die nodige pype en toebehore vir die verbinding aan sodanige hoofleiding te verskaf binne 'n tyd wat in sodanige kennisgewing gespesifiseer word.

(b) As die persoon aan wie sodanige kennisgewing bestel is, versuim om die vereiste werk uit te voer binne die tyd wat in die kennisgewing gespesifiseer is, is hy aan 'n misdryf skuldig en kan die Raad sodanige werk onderneem en voltooi en die totale koste daarvan van sodanige eienaar verhaal behoudens die Raad se reg om ingevolge hierdie regulasie te vervolg.

"occupier" means any person in actual occupation of any premises without regard to the title under which he occupies such premises, and, in the case of premises subdivided and let to lodgers or various tenants, the person receiving the rent payable by such lodgers or tenants, whether for his own account or as an agent for any person entitled thereto or interested therein;

"owner" in respect of any land or premises, means any person who receives the rents or profits of such premises from any tenant or occupier or who would receive such rents or profits if such premises were let, being in the first instance the person receiving such rents or profits for his own account or in the second instance the person receiving such rents as an agent for him in his absence;

"premises" means any building, room, tenement, hut, shed or any garden, yard or land used in connection therewith or any vacant land or any playing field or land used for sporting purposes or the like;

"Regulations" means the Regulations for the Administration and Control of Certain Areas in Natal, published by Proclamation No. 67 of 1983;

"supply pipe" means any pipe used or intended to be used for or in connection with the supply of water by the Board to the premises of any consumer extending from the boundary of and situated on such premises;

"service pipe" or **"connection"** means the pipe which extends from the Board's main to the premises of any consumer as far as the boundary of such premises including the water meter;

"service main", means any pipe conveying water from the Board's purification works to the various reservoirs, but shall not include a main or pipe which causes any property near to which it passes to be in the water supply area;

"water supply area" means and includes all premises in the town situated within a distance of 200 metres of any Board main, with the exception of any service main.

2. (a) If, in the opinion of the Board, any premises in the town within the water supply area are not provided with a permanent or sufficient supply of potable water for domestic purposes, the Board may, by notice in writing, require the owner of such premises to take the Board's water from the nearest main and for that purpose to provide the necessary piping and fittings for connection to such main within a time to be specified in such notice.

(b) If the person who has been served with any such notice fails to carry out the required work within the time specified in the notice, he shall be guilty of an offence and the Board may undertake and complete such work and recover the entire cost thereof from such owner without prejudice to the Board's right to prosecute under this regulation.

3. Daar mag nie van 'n verbruiker vereis word om 'n pyp, toebehore, apparaat en dergelike wat op die datum van uitvaardiging van hierdie regulasies wettig bestaan en wettig op 'n perseel gebruik word, te verander of te vervang of om 'n byvoeging daaraan te bou of te voorsien nie tensy en totdat sodanige pyp, toebehore, apparaat en dergelike so onklaar is of in so 'n toestand of posisie is dat dit vermorsing, oormatige verbruik, misbruik, foutiewe meting of besmetting of risiko van besmetting van die water wat deur die Raad voorsien word, veroorsaak, of tensy sodanige pyp, toebehore, apparaat en dergelike nie aan die vereistes wat op die datum van uitvaardiging van hierdie regulasies bestaan het, voldoen nie.

4. (a) Elkeen wat planne van nuwe geboue of veranderings aan bestaande geboue vir goedkeuring aan die Raad voorlê, moet die grootte van die aansluiting en die deursnee en posisie van alle pype en dienste duidelik daarop aandui en aan die Raad die voorgeskrewe gelde en tariewe betaal wat op die voorsiening en verbruik van water van toepassing is.

(b) By ontvangs van sodanige planne kan die Raad sodanige voorsiening goedkeur of sodanige verandering aan die toevoerpype op die planne laat aanbring as wat hy nodig ag.

5. Alle aansoeke om watervoorsiening moet op die voorgeskrewe vorm gedoen word en deur die eienaar van die perseel of sy behoorlik gemagtigde agent onderteken word. Voorgeskrewe gelde ten opsigte van die aansoek moet ook betaal word.

6. Alle aansoeke om veranderings of uitbreidings aan 'n verbruiker se pype of toebehore moet op die voorgeskrewe vorm by die Raad gedoen word.

7. Alle aansoeke ingevolge regulasies 5 en 6 van hierdie regulasies moet gedoen word voordat die lê, aanbring, verandering of uitbreiding van pype begin.

8. Nadat 'n aansoek om 'n aansluiting, verandering of uitbreiding goedgekeur is, moet 'n skriftelike magtiging deur die Raad uitgereik word dat sodanige werk gedoen kan word, en in die geval van 'n nuwe toevoer moet instruksies gegee word oor die plek waar die verbruiker se toevoerpyp moet begin. Geen water sal egter aan so 'n aansluiting gelewer word voordat die werk voltooi, geïnspekteer en deur die Raad goedgekeur is nie.

9. Wanneer werk wat ingevolge hierdie regulasies gemagtig is, voltooi is, moet die loodgieter wat sodanige werk doen, die Raad op die voorgeskrewe vorm, vergesel van 'n sketsplan en spesifikasie van die werk wat gedoen is, in kennis stel, en indien die werk na inspeksie bevredigend bevind word, moet 'n sertifikaat van goedkeuring deur die Raad uitgereik word. Ondergrondse pype mag nie bedek word voordat die werk geïnspekteer en goedgekeur is nie.

10. Die Raad word nie geag werk ingevolge hierdie regulasies te geïnspekteer en goedgekeur het alvorens 'n sertifikaat met so 'n strekking uitgereik is nie.

11. Geen eiendom of perseel mag deur die Raad van water voorsien word deur meer as een verbruikerspyp wat aan die hoofleiding gekoppel is nie (behalwe met die skriftelike instemming van die Raad) en alle pype, toebehore en toerusting van die verbruiker in of op sodanige woning of ander perseel of wat in verband daarmee gebruik word, moet aan dié verbruikerspyp verbind wees.

3. A consumer shall not be required to alter or renew any pipe, fitting, apparatus or the like lawfully existing and in lawful use on any premises at the date of the promulgation of these regulations or to construct or provide any addition thereto unless and until such pipe, fitting, apparatus or the like is so defective or in such a condition or position as to cause waste, undue consumption, misuse, erroneous measurement or contamination or risk of contamination of the water supplied by the Board, or unless such pipe, fitting, apparatus or the like does not comply with the requirements in existence at the date of the promulgation of these regulations.

4. (a) Every person who submits plans of new buildings or of alterations to existing buildings for the approval of the Board shall clearly indicate thereon the size of connection, and the diameter and position of all pipes and services and shall pay to the Board the prescribed fees and tariffs applicable to the supply and consumption of water.

(b) On receipt of such plans the Board may approve such supply or it may cause such alteration of the supply pipes to be made on the plans as it may deem fit.

5. All applications for the supply of water shall be made on the prescribed form and signed by the owner of the premises or his duly authorised agent. Fees prescribed in respect of the application shall also be paid.

6. All applications for alterations or extensions to the pipes or fittings of any consumer shall be made to the Board on the prescribed form.

7. All applications under regulations 5 and 6 of these regulations shall be made before the laying, fixing, altering or extending of pipes commences.

8. After any application for a connection, alteration or extension has been approved, a written authorisation shall be issued by the Board for such work to be done, and, in the case of a new supply, instructions shall be given as to the point at which the consumer's supply pipe is to commence. No supply of water shall, however, be given to such connection until the work has been completed, inspected and approved by the Board.

9. When any work authorised under these regulations has been completed, the plumber engaged to do such work shall notify the Board on the prescribed form, accompanied by a sketch plan and specification of the work carried out, and if, after inspection, the work is found to be satisfactory, a certificate of approval shall be issued by the Board. Underground pipes shall not be covered until the work has been inspected and approved.

10. The Board shall not be deemed to have inspected and approved any work done under these regulations until a certificate to the effect has been issued.

11. No property or premises shall be supplied with water by the Board by more than one service pipe connected to the main (except with the written consent of the Board) and all pipes, fittings and equipment of the consumer in or on such dwelling or other premises or used in connection therewith shall be connected to that service pipe.

12. Die Raad kan na goeëdunke 'n ooreenkoms met verbruikers buite die dorp aangaan om water in groot maat aan sodanige verbruikers te voorsien op sodanige voorwaardes en teen sodanige tariewe as waarvoor onderling ooreengekom word.

13. Alle pype, toebehore en toerusting vir wateraansluitings in die dorp, in soverre dit nie binne die grense van die aansoeker se eiendom ingesluit word nie, moet ingevolge die regulasies deur die Raad gelê en in stand gehou word, maar in soverre dit binne die grense van die aansoeker se eiendom gelê is, moet sodanige pype, toebehore en toerusting op die eienaar se koste verskaf en gelê word en tot die Raad se bevrediging in stand gehou word deur die verbruiker, wat ook aanspreeklik is vir alle of enige vermorsing van water of vir enige skade wat deur die bars, lekkasie of swigting van sodanige pype, toebehore en toerusting in enige opsig veroorsaak word.

14. (a) Elke verbruiker se verbruikerspyp moet deur en op koste van die Raad toegerus word met 'n hoofafsluitkraan met 'n oppervlakkas wat buite die grens van die eiendom op 'n gerieflike en toeganklike plek geplaas word.

(b) Die hoofafsluitkraan is die eiendom van die Raad en is slegs vir sy gebruik en mag nie deur die verbruiker of enige ander ongemagtigde persoon gebruik of gehanteer word nie. Dit word deur die Raad beheer en is bykomend tot en nie in die plek van die verbruikersafsluitkraan, wat vir die verbruiker se gebruik op sy toevoerspyp geïnstalleer moet word.

15. (a) Elke verbruiker moet die gelde betaal wat van tyd tot tyd voorgeskryf word.

(b) Niemand mag water van die Raad se toevoer of van sodanige openbare toevoerpunte as wat vir dié doel deur die Raad verskaf word, neem sonder dat daar vooraf met die Raad ooreengekom is nie.

(c) Die Raad is gemagtig om van enige verbruiker, uitgesonderd verbruikers wat water slegs vir huishoudelike doeleindes in die dorp benodig, voordat 'n aansluiting gegee word of te eniger tyd daarna, 'n deposito te kry wat genoeg is om die koste van twee maande se lewering te dek en wat gehou moet word so lank as wat sodanige verbruiker die Raad se water gebruik.

16. Die water wat deur die Raad aan 'n verbruiker verskaf word, mag net vir die doel wat in die aansoek om voorsiening gespesifiseer word, gebruik word. In gevalle waar die voorsiening vir tweeledige doeleindes gebruik gaan word, vereis die Raad van die verbruiker dat hy sy toebehore op eie koste só lê of wysig dat water vir nie-huishoudelike doeleindes gemeet kan word. As die verbruiker versuim om hieraan te voldoen, kan die Raad die watertoevoer afsluit tot tyd en wyl die verbruiker aan die Raad se voorwaardes voldoen en die voorgeskrewe gelde betaal is.

17. As daar konstruksiewerk op 'n perseel gedoen word waar daar geen watertoevoer aangesluit is nie, kan die Raad na goeëdunke op aansoek en by betaling van spesiale aansluitingsgelde soos voorgeskryf, asook bykomende gelde vir padherstelwerk, indien nodig, magtiging verleen vir 'n tydelike aansluiting aan die hoofleiding en vir die voorsiening van een staanpyp en een kraan. Sodanige aansluiting word verskaf met die verstandhouding dat dit onmiddellik deur die Raad verwyder sal word sodra die konstruksiewerk voltooi is. Die water wat verbruik is, sal gemeet word en vir dié water sal betaal moet word ooreenkomstig die voorgeskrewe gelde.

12. The Board may, in its discretion, enter into an agreement with consumers outside the town to provide such consumers with bulk water supplies on such conditions and at such tariffs as may be mutually agreed upon.

13. All pipes, fittings and equipment for water connections to premises inside the town, in so far as they are not included within the boundaries of the applicant's property, shall be laid and maintained by the Board in accordance with the regulations, but in so far as they are laid within the boundaries of the applicant's property, such pipes, fittings and equipment shall be provided and laid at the cost of the owner and shall be maintained to the satisfaction of the Board by the consumer, who shall also be liable for all or any waste of water or for any damage caused by the bursting, leaking or failing in any respect of such pipes, fittings and equipment.

14. (a) Each consumer's service pipe shall be fitted by and at the expense of the Board with a main control stopcock, with surface box, placed outside the property boundary in some convenient and accessible place.

(b) The main control stopcock shall be the property and for the use of the Board only and shall not be used or worked by the consumer or any other unauthorised person. It shall be controlled by the Board and shall be in addition to and not in lieu of the service stopcock which must be installed for the consumer's use on his supply pipe.

15. (a) Every consumer shall pay the charges prescribed from time to time.

(b) No person shall take water from the Board's supply or from such public supply points as are provided for this purpose by the Board without prior agreement with the Board.

(c) The Board shall be entitled to obtain from any consumer other than consumers requiring water for domestic purposes only within the town, either before a connection is given or at any subsequent time, a deposit sufficient to cover the charges for two months' supply, which shall be held as long as such a consumer uses the Board's water.

16. The water supplied by the Board to a consumer shall be used solely for the purposes specified in the application for supply. In cases in which the supply is to be used for dual purposes, the Board shall require the consumer to lay or alter his fittings at his own expense so that water used for non-domestic purposes may be measured. Should the consumer fail to comply, the Board may disconnect the water supply until such time as the consumer complies with the Board's conditions and the prescribed fees are paid.

17. When construction work is being carried out upon premises to which no water supply is connected, the Board may, in its discretion, upon application and on payment of a special connecting fee as prescribed plus additional charges for road repairs, if incurred, grant authority for a temporary connection to the main and for the provision of one standpipe and one tap. Such connection will be granted on the understanding that it is to be removed by the Board immediately upon completion of construction operations. The water consumed shall be metered and charged for in accordance with the prescribed fees.

18. (a) Aansluitings vir sprinkelblusser- en ander brandtoerusting word deur die Raad na goeëdunke gedoen by ontvangs van 'n aansoek op die voorgeskrewe vorm, vergesel van 'n plan wat die voorgestelde installasie in besonderhede aandui, en by betaling van die beraamde koste van die werk, behoudens aansuiwering van enige verskil tussen die werklike koste en die beraamde koste by voltooiing van die werk.

(b) Sodanige aansluitings is onderworpe aan al die waterregulasies wat van krag is wanneer sodanige aansluiting gemaak word of wat daarna in werking gestel is en die Raad is nie aanspreeklik vir onderbrekings in die toevoer nie, en die verantwoordelikheid anderkant die beheerlepie of die hoofafsluitkraan rus ook nie op die Raad nie en die Raad word deur 'n ooreenkoms te dien effekte gedek.

(c) Niemand mag enige aanjaer of soortgelyke toestel installeer of veroorsaak of toelaat dat dit geïnstalleer word nie, tensy sodanige aanjaer of soortgelyke toestel eers deur die Raad goedgekeur is en 'n terugslagklep (van 'n tipe wat deur die Raad goedgekeur is) by die punt waar die toevoer die eiendom binnegaan, aangebring word.

19. Wanneer 'n eienaar of verbruiker die Raad se dienste benodig vir die af- of aansluiting van die water van 'n beheerlepie van die Raad na 'n brandtoevoer as gevolg van veranderings, herstelwerk of iets dergelyks aan die stelsel, moet daar by die Raad om sodanige diens aansoek gedoen word en die aansoeker moet die voorgeskrewe gelde vooruit aan die Raad betaal.

20. Die Raad kan te eniger tyd die watertoevoer tot sodanige ure as waarop hy besluit, beperk en kan na goeëdunke en as hy dit vir die bewaring van water nodig ag, verbied dat water vir enige ander doel as kook- of toiletdoeleindes gebruik word.

21. Die Raad is nie verantwoordelik of aanspreeklik in die geval van onderbreking van of ontoereikende toevoer of tekortkominge in die kwaliteit van die gelewerde water om enige rede hoegenaamd nie.

22. As 'n verbruiker agterstallig raak met die betaling van sy waterrekening, kan die Raad, nadat hy 'n kennisgewing aan die verbruiker beteken het om sy rekening binne 'n tydperk van sewe dae te betaal, die watertoevoer aan die verbruiker verminder. Die Raad kan daarna enige ander voorgeskrewe gelde wat deur die verbruiker verskuldig is, voor die heraansluiting van die watertoevoer verhaal.

23. Die okkupeerder van 'n eiendom wat vir waterheffings aanspreeklik is, moet, by ontruiming van sodanige perseel, die Raad daarvan in kennis stel en as hy versuim om dit te doen, kan hy vir alle waterheffings ten opsigte van genoemde eiendom aanspreeklik gehou word totdat hy behoorlik kennis gee van sy vertrek of 'n nuwe okkupeerder wettig aansoek doen om lewering van die diens.

24. (a) Niemand mag water op enige manier hoegenaamd verlore laat gaan nie. As daar vormorsing of 'n lekkasie op 'n verbruiker se perseel voorkom, moet sodanige verbruiker, by ontvangs van 'n skriftelike kennisgewing van die Raad wat hom daartoe beveel, onmiddellike stappe doen om sodanige vormorsing te laat verhoed en foutiewe toebehore of apparaat op eie koste te laat herstel of vervang, by gebreke waarvan subregulasie (b) onmiddelik in werking tree en sodanige verbruiker hom aan vervolging weens 'n oortreding blootstel.

18. (a) Connections for sprinkler and other fire appliances shall be made by the Board in its discretion, upon receipt of an application on the prescribed form, accompanied by a plan detailing the proposed installation and on payment of the estimated cost of the work, subject to the adjustment on completion of the work of any difference between the actual cost and the estimated cost.

(b) Such connection shall be subject to all the water regulations in force at the time that such connection is made or thereafter put in force, and the Board shall not be responsible for any stoppages in the supply nor shall any responsibility rest on the Board beyond the control valve or the main control stopcock and the Board shall be covered by an agreement to that effect.

(c) No person shall install or cause or permit to be installed any booster or like appliance unless such booster or like appliance is first approved by the Board and a reflux valve (of a type approved by the Board) is fitted at the point where the supply enters the property.

19. When an owner or a consumer desires the services of the Board for the closing down or turning on the water from a Board control valve to a fire supply, consequent to alterations repairs or otherwise to the system, application shall be made to the Board for such service and the applicant shall pay in advance to the Board the prescribed fee.

20. The Board may at any time limit the supply of water to such hours as it may decide and may, in its discretion, and if it considers it necessary for the conservation of water, prohibit water being used for any purpose other than culinary or toilet purposes.

21. The Board shall not be responsible or liable in the event of failure or shortage of supply or defect in the quality of the water supplied from any cause whatsoever.

22. When a consumer has fallen into arrears with the payment of his water account, the Board may, after having served a notice on the consumer to settle his account within a period of seven days, reduce the supply of water to the consumer. The Board may thereafter recover any other prescribed fee or fees due by the consumer prior to reconnection of the water supply.

23. The occupier of any property liable for water charges shall, upon vacating such premises, notify the Board, failing which he may be held liable for all water charges in respect of the said property until he duly gives notice of his departure or a new occupant lawfully applies for the service to be rendered.

24. (a) No person shall allow water to run to waste in any manner whatsoever. Should any waste or leak occur on any consumer's premises, such consumer shall, upon receipt of a written notice from the Board requiring him to do so, take immediate steps to have such waste prevented and any faulty fittings or apparatus repaired or replaced at his own cost, failing which subregulation (b) shall come into immediate operation, and such consumer shall be liable to prosecution for a contravention.

(b) In gevalle waar watervormorsing op 'n perseel voorkom, het die Raad die reg om sodanige perseel onmiddellik te betree en sodanige stappe te doen as wat nodig mag wees om die foutiewe toebehore te verwyder of te vervang, of andersins om sodanige vormorsing op die eienaar of verbruiker se koste te beëindig, behoudens sy reg om vir oortreding van hierdie regulasies te vervolg.

25. Geen verbruiker mag water vanaf sy perseel, 'n openbare brandkraan of ander toevoerbron wat aan die Raad behoort, neem, lei of wegdra nie of toelaat dat dit geneem, gelei of weggedra word nie, geen verbruiker, ongeag of sy toevoer gemeet word of nie, mag water wat deur die Raad aan hom gelewer word, verkoop nie.

26. (a) Niemand mag water van 'n openbare fontein gebruik nie, behalwe vir eie verbruik.

(b) Niemand mag water wat deur die Raad voorsien word, sonder skriftelike toestemming van die Raad vir die besproeiing van grond gebruik of veroorsaak of toelaat dat dit daarvoor gebruik word nie.

27. 'n Ketel, hidrouliese enjin of ander apparaat wat skok of vibrasie aan enige waterpype kan veroorsaak, mag nie direkte toevoer van 'n hoofleiding kry nie, maar moet deur 'n geskikte tussentenk, waarvan die toevoer deur 'n vlotterklep beheer word, gevoer word.

28. Alle tenks, damme, waterbakke en houers wat gebruik word vir die berging van water wat van 'n hoofleiding van die Raad geneem word, moet behoorlik bedek en beskerm word teen rotte en ander ongediertes of bronne van besoedeling.

29. (a) Alle sirkusse, diereversamelings en dergelike moet, terwyl hulle in 'n dorp is, alle benodigde water deur 'n spesiale meter uit die hoofleiding van die Raad neem en vir alle water wat gebruik is, soos deur sodanige meter gemeet, teen die voorgeskrewe tariewe betaal.

(b) Aansoek om sodanige toevoer moet ten minste 48 uur voordat die toevoer benodig word, op die voorgeskrewe vorm by die Raad gedoen word en 'n minimum deposito soos deur die Sekretaris van die Raad ten opsigte van sodanige toevoer voorgeskryf word, plus installasiegelde (in plaas van die gewone aansluitingsgelde), indien die Raad dit vereis, moet ooreenkomstig die voorgeskrewe tariewe aan die Raad betaal word.

(c) Alle rekenings vir watervrbruik moet weekliks vereffen word en daar moet 24 uur kennis van die beëindiging van die diens aan die Raad gegee word; by versuim hiervan word die eienaar vir betaling van alle water wat deur die meter geregistreer is tot dat sodanige meter verwyder is, aanspreeklik gehou.

30. Die watervrbruik wat gemeet word deur die meter wat op die perseel geïnstalleer is, is vir alle doeleindes afdoende bewys van die hoeveelheid water wat op sodanige perseel verbruik is.

31. Alle meters wat vir die meting en registrasie van die hoeveelheid water verbruik ingevolge hierdie regulasies benodig word, word deur die Raad verskaf en op sy koste aangebring en is die eiendom van die Raad, en as die Raad dit gerade ag, het hy die reg om sodanige meters binne verbruikers se geboue aan te bring, en die Raad is daarop geregtig om van die verbruiker

(b) In cases where water wastage is taking place on any premises, the Board shall have the right to enter upon such premises immediately and to take such steps as may be necessary to remove or renew the defective fittings, or otherwise to stop such wastage at the expense of the owner or consumer, without prejudice to its right to prosecute for contravention of these regulations.

25. No consumer shall take, lead or carry away any water from his premises, a public hydrant or any other source of supply belonging to the Board or permit the same to be taken, led or carried away and no consumer, whether his supply is metered or not, shall sell any water supplied to him by the Board.

26. (a) No person shall use water from any public fountain except for his own consumption.

(b) No person shall use or cause or permit to be used any water from the Board's supply for the purpose of irrigating land without the written permission of the Board.

27. Any boiler, hydraulic engine or other apparatus liable to cause shock or vibration to any of the water pipes shall not take a direct supply from a main, but shall be supplied from a suitable intermediate tank, the supply to which shall be controlled by a float valve.

28. All tanks, ponds, cisterns and receptacles used for the storage of water taken from a Board main shall be kept properly covered and protected from the entry of rats and other vermin or sources of pollution.

29. (a) All circuses, menageries and the like, while located in a town, shall take all water required from the Board's mains through a special meter and shall pay for all water consumed, as recorded by such meter, at the rates prescribed.

(b) Application for such supply shall be made on the prescribed form to the Board at least 48 hours before the supply is required, and a minimum deposit as prescribed by the Secretary of the Board in respect of such supply, plus an installation charge (in lieu of the usual connection fee), if required by the Board, shall be paid to the Board in accordance with the rates prescribed.

(c) All accounts for water consumed shall be settled weekly and 24 hours notice of the termination of the service shall be given to the Board, failing which the proprietor shall be held responsible for payment of all water registered by the meter until such meter is removed.

30. The consumption of water recorded by the meter installed on the premises shall for all purposes be conclusive proof of the quantity of water consumed on such premises.

31. All meters required for the measurement and registration of the quantity of water consumed under these regulations shall be supplied by and fixed at the expense of the Board and shall be the property of the Board and when the Board may deem it necessary it shall have the right to fix such meters inside the buildings of consumers and the Board shall be entitled to

te vereis om op eie koste sodanige veranderings te maak as wat vir die installering van sodanige meter nodig is.

32. As 'n verbruiker ontevrede is met die lesing van 'n meter wat op sy perseel geïnstalleer is en die meter wil laat toets, moet hy op die voorgeskrewe vorm by die Raad aansoek doen en die voorgeskrewe bedrag betaal wat voldoende is om die koste van die toetsing te dek, waarna reëlins getref moet word om die meter behoorlik te laat toets. Die verbruiker of sy verteenwoordiger het die reg om teenwoordig te wees wanneer toetse uitgevoer word. As daar bevind word dat die meter meer as drie persent foutief is, moet die betaalde bedrag aan die verbruiker terugbetaal word en sy rekening aangepas word.

33. As 'n meter buite werking bevind word, moet die hoeveelheid water waarvoor daar betaal moet word vir die tydperk waarin dit buite werking was, op die gemiddelde verbruik vir die vorige ses maande gebaseer word, of as die meter nie vir sodanige tydperk geïnstalleer was nie, op die gemiddelde daaglikse verbruik oor die tydperk vanaf die datum van installasie daarvan tot op die datum toe dit gestop of buite werking geraak het.

34. (a) Aansluitings wat aan die Raad se waterpype gemaak word, mag slegs deur werkmense in diens van die Raad gedoen word, en geen ander persoon mag die pype, kleppe, krane, meters of enige ander toerusting wat aan die Raad behoort, onder enige voorwendsel hoegenaamd oopmaak, toemaak of versteur nie.

(b) Geen ongemagtigde persoon mag veroorsaak of toelaat dat 'n meter van die verbruikerspyp afgehaal of ontkoppel word of dat daar op enige manier daaraan verander of dit versteur word nie.

35. Elke verbruiker moet 'n beamppte wat behoorlik deur die Raad gemagtig is om sy huis of perseel te betree, toelaat vir die doel van die inspeksie van pype, krane, meters, toebehore en/of toerusting of om vas te stel of daar om enige rede hoegenaamd watervormsing op sodanige perseel plaasvind. Behalwe in 'n noodgeval of met vooraf instemming van die okkupeerder van die perseel mag geen sodanige inspeksie uitgevoer word nie behalwe tussen 09:00 en 16:00.

36. Niemand mag 'n behoorlik gemagtigde beamppte van die Raad verhinder of versteur of iemand anders help of aanmoedig om hom te verhinder of te versteur nie of doelbewus vals inligting aan sodanige beamppte gee as hy besig is met die uitvoering van sy pligte nie.

37. In die dreineringsgebied van 'n dam of opgaardam wat by die Raad se waterwerkstelsel aangesluit is—

(a) mag niemand wat die eienaar of okkupeerder van grond in sodanige gebied is, enige daad doen of laat doen of toelaat dat dit gedoen word of enige voorwerp of ding daarop laat bly wat na die Raad se mening die dorp se watertoevoer kan besoedel of beskadig, nadat hy 'n skriftelike kennisgewing van die Raad ontvang het wat hom beveel om sodanige optrede te staak of sodanige voorwerp of ding te verwyder nie;

(b) mag niemand veroorsaak of toelaat dat die water van enige opwasbak, riool of dreineervoor of enige ander vuil of besoedelde water wat aan hom behoort of onder sy beheer is, in enige stroom of bron in sodanige gebied loop of lei nie, en hy mag ook nie iets doen of laat doen of toelaat dat dit gedoen word waardeur die Raad se watertoevoer besoedel word of besoedel kan word nie;

require the consumer to make, at his own expense, such alterations as are necessary for the installation of such meter.

32. Should any consumer be dissatisfied with the readings off any meter installed on his premises and desire to have the meter tested he shall apply to the Board on the prescribed form and shall pay the prescribed amount of money that is sufficient to cover the cost of the testing, after which arrangements shall be made to have the meter properly tested. The consumer or his representative shall have the right to be present when tests are executed. In the event of the meter being found to be more than three per cent incorrect, the amount paid shall be refunded to the consumer and his account adjusted.

33. When any meter is found to be out of order, the quantity of water to be charged for during the period for which it was out of order shall be based on the average consumption for the previous six months, or, if the meter was not installed for such period, then on the average daily consumption over the period from the date of its installation to the date when it stopped or became out of order.

34. (a) Any connections which are made to the Board's mains shall be made only by workmen employed by the Board, and no other person shall open, shut or in any way interfere with any of the pipes, valves, stopcocks, meters or other equipment belonging to the Board on any pretext whatsoever.

(b) No unauthorised person shall cause or permit any meter to be removed or disconnected from the service pipe or in any way altered or interfered with.

35. Every consumer shall permit any official duly authorised by the Board to enter his house or premises for the purpose of inspecting any pipes, taps, meters, fittings and/or equipment or for the purpose of establishing whether any water wastage is occurring on such premises from any cause whatsoever. Except in an emergency or with the prior consent of the occupier of the premises, no such inspection shall be carried out except between the hours of 09:00 and 16:00.

36. No person shall obstruct or interfere with or aid or encourage any other person to obstruct or interfere with any duly authorised official of the Board or wilfully give false information to any such official when acting in the execution of his duty.

37. Within the drainage area of any dam or reservoir connected to the Board's waterworks system—

(a) no person who is the owner or occupier of any land within such area shall do or cause or permit to be done on such land any act or permit to remain thereon any matter or thing which, in the opinion of the Board, is liable to pollute or injure the water supply of the town, after receipt by him of a written notice from the Board requiring him to discontinue such act or remove such matter or thing;

(b) no person shall cause or permit the water from any sink, sewer or drain or any other form of filthy or polluted water belonging to him or under his control to run or to lead into any stream or spring within such area, nor shall he do or cause or permit to be done any other act whereby the water supply of the Board will be or become liable to be fouled;

(c) mag niemand baai of 'n dier, klere of ander artikels in 'n stroom of bron in sodanige omgewing was of klere op die oewers van sodanige stroom of bron laat droog word of bleik nie;

(d) mag niemand enige afval, vuilgoed of vullis of soortgelyke onwenslike voorwerpe of materie, hetsy solied of vloeibaar, in enige stroom of bron in sodanige gebied gooi of daarnatoe oorbring of veroorsaak of toelaat dat dit daarin gegooi of daarnatoe oorgebring word nie;

(e) mag niemand water uit 'n boorgat of put gebruik of 'n boorgat of put sink ten opsigte waarvan daar tot die Raad se bevrediging bewys kan word dat sodanige gebruik of sinking die dorp se watertoevoer nadelig beïnvloed of verminder of dit waarskynlik nadelig sal beïnvloed of verminder nie: Met dien verstande dat as die gebruik van water van 'n bestaande boorgat of put ingevolge hierdie subregulasie verbied word, die eienaar van sodanige boorgat of put op die betaling in die vorm van vergoeding van sodanige bedrag as waarop ooreengekom word, geregtig is, of, by gebrek aan sodanige ooreenkoms, soos deur arbitrasie bepaal word.

38. Elke kennisgewing, bevel of ander dokument wat ingevolge hierdie regulasies deur die Raad uitgereik word, is genoegsaam regsragtig as dit deur die Sekretaris van die Raad of deur 'n beampete wat behoorlik deur hom vir dié doel gemagtig is, geteken is. Die Raad moet die manier aandui waarop die kennis gegee moet word, en as dit so gegee is, word die kennis geag behoorlik gegee te wees tensy die teendeel deur die geadresseerde bewys word.

39. Iemand wat—

(a) enige van die bepalings van hierdie regulasies oortree of versuim om daaraan te voldoen; of

(b) die begaan van 'n misdryf geheim hou of 'n ondersoek of vervolging in verband met 'n beweerde misdryf belemmer; of

(c) weier of versuim om aan 'n beampete se wettige versoeke te voldoen;

is aan 'n misdryf skuldig en is by skuldigbevinding strafbaar met die strawwe wat in regulasie 20 (1) van die Regulasies voorgeskryf word.

40. (a) Niemand mag, behalwe soos hieronder bepaal, 'n pyp wat gebruik staan te word vir die toevoer van of in verband met water wat deur die Raad voorsien word, aanlê deur of in 'n trog, dreineersloot, asput, misgat of ander plek wat in die geval van 'n defek, verval of beskadiging van sodanige pyp kan veroorsaak dat die water besoedel raak of dat water ongemerk uitloop, of deur grond wat kalk, as, sout of suurafval bevat of oor ongeskikte grond wat aan vassakking onderhewig is nie.

(b) As 'n trog, dreineersloot, asput, misgat of ander plek soos hierbo genoem, direk in die pad is van 'n pyp wat gelê word, moet die pyp deur 'n buitenste gietysterpyp of -pype gaan wat tot die Raad se bevrediging verbind is en op so 'n manier gelê is dat dit die waterpyp ten volle beskerm en maklike opsporing van vermorsing of lekkasie moontlik maak.

(c) no person shall bath or wash any animal, clothes or other articles in any stream or spring within such area or expose any clothes to dry or bleach on the banks of any such stream or spring;

(d) no person shall throw or convey or cause or permit to be thrown or conveyed any rubbish, dirt, filth or other like undesirable matter or substance, either solid or liquid, into any stream or spring within such area;

(e) no person shall use any water from, or sink any borehole or well in respect of which it can be proved to the satisfaction of the Board that such use or sinking detrimentally affects or diminishes or is likely to detrimentally affect or diminish the water supply of the town: Provided that if the use of water from any existing borehole or well is prohibited under this subregulation, the owner of such borehole or well shall be entitled to the payment, by way of compensation, of such amount as may be agreed upon, or, failing such agreement, as may be determined by arbitration.

38. Every notice, order or other document issued by the Board under these regulations shall be sufficiently authenticated if signed by the Secretary of the Board or by an official duly authorised by him for this purpose. The Board shall indicate the manner in which the notice is to be served, and if so served, the notice will be deemed to have been served properly unless proven otherwise by the addressee.

39. Any person who—

(a) contravenes or fails to comply with any provision of these regulations; or

(b) conceals the commission of any offence or hinders any investigation or prosecution in connection with any alleged offence; or

(c) refuses or fails to comply with the lawful requests of any official,

shall be guilty of an offence and shall be liable on conviction to the penalties prescribed in regulation 20 (1) of the Regulations.

40. (a) No person shall, except as hereinafter provided, lay any pipe which is to be used for the conveyance of or in connection with water supplied by the Board through or into any trough, drain, ashpit, manure hole or other place which might, in the event of any defect, decay in or injury to such pipe, cause the water to be polluted or cause an undetected escape of water, or through any ground containing lime, ashes, salt or acid refuse, or over any unsuitable ground liable to settlement.

(b) Where any trough, drain, ashpit, manure hole or other place as aforesaid will be in the direct course of any pipe which is being laid, the pipe shall be passed through an exterior cast-iron pipe or pipes, jointed to the satisfaction of the Board and laid in such a manner as to afford full protection to the water pipe and to make possible easy detection of any waste or leakage.

41. Geen pype binne die grense van persele mag in of onder bakstene, klip, beton, pleister of soortgelyke materiaal gelê word nie, behalwe met die skriftelike toestemming van die Raad, en as dit so gelê word, moet dit omhul word soos in regulasie 42 gespesifiseer word.

42. Alle toevoer- of verbruikerspype buite 'n gebou moet op 'n diepte van nie minder nie as 460 mm onder die grondoppervlak gelê word of andersins behoorlik teen die invloed van die weer of risiko van beskadiging beskerm word.

43. Elke toevoerpyp of ander pyp moet te alle tye toereikend gesteun word en so geplaas word dat lugslotte vermy word.

44. Niemand mag werk in verband met die installing, verandering of herstel van enige watervoorzieningstelsel wat by die Raad se hoofleidings aangesluit is, verrig of veroorsaak of toelaat dat 'n persoon werk daaraan verrig nie, tensy die persoon wat sodanige werk verrig, wettig in besit is van 'n loodgieterslisensie.

41. No piping within the boundaries of premises shall be laid in or under brick, stone, concrete, plaster or any like material, except with the written consent of the Board, and, if so laid, shall be encased as specified in regulation 42.

42. All supply or service pipes outside any building shall be laid at a depth of not less than 460 mm beneath the surface of the ground or otherwise properly protected against the influence of weather or risk of injury.

43. Every supply pipe or other pipe shall be at all times sufficiently supported and so arranged as to avoid air-locks.

44. No person shall carry out or cause or permit any person to carry out any work in connection with the installation, alteration or repair of any system of water supply connected with the Board's mains unless the person carrying out such work is in lawful possession of a plumber's licence.

DORP

AANSOEK OM VERANDERING AAN OF UITBREIDING VAN VERBRUIKER SE PYPE OF TOEBEHORE

Aan die Dorperaad

Ek doen hiermee aansoek om toestemming om die watertype op ondergenoemde perseel te verander en/of uit te brei. Ek onderneem om al die Watervoorzieningsregulasies van die Dorperaad na te kom.

Onderverdeling of Lot

Posadres

Naam van eienaar

Adres van eienaar

Naam van verbruiker

Doel waarvoor verandering benodig word

(Indien vir besigheidsdoeleindes, spesifiseer die aard daarvan.)

.....
Handtekening van Eienaar

Datum

Deur die Dorperaad goedgekeur.

Datum

Loodgieter se handtekening

Loodgieter se adres

TOWN OF

APPLICATION FOR ALTERATION OR EXTENSION TO CONSUMER'S PIPES OR FITTINGS

To the Townships Board

I hereby apply for permission to alter and/or extend the water pipes in the hereinafter mentioned premises. I undertake to abide by all the Water Supply Regulations made by the Townships Board.

Subdivision or Lot

Postal address

Name of owner

Address of owner

Name of consumer

Purpose for which alteration is required

(If for business purposes, specify the nature of same.)

.....
Signature of Owner

Date

Approved by Townships Board.

Date

Plumber's signature

Plumber's address

KENNISGEWING VAN LOODGIETER**VIR INSPEKSIE VAN NUWE DIENSTE OF BYVOEGINGS OF VERANDERINGS AAN PYPE****Aan die Dorperaad**

Ek het die nodige werk vir waterdiens te

.....
 voltooi in ooreenstemming met die Watervoorsieningsregulasies en stuur hiermee saam 'n staat van die werk wat gedoen is, te wete:

(Noem die spesifieke tipe werk gedoen en die grootte en beskrywing van pype en krane in ooreenstemming met 'n sketsplan hierby aangeheg.)

.....

Ek versoek dat die werk binne die volgende 48 uur deur u beampes geïnspekteer word.

Adres

Datum

PLUMBER'S NOTICE**FOR INSPECTION OF NEW SERVICES OR ADDITIONS OR ALTERATIONS TO PIPES****To the Townships Board**

I have completed the work required for water service at

.....
 in accordance with the Water Supply Regulations and hereby send a statement of the work done, viz:

(State the particular type of work done and the size and description of pipes and taps in accordance with a sketch plan attached hereto.)

.....

I request that the work be inspected by your officials within the next 48 hours.

Address

Date

DORP

AANSOEK OM EEN AANSLUITING AAN DIE DORP SE WATERHOOFLEIDING

AANSOEK No.

GROOTTE VAN AANSLUITING mm

NAAM VAN AANSOEKER

POSADRES

.....

Aan die Dorperaad

Ek versoek hiermee dat water vir ondergenoemde eiendom aangesluit word en sluit 'n bedrag van R in.

Ek onderneem hiermee om al die Watervoorsieningsregulasies van die Dorperaad wat nou of in die toekoms van krag mag wees, na te kom.

Ek aanvaar dat die Raad nie aanspreeklik is nie vir 'n onderbreking in die toevoer en dat hy die toevoer te eniger tyd sonder kennisgewing mag afsluit om 'n rede wat hy genoegsaam ag.

Ek aanvaar dat die Raad nie aanspreeklik is vir 'n ongeluk wat met betrekking tot die toerusting, aansluiting of toevoer kan plaasvind nie, hetsy die toevoer vir vervaardigings-, handels-, huishoudelike of ander gebruik is.

Ek onderneem om—

(a) vir water wat verbruik is; en

(b) vir toerusting en/of die instandhouding daarvan

sodanige bedrag as wat van tyd tot tyd voorgeskryf word, te betaal.

Ek aanvaar dat, indien iemand genoemde eiendom van my oorneem, hetsy deur koop of op verhuring of andersins, ek aanspreeklik gehou sal word vir al die bogenoemde gelde totdat ek die Raad skriftelik verwittig het van die koop, verhuring of ander oorsaak waarom ek ophou om genoemde eiendom te okkupeer.

Onderverdeling of Lot
 Belasting No.
 Naam van eienaar
 Adres van eienaar
 Naam van verbruiker
 Doel waarvoor water benodig word
 (Indien vir besigheidsdoeleindes, spesifiseer die aard daarvan.)

.....
Handtekening van Aansoeker

Datum

Deur die Dorperaad aanvaar.

Datum

Gelde betaal. Geteken namens die Dorperaad.

Datum

Hierdie aansoek word aanvaar met die streng verstandhouding dat die aansluiting so spoedig moontlik deur die Raad gedoen sal word. Daar kan ook van die aansoeker vereis word om bykomende gelde ooreenkomstig die geldetarief te betaal as daar bevind word dat die padoppervlak as gevolg van sodanige aansluiting herstel moet word.

TOWN OF

APPLICATION FOR ONE CONNECTION TO THE TOWN'S WATER MAINS

APPLICATION No.

SIZE OF CONNECTION mm

NAME OF APPLICANT

POSTAL ADDRESS

To the Townships Board

I hereby request that water be connected to the hereinafter mentioned property and enclose fee of R

I hereby undertake to abide by all the Water Supply Regulations made by the Townships Board that may be in force now or in the future.

I agree that the Board shall not be liable for any stoppage of the supply and that it may disconnect the supply at any time without notice for any reason that it shall deem sufficient.

I agree that the Board shall not be liable for any accident which may occur with regard to the equipment, connection or supply, whether the supply be for manufacturing, trade, domestic or any other purpose.

I agree to pay—

(a) for water consumed;

(b) for equipment and/or maintenance thereof,

such amount as may be prescribed from time to time.

Should anyone take over the said property from me, whether by purchase or on lease or otherwise, I agree that I shall be held liable for all the aforesaid charges until I have notified the Board in writing of the purchase, lease or other cause of my ceasing to occupy the said property.

Subdivision of Lot

Rate No.

Name of owner

Name of consumer

Purpose for which water is required

(if for business purposes, specify the nature of same.)

.....
Signature of Applicant

Date

Accepted by Townships Board.

Date

Fee paid. Signed for Townships Board.

Date

This application is accepted on the strict understanding that the connection will be made at the earliest convenience of the Board. It may also be required of the applicant to pay additional fees in accordance with the tariff of charges if the road surface is found to require repair as a result of such connection.

AANSOEK No.
 GROOTTE VAN AANSLUITING

Aan die Dorperaad

Ek versoek hiermee dat water vir brand-, sprinkelblusser- of drenkblusserdoeleindes by ondergemelde eiendom aangesluit word en sluit gelde van R..... in.

Ek onderneem hiermee om al die Watervoorsieningsregulasies van die Dorperaad na te kom.

Ek aanvaar dat die Dorperaad nie aanspreeklik is vir enige onderbreking in die toevoer nie en dat hy die toevoer te eniger tyd kan afsluit sonder kennisgewing en om redes wat hy genoegsaam ag.

Ek aanvaar verder dat die Dorperaad geen verantwoordelikheid van enige aard of oorsaak hoegenaamd verder as die beheerklep of afsluitkraan het nie en ek vrywaar die Dorperaad hiermee van enige eis hoegenaamd in verband met my sprinkelblusser-, drenkblusser- of brandtoevoer.

Ek aanvaar ook dat die Dorperaad nie aanspreeklik is nie vir 'n ongeluk wat met betrekking tot die toerusting, aansluiting of toevoer kan plaasvind, hetsy die toevoer vir sprinkelblusser-, drenkblusser- of branddoeleindes is.

Ek onderneem om—

(a) vir water wat verbruik is; en

(b) vir toerusting en/of die instandhouding daarvan,

sodanige bedrag te betaal as wat in die Watervoorsieningsregulasies bepaal word.

Ek aanvaar dat, as iemand genoemde eiendom van my oorneem, hetsy deur koop of verhuring of andersins, ek aanspreeklik is vir al genoemde heffings totdat ek die Raad skriftelik verwittig het van die koop, verhuring of ander oorsaak waarom ek ophou om genoemde eiendom te okkupeer.

Onderverdeling van Lot

Posadres

Naam van eienaar

Adres van eienaar

Naam van verbruiker

Doel waarvoor verandering nodig is.....

(Indien vir besigheidsdoeleindes, dui die aard daarvan aan.)

.....
Handtekening van Aansoeker

Datum.....

Deur die Raad aanvaar.

Datum.....

Gelde betaal. Geteken namens Dorperaad.

Datum.....

Hierdie aansoek word aanvaar met die streng verstandhouding dat die aansluiting so spoedig moontlik deur die Raad gedoen sal word.

APPLICATION No.

SIZE OF CONNECTION

To the Townships Board

I hereby request that water for fire, sprinkler or drenching purposes be connected to the hereinafter mentioned property and enclose fee of R.....

I hereby undertake to abide by all the Water Supply Regulations of the Townships Board.

I agree that the Townships Board shall not be responsible for any stoppage of the supply and that it may disconnect the supply at any time without any notice and for any reason that it shall deem sufficient.

I further agree that no responsibility of any kind or cause whatsoever rests with the Townships Board beyond the control valve or stopcock, and I hereby indemnify the Townships Board against any claim whatsoever in connection with my sprinkler, drencher or fire supply.

I also agree that the Townships Board shall not be responsible for any accident which may occur with regard to the equipment, connection or supply, whether the supply be for sprinkler, drencher or fire purposes.

I agree to pay—

(a) for water consumed;

(b) for equipment and/or maintenance thereof,

such amount as may be provided for in the Water Supply Regulations.

Should anyone take over the said property from me, whether by purchase or on lease or otherwise, I agree that I will be responsible for all the aforesaid charges until such time as I have notified the Board in writing of the purchase, lease or other cause of my ceasing to occupy the said property.

Subdivision of Lot
 Postal address
 Name of owner
 Address of owner
 Name of consumer
 Purpose for which alteration is required

 (If for business purposes, specify the nature of same.)

.....
Signature of Applicant

Date

Accepted by Board.

Date

Fee paid. Signed for Townships Board

Date

This application is accepted on the strict understanding that the connection will be made at the earliest convenience of the Board.

DORP

AANSOEK OM TYDELIKE VOORSIENING VAN WATER

Aan die Dorperaad

Ek doen hiermee aansoek om die tydelike voorsiening van water aan die perseel geleë te
 vir die doel van
 en vir die tydperk van tot, behoudens die volgende voorwaardes:

1. Ek sluit die som van R..... in, synde die minimum deposito, en ek onderneem om installasiegelde van R..... te betaal, indien nodig.
2. Ek onderneem om rekenings vir waterverbruik op 'n weeklikse basis te betaal.
3. Ek onderneem om aan die Dorperaad 24 uur kennis te gee van my besluit om die watertoevoer te beëindig en dat, as ek versuim om dit te doen, ek aanspreeklik is vir die betaling van alle water wat deur die meter geregistreer word totdat die meter verwyder word.
4. Ek onderneem om vir alle waterverbruik te betaal teen die tariewe soos van tyd tot tyd voorgeskryf.
5. Ek aanvaar dat die Dorperaad nie aanspreeklik is vir enige onderbreking van die watertoevoer nie en dat hy die watertoevoer te eniger tyd sonder kennisgewing en om enige rede wat hy genoegsaam ag, kan afsluit.

.....
Handtekening van Aansoeker

Datum.....

TOWN OF.....

APPLICATION FOR THE TEMPORARY SUPPLY OF WATER

To the Townships Board

I hereby apply for a temporary supply of water to be connected to the premises situated at for the purpose of
 and for the period of tosubject to the following conditions:

1. I enclose the sum of R....., being the minimum deposit, and I agree to pay an installation fee of R..... if required.
2. I agree to pay accounts for water consumed on a weekly basis.
3. I agree to give 24 hours notice to the Townships Board of my intention to terminate the water supply and that, if I fail to do so, I shall be held liable for the payment of all water registered by the meter until such meter is removed.
4. I agree to pay for all water consumed at the rates as prescribed from time to time.
5. I agree that the Townships Board will not be liable for any stoppage of water supplies and that it may disconnect the supply at any time without notice and for any cause it may deem sufficient.

.....
Signature of Applicant

Date.....

DORP

AANSOEK OM TOETSING VAN METER**Aan die Dorperaad**

Ek/Ons versoek hiermee die watermeter te

getoets word en sluit hierby die bedrag van R in ooreenkomstig die Watervoorsieningsregulasies.

Ek aanvaar hiermee die voorwaarde dat geen terugbetaling gedoen sal word as die meter korrek is nie, maar as die toets 'n afwyking van 3% of meer toon, die gelde terugbetaal sal word.

.....
Handtekening van Aansoeker

Datum.....

TOWN OF

APPLICATION FOR TESTING OF METER**To the Townships Board**

I/We hereby request that the water meter at.....

be tested and enclose the fee of R in accordance with the Water Supply Regulations.

I hereby agree to the condition that no refund shall be made if the meter is correct, but if the test indicates a variance of 3% or more, the fees paid shall be refunded.

.....
Signature of Applicant

Date.....

No. R. 854**20 Maart 1992****DIE ADMINISTRASIE VAN EN BEHEER OOR SEKERE GEBIEDE IN NATAL: DORPERAAD: BEGRAAFPLAASREGULASIES**

Ek, Jacob de Villiers, Minister van Streek- en Grondsake, maak hierby bekend dat ek, kragtens die bevoegdheid my verleen by regulasie 17 (3) (b) van die Regulasies vir die Administrasie van en Beheer oor Sekere Gebiede in Natal, afgekondig by Proklamasie No. 67 van 6 Mei 1983, die regulasies uiteengesit in bygaande Bylae, soos deur die Dorperaad aanvaar, goedgekeur het.

Hierdie Goewermentskennisgewing is *mutatis mutandis* op al die dorpe vermeld in Bylae A van Proklamasie No. 67 van 6 Mei 1983 van toepassing.

J. DE VILLIERS,

Minister van Streek- en Grondsake.

BYLAE**Woordomsrywings**

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

“beampste” ’n beampste in diens van die Raad, aangewys om die Raad se werksaamhede ingevolge hierdie regulasies te verrig;

“komitee” ’n begraafplaaskomitee deur die Raad ingestel kragtens regulasie 7;

“Minister” die Minister van Streek- en Grondsake;

“openbare begraafplaas” ’n begraafplaas daargestel en in stand gehou deur die Raad binne ’n dorpsgebied en wat hoofsaaklik of uitsluitlik in stand gehou word met die doel om persone wat in daardie dorp te sterwe gekom het, te begrawe en enige begraafplaas waarvoor ’n komitee deur die Raad ingestel is;

No. R. 854**20 March 1992****THE ADMINISTRATION AND CONTROL OF CERTAIN AREAS IN NATAL: TOWNSHIPS BOARD: CEMETERY REGULATIONS**

I, Jacob de Villiers, Minister of Regional and Land Affairs, do hereby make known that I, under the powers vested in me by regulation 17 (3) (b) of the Regulations for the Administration and Control of Certain Areas in Natal, published under Proclamation No. 67 of 6 May 1983, have approved the regulations set out in the accompanying Schedule adopted by the Townships Board.

This Government Notice shall apply *mutatis mutandis* to all the townships referred to in Schedule A of Proclamation No. 67 of 6 May 1983.

J. DE VILLIERS,

Minister of Regional and Land Affairs.

SCHEDULE**Definitions**

1. In these regulations, unless the context otherwise indicates—

“Board” means the Townships Board established by regulation 2 of the Regulations for the Administration and Control of Certain Areas in Natal, Proclamation No. 67 of 1983;

“committee” means a cemetery committee appointed by the Board in terms of regulation 7;

“employee” means a person, other than an officer, in the employ of the Board;

“local authority” means the Board or an institution appointed by the Minister;

“Minister” means the Minister of Regional and Land Affairs;

"plaaslike owerheid" die Raad of 'n instelling deur die Minister ingestel;

"Raad" die Dorperaad ingestel by regulasie 2 van die Regulasies vir die Administrasie van en Beheer oor Sekere Gebiede in Natal, Proklamasie No. 67 van 1983;

"stedelike gebied" 'n gebied waarbinne die Raad sy jurisdiksie uitoefen;

"werknemer" iemand, uitgesonderd 'n beampte, in die diens van die Raad.

HOOFSTUK I

Openbare begraafplase deur Raad daargestel te word

2. (1) (a) Die Raad kan, en indien deur die Minister daartoe versoek, moet, een of meer openbare begraafplase daarstel wanneer ook al so 'n behoefte ontstaan: Met dien verstande dat voordat enige sodanige begraafplaas daargestel word, die goedkeuring van die Minister verkry word ten opsigte van die ligging, grootte en voorgestelde uitleg daarvan.

(b) Wanneer ook al die Minister 'n plaaslike owerheid vir enige gebied instel of die grense van enige plaaslike owerheid op so 'n wyse uitbrei dat die gebied van sodanige plaaslike owerheid daarna 'n openbare begraafplaas insluit waarvoor 'n komitee ingestel is, moet daardie komitee ontbind en sodanige begraafplaas en die beheer daarvoor en bestuur en instandhouding daarvan, tesame met die regte en verpligtinge van die komitee, op die plaaslike owerheid oorgaan of deur hom oorgeneem word as synde die regsopvolger van sodanige komitee.

Bevoegdheid van die Raad om enige grond te betree

3. (1) Die Raad het die bevoegdheid om enige grond deur bemiddeling van sy beamptes of werknemers te betree ten einde na die geskiktheid van sodanige grond of enige deel daarvan vir die instelling van 'n openbare begraafplaas ondersoek in te stel.

(2) In die uitoefening van sy bevoegdheid kragtens subregulasie (1) het die Raad ten opsigte van sodanige grond of deel daarvan ook die bevoegdheid om grondtoetse uit te voer ten einde die geskiktheid van enige terrein vir die begrawing van die stoflike oorskot van mense vas te stel: Met dien verstande dat sewe dae kennis aan die eienaar of okkupeerder gegee word voor betreding van die eiendom: Met dien verstande verder dat in die geval van enige geskil wat ontstaan ten opsigte van die bedrag van die vergoeding wat betaal moet word, die aangeleentheid geskik word ooreenkomstig met die bepalinge van die Wet op Arbitrasie, 1965 (Wet No. 42 van 1965).

Wanneer die Raad die begrawing van afgestorwenes in sy gebied moet toelaat

4. Wanneer iemand in die gebied van die Raad te sterwe kom, moet die betrokke komitee, indien by hom aansoek gedoen word deur die persoon wat vir die begrawing van sodanige oorledene verantwoordelik is, toelaat dat die oorledene begrawe word in enige openbare begraafplaas wat aan hom toegewys is en deur hom in stand gehou word en teen betaling van sodanige heffings as wat voorgeskryf is.

"officer" means an officer in the employ of the Board assigned to perform the functions of the Board in terms of these regulations;

"public cemetery" means a cemetery established and maintained by the Board in a town and maintained principally if not solely for the burial therein of persons who died in such town, and any cemetery for which a committee has been appointed by the Board;

"urban area" means an area in which the Board exercises jurisdiction.

CHAPTER I

The Board to establish public cemeteries

2. (1) (a) The Board may and if so required by the Minister, must establish one or more public cemeteries whenever such a need arises: Provided that before any such cemetery is established, the approval of the Minister in respect of its location, size and proposed layout shall be obtained.

(b) Whenever the Minister shall constitute a local authority for any area or extend the boundaries of any local authority in such a manner that the area of such local authority shall thereupon include a public cemetery for which a committee was appointed, the committee shall be dissolved and such cemetery and the control, management and maintenance thereof and the rights and liabilities of the committee shall vest in or be taken over by the local authority, as being the legal successor of such committee.

Powers of the Board to enter upon any land

3. (1) The Board shall, through its officers or employees, have power to enter upon any land for the purpose of inspection to determine the suitability of such land or any portion thereof for the establishment of a public cemetery.

(2) In the exercising of its powers under subregulation (1) the Board shall also have power in respect of such land or any portion thereof to conduct soil tests in order to establish the suitability of any site for the burial of mortal human remains: Provided that seven days' notice shall be given to the owner or occupier before the property is entered upon; Provided further that in the event of any dispute arising in respect of the amount of the compensation to be paid, the matter shall be settled in accordance with the provisions of the Arbitration Act, 1965 (Act No. 42 of 1965).

When the Board is required to permit the burial of deceased persons in its area

4. Whenever a person dies in the area of the Board, the committee concerned shall, if application is made to it by the person responsible for the burial of such deceased person, permit the burial of such deceased person in any public cemetery designated to and maintained by it and upon payment of such levies as may be prescribed.

Betaling deur Raad van gedeelte van begrafnis-koste onder sekere omstandighede

5. Waar 'n oorlede persoon onmiddellik voor sy dood permanent in die regsgebied van die Raad gewoon het en na sy dood begrawe is in 'n begraafplaas wat deur die Raad in stand gehou word, kan die Raad aan die persoon verantwoordelik vir die betaling van die begrafniskoste sodanige bedrag terugbetaal as wat hy bepaal of aan sodanige persoon 'n korting op voormelde bedrag toestaan.

Sluiting van begraafplase

6. (1) Nieteenstaande die feit dat enige persoon enige reg op of belang in enige grafperseel in 'n begraafplaas hierin bedoel, het, kan die Minister—

(a) op skriftelike versoek van die komitee van die openbare begraafplaas;

(b) met ses maande kennisgewing aan die komitee van 'n openbare begraafplaas; of

(c) waar daar geen sodanige komitee is nie, nadat kennis gegee is in die *Staatskoerant* en een maal in 'n nuusblad of nuusblaaië ingevolge die bepalings van artikel 91 van die Grondwet van die Republiek van Suid-Afrika, 1983 (Wet No. 110 van 1983), van sy voorneme om dit te doen,

sodanige begraafplaas of enige gedeelte daarvan sluit vir verdere begrawings daarin: Met dien verstande dat die Minister enige begraafplaas of gedeelte daarvan om dringende redes van openbare gesondheid kan sluit sonder om aan die bepalings van paragraaf (b) of (c) te voldoen.

(2) Nadat 'n begraafplaas ingevolge subregulasie (1) gesluit is, mag geen persoon enige menslike oorskot daarin begrawe of toelaat dat dit daarin begrawe word of deelneem aan sodanige begraving nie: Met dien verstande dat vir 'n tydperk van tien jaar na so 'n sluiting, dit vir die Raad geoorloof is om die begraving van 'n oorlede gade van 'n vooroorlede gade wat daarin begrawe is, toe te laat indien sodanige grafperseel beskikbaar is en sodanige begraving kan geskied sonder gevaar vir die openbare gesondheid.

(3) Wanneer 'n openbare begraafplaas ingevolge subregulasie (1) gesluit is, ontbind die komitee en sodanige begraafplaas en die beheer, bestuur en instandhouding daarvan, asook die regte en verpligtinge van die komitee, gaan oor op die Raad of word deur die Raad oorgeneem as die wettige opvolger van sodanige komitee.

HOOFSTUK II

Instelling van begraafplaaskomitee

7. (1) Die Raad kan van tyd tot tyd en onderworpe aan sodanige voorwaardes as wat hy goeë dink, vir enige openbare begraafplaas 'n komitee instel wat as die begraafplaaskomitee bekend staan.

(2) Die begraafplaaskomitee moet uit drie lede bestaan, van wie een deur die voorsitter van die Raad as voorsitter aangewys word. Elke lid van die komitee beklee die amp vir 'n tydperk van drie jaar en is herkiesbaar.

(3) Die voorsitter van die Raad het die bevoegdheid om 'n lid van die komitee weens onbevoegdheid of wangedrag van sy amp te onthef.

Payment by Board of portion of burial charges under certain circumstances

5. In respect of a deceased person who, immediately before his death, was permanently resident in the area of jurisdiction of the Board and who, after his death, was buried in a cemetery maintained by the Board, the Board may refund to the person responsible for payment of the burial charges such amount as it may determine or grant a rebate on such amount to such person.

Closing of cemeteries

6. (1) Notwithstanding the fact that any person has any right to or interest in any burial site in any cemetery referred to herein, the Minister may—

(a) on the written request of the committee of the public cemetery;

(b) with six months' notice to the committee of a public cemetery; or

(c) where there is no such committee, after having given notice in the *Government Gazette* and once in a newspaper or newspapers in terms of the provisions of section 91 of the Republic of South Africa Constitution Act, 1983 (Act No. 110 of 1983) of his intention to do so,

close such cemetery or any part thereof for further burials therein: Provided that the Minister may, for urgent reasons of public health, close any cemetery or part thereof without complying with the provisions of paragraph (b) or (c).

(2) After a cemetery has been closed in terms of subregulation (1), no person shall bury or permit the burial or take part in the burial of any human remains therein: Provided that, for a period of ten years following such closure, the Board shall be allowed to permit the burial of the deceased spouse of a predeceased spouse buried therein if such a burial site is available and such burial can be effected without danger to public health.

(3) When a public cemetery is closed in terms of subregulation (1), the committee shall be dissolved and such cemetery and the control, management and maintenance thereof and the rights and liabilities of the committee shall vest in or be taken over by the Board as the legal successor of such committee.

CHAPTER II

Establishment of cemetery committee

7. (1) The Board may, from time to time and subject to such conditions as it may deem fit, appoint for any public cemetery a committee to be known as the cemetery committee.

(2) The cemetery committee shall consist of three members, one of whom shall be designated by the chairman of the Board as chairman. Every member of the committee shall hold office for a period of three years and be eligible for reappointment.

(3) The chairman of the Board shall have the authority to remove a member of the committee from his office for incompetence or misbehaviour.

(4) Enige vakature in 'n komitee kan gevul word deur die aanstelling deur die Raad van 'n nuwe lid, en sodanige nuwe lid beklee die amp vir die oorblywende tydperk waarvoor die uitredende lid aangestel is.

(5) Die komitee kan, onderworpe aan die goedkeuring van die Raad, reëls vir sy verrigtinge maak: Met dien verstande dat die kworum vir enige vergadering van die komitee nie minder as twee lede mag wees nie.

(6) Die komitee is, behoudens die bepalings van hierdie regulasies, verantwoordelik vir die beheer oor en die bestuur en instandhouding van die openbare begraafplaas ten opsigte waarvan dit ingestel is, en kan vir daardie doel, met die goedkeuring van die Raad, 'n beampte of beamptes en sodanige personeel aanstel as wat hy nodig ag.

(7) Die inkomste van die komitee bestaan uit alle gelde wat hy gemagtig is om te vorder, boetes opgelê deur 'n bevoegde geregtshof en verbeurde borggeld ten opsigte van oortredings van hierdie regulasies wanneer sulke oortredings plaasvind met betrekking tot die begraafplaas waarvoor die komitee ingestel is.

(8) Die Raad kan te eniger tyd wanneer grondige redes daarvoor bestaan, 'n komitee afskaf en ontbind en indien dit nodig geag word, 'n nuwe komitee aanstel om die vorige een op te volg.

(9) In enige regsproses wat deur of teen 'n komitee ingestel word, is dit voldoende om sodanige komitee as die -begraafplaaskomitee te beskryf sonder vermelding van die name van die persone waaruit dit saamgestel is.

Aanlê en instandhouding van openbare paaie

8. Die Raad kan, tot voordeel van die publiek, openbare paaie wat toegang verleen tot enige openbare begraafplaas onder sy beheer, aanlê en in stand hou: Met dien verstande dat goedkeuring vooraf van die Minister verkry is.

Toekennings of lenings aan komitees

9. Die Raad kan die betaling van 'n toekenning of die toestaan van 'n lening om die koste verbonde aan die aanlê, instandhouding, verbetering of uitbreiding van 'n openbare begraafplaas te dek, aan enige komitee magtig.

Beperking op begrawings buite begraafplaas

10. Geen persoon mag enige menslike oorskot begrawe of toelaat dat dit begrawe word of deelneem aan sodanige begrawing in enige gebied behalwe in 'n openbare begraafplaas wat deur 'n komitee geadministreer word nie.

Wanneer van Raad verwag word om persone te begrawe wat in landelike gebiede oorlede is

11. Wanneer 'n persoon te sterwe kom in 'n landelike gebied of in die gebied van 'n plaaslike owerheid waarin daar geen begraafplaas vir sy begrawing geleë is nie en die naaste openbare begraafplaas aan sy plek van oorlye een is wat deur die Raad geadministreer word, moet die Raad in oorleg met die betrokke begraafplaaskomitee die begrawing van sodanige persoon oorweeg op aansoek aan hom van die persoon wat vir die begrawing verantwoordelik is. Na oorweging van sodanige aansoek kan die Raad die begrawing in enige openbare begraafplaas wat deur hom geadministreer word, goedkeur by betaling van sodanige gelde as wat voorgeskryf word.

(4) Any vacancy in a committee may be filled by the appointment of a new member by the Board, and such new member shall hold office for the remainder of the period for which the outgoing member was appointed.

(5) The committee may, subject to the approval of the Board, make rules for its proceedings: Provided that the quorum for any meeting of the committee shall not be less than two members.

(6) The committee shall, subject to the provisions of these regulations, be responsible for the control, management and maintenance of the public cemetery in respect of which it was established, and for that purpose may, with the approval of the Board, appoint an officer or officers and such staff as it may deem necessary.

(7) The revenue of the committee shall consist of all moneys which it is authorised to collect, fines imposed by a competent court of law and estreated bails in respect of offences under these regulations committed in respect of the cemetery for which the committee was established.

(8) The Board may at any time for valid reasons abolish and dissolve a committee and, if deemed necessary, appoint a new committee to succeed the previous committee.

(9) In any legal proceedings which may be instituted by or against a committee, it shall be sufficient to describe such committee as the Cemetery Committee without mentioning the names of the persons constituting it.

Construction and maintenance of public roads

8. The Board may, to the benefit of the public, construct and maintain public roads giving access to any public cemetery under its control: Provided that prior approval has been obtained from the Minister.

Grants or loans to committees

9. The Board may authorise the granting of a loan or payment of a grant to any committee to meet the costs involved in the establishment, maintenance, improvement or extension of a public cemetery.

Restriction of burials outside cemeteries

10. No person shall bury or permit to be buried, or take part in the burial of any human remains in any area except in a public cemetery administered by a committee.

When the Board is required to bury persons who died in rural areas

11. Whenever a person dies in a rural area or in the area of a local authority in which no cemetery is situated for his burial and the nearest public cemetery to the place of his death is one administered by the Board, the Board shall, in consultation with the cemetery committee concerned, consider the burial of such person on application made to it by the person responsible for the burial. After having considered such application, the Board may approve the burial in any public cemetery administered by it upon payment of such fee as may be prescribed.

HOOFSTUK III**Opgraving van lyke**

12. (1) Behalwe waar die opgraving van 'n lyk om mediese, regs- of openbare gesondheidsdoeleindes kragtens 'n wet gelas word en behoudens subregulasie (2), mag niemand 'n lyk opgrawe sonder die goedkeuring van die Minister en ooreenkomstig sodanige voorskrifte en voorwaardes as wat hy bepaal nie: Met dien verstande dat geen aansoek om sodanige goedkeuring deur die Minister oorweeg word nie tensy dit in die voorgeskrewe vorm in Bylae A hiervan gedoen is, en die skriftelike goedkeuring van die langsliewende eggenoot/eggenote of 'n naaste oorlewende naasbestaande bo die ouderdom van 21 jaar verkry is.

(2) Ongeag die voorbehoudsbepaling in subregulasie (1) kan die Minister afsien van die goedkeuring van die persoon daarin vermeld indien hy oortuig is dat die applikant alle redelike stappe gedoen het om sodanige goedkeuring te verkry, maar sonder sukses, en dat die opgraving van enige lyk in openbare belang is: Met dien verstande dat die Minister nie sy goedkeuring gee nie tensy en totdat hy oortuig is dat die applikant onderneem het om behoorlike en voldoende reëlins, op eie koste, te tref vir die opgraving, vervoer na die nuwe begraafplek en herbegraving van die lyk en om enige gedenk- en randstene wat op die bestaande grafperseel opgerig is, te verwyder, te vervoer en weer op die nuwe grafperseel op te rig. 'n Aansoek om opgraving onder die omstandighede gemeld in hierdie subregulasie, moet in die voorgeskrewe vorm in Bylae B hiervan gedoen word.

(3) Die langsliewende gade of kind of ouer of broer of suster of boedeleksekuur of naaste volwasse naasbestaande van die oorlede persoon wie se lyk opgegrawe en herbegrawe is ingevolge goedkeuring deur die Minister kragtens regulasie 12 (2) verleen, moet per geregistreerde pos, as sy of haar posadres bekend of geredelik verkrygbaar is, deur die applikant in kennis gestel word van die ligging van die grafperseel waarin sodanige lyk herbegrawe is.

(4) Behalwe waar verlang word om 'n lyk van een graf na 'n ander in dieselfde begraafplaas te verskuif, mag die Raad, behoudens spesiale omstandighede, nie sy toestemming vir die opgraving van 'n lyk verleen alvorens daar minstens twee of, in die geval van iemand wat aan 'n aansteeklike siekte oorlede is, minstens vier jaar na die begraving verloop het nie. Sodanige voorwaardes as wat deur die Raad ingevolge subregulasie (1) opgelê word met die doel om die skepping van 'n oorlas te voorkom en vir die beskerming van die openbare gesondheid, moet nagekom word.

(5) Die Raad kan sonder opgaaf van redes enige aansoek kragtens subregulasie (1) afkeur.

(6) Vir die doel van hierdie regulasie beteken "lyk" die liggaam van 'n oorlede persoon, asook die oorblyfsels van sodanige liggaam.

Bykomende dokumente benodig

13. (1) Elke aansoek ingevolge subregulasie 12 (1) ingedien, gaan vergesel van die volgende:

(a) 'n Mediese sertifikaat wat die oorsaak van dood aandui of 'n behoorlik gewaarmerkte afskrif daarvan of ander bewys van die oorsaak van dood tot bevrediging van die Minister indien sodanige sertifikaat of afskrif of ander bewys geredelik verkrygbaar is;

CHAPTER III**Exhumation of dead bodies**

12. (1) Except where the exhumation of any dead body is ordered for medical, legal or public health purposes in terms of any law and subject to subregulation (2), no person shall exhume any dead body without the approval of the Minister and in accordance with such terms and conditions as he may determine: Provided that no application for such approval shall be considered by the Minister unless it is made in the form prescribed in Annexure A hereto and with the written approval of the surviving spouse or nearest surviving relative over the age of 21 years.

(2) Notwithstanding the proviso in subregulation (1) the Minister may dispense with the approval of the person mentioned therein if he is convinced that the applicant has taken all reasonable steps to secure such approval, but without success, and that the exhumation of any dead body is in the public interest: Provided that the Minister shall not give his approval unless and until he is convinced that the applicant has undertaken to make proper and adequate provision at his own expense for the exhumation, conveyance to the new place of burial and reinterment of the dead body and for the removal, conveyance and re-erection on the new grave site of any memorial stones and kerbing which may have been erected on the existing grave site. An application for exhumation under the circumstances mentioned in this subregulation shall be made in the form prescribed in Annexure B hereto.

(3) The surviving spouse or child or parent or brother or sister or estate executor or nearest adult relative of the deceased person whose body has been exhumed and reinterred in terms of the Minister's approval granted under regulation 12 (2) shall, if his or her postal address is known or is readily ascertainable, be informed by the applicant by registered post of the location of the grave site where such body has been reinterred.

(4) Except where it is desired to remove a dead body from one grave to another in the same cemetery, the Board shall not, except in special circumstances, give its consent for the exhumation of a dead body until at least two years after interment and in the case of a person who died of an infectious disease, until at least four years after interment have lapsed. Such conditions as may be imposed by the Board in terms of subregulation (1) for the purpose of preventing the creation of a nuisance and for the safeguarding of public health shall be observed.

(5) The Board may reject any application in terms of subregulation (1) without stating reasons.

(6) For the purpose of this regulation, the expression "dead body" means the body of a deceased person and includes the remains of such body.

Additional documents required

13. (1) Each application submitted in terms of subregulation 12 (1) shall be accompanied by the following:

(a) A medical certificate stating the cause of death or a duly certified copy thereof or other evidence of the cause of death to the satisfaction of the Minister, if such certificate or copy or other evidence is readily obtainable;

(b) die skriftelike toestemming van die Raad of begraafplaaskomitee in wie se gebied die lyk begrawe is;

(c) die skriftelike toestemming van die Raad of begraafplaaskomitee in wie se gebied die lyk begrawe gaan word;

(d) indien die aansoek onderteken is deur 'n ander persoon as die naasbestaande van die oorledene gemeld in regulasie 12 (1) of die eksekuteur van sy boedel, die skriftelike goedkeuring van sodanige naasbestaande of eksekuteur, en as sodanige goedkeuring nie geredelik verkrygbaar is nie, 'n verklaring van die omstandighede en besonderhede van pogings aangewend om sodanige goedkeuring te verkry.

(2) Elke aansoek ingevolge regulasie 12 (2) ingedien, gaan vergesels van die volgende:

(a) Die dokumente gemeld in subregulasie (1) (a), (b) en (c);

(b) 'n skriftelike onderneming deur die applikant om op sy eie koste behoorlike en voldoende voorsiening te maak vir opgraving, vervoer na die nuwe begraafplek en herbegraving van die lyk en om enige gedenk- en randstene wat op die bestaande grafperseel opgerig is, te verwyder, te vervoer en weer op die nuwe grafperseel op te rig;

(c) 'n skriftelike onderneming dat die persoon bedoel in regulasie 12 (1), indien sy of haar posadres bekend of geredelik verkrygbaar is, deur die applikant per geregistreerde pos in kennis gestel sal word van die ligging van die nuwe grafperseel waar die lyk herbegrave is.

Bykomende inligting kan verlang word

14. Die Minister kan, by ontvangs van 'n aansoek ingevolge regulasie 12 (1), van die applikant vereis om sodanige verdere inligting en besonderhede te verstrek as wat hy nodig ag, bykomend by die inligting en besonderhede ingevolge regulasies 12 en 13 verlang.

Vervoer van lyk wat opgegrawe is

15. Behoudens die bepalinge van regulasie 16 word enige lyk wat opgegrawe is ingevolge hierdie regulasies, op 'n ordelike en behoorlike manier in 'n behoorlike kis of ander geskikte bedekking vervoer na die plek van herbegraving.

Opgegrawe lyk moet verseël word

16. Waar, onder omstandighede van 'n spesiale aard, die Minister ingevolge regulasie 12 (1) toestem tot die opgraving van die lyk van enige persoon wat vir minder as twee jaar begrawe is, of in die geval van enige persoon wat aan 'n aansteeklike siekte oorlede is en wat vir minder as vier jaar begrawe is, moet sodanige lyk, voordat dit verwyder word, geplaas en verseël word in 'n plaatmetaalomhulsel in 'n stewige houtkis of in 'n plastiekhouer, of afgesonderd word op 'n ander wyse tot bevrediging van die Minister.

Opgraving aan begrafnisondernemer toevertrou te word

17. Die opgraving, vervoer en herbegraving van enige lyk word aan 'n bevoegde en betroubare begrafnisondernemer toevertrou, behalwe waar die Minister onder uitsonderlike omstandighede andersins goedkeur.

(b) the written consent of the Board or cemetery committee within whose area the dead body was interred;

(c) the written consent of the Board or cemetery committee within whose area the dead body is to be interred;

(d) if the application was signed by any person other than the deceased's relative mentioned in regulation 12 (1) or the executor in his estate, the written approval of such relative or executor, and if such approval is not readily obtainable, a statement of the circumstances and details of the efforts made to obtain such approval.

(2) Each application submitted in terms of regulation 12 (2) shall be accompanied by the following:

(a) The documents mentioned in subregulation (1) (a), (b) and (c);

(b) a written undertaking by the applicant to make proper and adequate provision at his own expense for the exhumation, conveyance to the new place of burial and reinterment therein of the dead body and for the removal, conveyance to and re-erection of the new grave site of any memorial stones and kerbing which may have been erected on the existing grave site;

(c) a written undertaking that the person referred to in regulation 12 (1), if his or her postal address is known or readily ascertainable, shall be informed by the applicant by registered post of the location of the new grave site where the dead body has been reinterred.

Additional information may be required

14. The Minister may, upon receipt of an application in terms of regulation 12 (1), require the applicant to provide such further information and details as he may deem necessary in addition to the information and details required in terms of regulations 12 and 13.

Conveyance of exhumed dead body

15. Subject to the provision of regulation 16, any dead body which has been exhumed in terms of these regulations shall be conveyed to the place of reinterment in an orderly and proper manner in a proper coffin or other appropriate covering.

Exhumed dead body to be enclosed

16. Where, under circumstances of a special nature, the Minister consents in terms of regulation 12 (1) to the exhumation of the dead body of any person who has been interred for less than two years, or in the case of any person who died of an infectious disease, who has been interred for less than four years, such dead body shall, prior to removal, be placed and sealed in either a sheet metal shell enclosed in a stout wooden coffin or in a plastic container, or shall be enclosed in some other manner to the satisfaction of the Minister.

Exhumation to be entrusted to undertaker

17. The exhumation, conveyance and reinterment of any dead body shall be entrusted to a competent and reliable undertaker, except where, under special circumstances, the Minister otherwise approves.

Magtiging vir opgraving

18. Geen opgraving vind plaas sonder die skriftelike toestemming van die Minister aan die applikant bedoel in regulasie 12 (1) in die voorgeskrewe vorm in Bylae C hiervan nie.

HOOFSTUK IV**Begraafplaas omhein te word**

19. Begraafplase word tot bevrediging van die Raad omhein met behoorlike heinings met paslike hekke op gerieflike plekke en alle omheinings en hekke moet in 'n goeie toestand gehou word.

Uitleg van begraafplaas

20. (1) 'n Begraafplaas word op 'n goed beplande en ordelike wyse uitgelê sodat toegang tot enige grafperseel verleen word vanaf ten minste een kant van 'n deurgang of paadjie. Gedeeltes van die begraafplaas kan afgesonder word vir die begrawing van persone van ander rasse en godsdienstige oortuiginge.

(2) Tensy anders deur die Raad goedgekeur, is die afmetings van grafpersele soos volg:

(a) Vir volwassenes

Grafpersele moet minstens 1,10 meter van mekaar, 2,20 meter in lengte, 0,80 meter in breedte en 1,80 meter in diepte wees.

(b) Vir kinders onder die ouderdom van 10 jaar

Grafpersele moet minstens 0,65 meter van mekaar, 1,40 meter in lengte, 0,50 meter in breedte en 1,40 meter in diepte wees.

Uitlegplan

21. Die komitee hou 'n uitlegplan van die begraafplaas waarop die volgende inligting aangedui word:

- (i) Die ligging van elke grafperseel met die identifikasienommer wat die komitee daaraan toegeken het; en
- (ii) die feit dat daar in 'n spesifieke grafperseel 'n begrawing plaasgevind het, waar dit die geval is.

Begrawings in 'n begraafplaas

22. Behoudens regulasie 5 en onderworpe aan enige spesiale voorwaardes wat regtens by die aanlê van die begraafplaas gemaak is, is begrawings daarin hoofsaaklik beperk tot persone wat oorlede is in die dorp waar die begraafplaas geleë is.

Bespreking en toewysing van grafpersele

23. (1) Enige inwoner van die dorp waarin die begraafplaas geleë is, wat begerig is om 'n grafperseel of -persele vir homself en lede van sy gesin te bespreek, doen by die komitee aansoek daarom. Die komitee kan sodanige aansoek toestaan of weier of enige ander grafperseel of -persele wat hy bereid is om te laat bespreek, toeken in die plek van dié waarom aansoek gedoen is. Van 'n grafperseel wat aldus deur enige persoon bespreek is, mag nie sonder die skriftelike goedkeuring van die komitee ontslae geraak word nie.

(2) Elke begrawing in 'n bespreekte grafperseel geskied in ooreenstemming met hierdie regulasies.

Authority for exhumation

18. No exhumation shall take place without the written consent of the Minister in the form prescribed in Annexure C hereto to the applicant referred to in regulation 12 (1)

CHAPTER IV**Cemetery to be fenced**

19. Cemeteries shall, to the satisfaction of the Board, be fenced with proper fences with suitable gates at convenient places and all fences and gates shall be maintained in good condition.

Layout of cemetery

20. (1) A cemetery shall be laid out in a well-defined and orderly manner so that access to any burial plot may be gained from at least one side of a walk or pathway. Portions of the cemetery may be set apart for the interment of persons of different races and religious denominations.

(2) Unless otherwise approved by the Board, the measurements for grave sites shall be as follows:

(a) For adults

Grave sites shall be not less than 1,10 metres apart, 2,20 metres in length, 0,80 metres in width and 1,80 metres in depth.

(b) For children under the age of 10 years

Grave sites shall be not less than 0,65 metres apart, 1,40 metres in length, 0,50 metres in width and 1,40 metres in depth.

Layout plan

21. The committee shall keep a layout plan of the cemetery, reflecting the following information:

- (i) The location of every grave site with the identification number which the committee has assigned to it; and
- (ii) the fact that a burial has been effected in any particular grave site, where this is the case.

Interments in a cemetery

22. Subject to regulation 5 and to any special conditions lawfully made upon the establishment of the cemetery, interments therein shall be restricted mainly to persons who died in the town in which the cemetery is situated.

Reservation and allocation of grave sites

23. (1) Any resident of the town in which the cemetery is situated who desires to have a grave site or sites reserved for himself and members of his family shall make application therefor to the committee. The committee may grant or refuse such application or allocate any other grave site or sites which it is prepared to have reserved instead of those applied for. No grave site thus reserved by any person may be disposed of without the written approval of the committee.

(2) Each interment in a reserved grave site shall be in accordance with these regulations.

(3) Die komitee bring, na die toewysing van enige grafperseel, hetsy dit deur 'n besprekingsaansoek of andersins geskied, op die bespreekte grafperseel 'n merker aan waarop die perseelnommer, soos op die uitlegplan van die begraafplaas aangedui word, duursaam gegraveer of gestempel is. Sodanige merker is eenvormig vir die gemelde begraafplaas.

24. By die toekenning van enige grafperseel teken die komitee die nommer van die perseel aldus toegeken in die onderskeie registers vir aansoeke en begrawings aan.

Aansoek om begrawing

25. Aansoek om begrawing moet in die voorgeskrewe vorm in Bylae D hiervan by die begraafplaaskomitee gedoen word, minstens twaalf uur voor die vasgestelde tyd vir die begrafnis behalwe in gevalle van uiterste nood, en sodanige aansoek moet inligting bevat aangaande die volle naam, geslag, ouderdom, nasionaliteit, ambag of beroep, laaste adres en die datum en oorsaak van afsterwe van die oorledene asook die datum van die voorgenome begrafnis.

Begrawing nie toegelaat sonder begrafnismagtiging

26. Geen begrawing word in die begraafplaas toegelaat nie tensy 'n begrafnismagtiging wat ingevolge die Wet op die Registrasie van Geboortes, Huwelike en Sterfgevalle, 1963 (Wet No. 81 van 1963), uitgereik is, aan die begraafplaasopsigter getoon word.

Register deur begraafplaaskomitee gehou te word

27. Die begraafplaasopsigter hou 'n ware en juiste register van alle begrawings in die begraafplaas. Sodanige register is op aansoek beskikbaar vir inspeksie en moet sodanige inligting bevat as wat ingevolge artikel 14 van die Wet op die Registrasie van Geboortes, Huwelike en Sterfgevalle, 1963 (Wet No. 81 van 1963), vereis word.

Oop- en toemaak van grafte

28. Die begraafplaaskomitee reël die oop- en toemaak van alle grafte, en geen persoon mag 'n graf oop- of toemaak of daarmee behulpsaam wees sonder die toestemming van die begraafplaaskomitee en sonder die toesig van die begraafplaasopsigter nie.

29. Behoudens die bepalings van regulasie 20 (2) word nie meer as een liggaam in 'n graf geplaas nie, tensy die graf, toe dit die eerste keer gegrawe is, so diep gemaak is dat geen lyk nader as 124 cm aan die oppervlak sal wees nie.

Wanneer begrawings nie toegelaat word nie

30. Geen begrawing vind plaas in die begraafplaas tussen sonsondergang en sonsopkoms nie tensy om spesiale redes, en dan slegs met die toestemming van die voorsitter van die komitee.

31. Geen begrawing vind plaas in die begraafplaas sonder die begraafplaasopsigter se medewete nie.

Oprigting van gedenktekens, randstene, traliewerk, ens.

32. Gedenktekens, randstene, traliewerk, ens. word volgens die voorskrifte van die begraafplaasopsigter opgerig: Met dien verstande dat—

(a) as enige inskripsie op 'n gedenkteken in stryd is met die algemene norme van openbare ordentlikheid, dit deur die komitee of 'n werknemer van die Raad na die Raad verwys kan word vir oorweging;

(3) The committee shall, after the allocation of any grave site, whether upon an application for reservation or otherwise, cause to be erected on the reserved grave site a marker on which the site number as indicated on the layout plan of the cemetery is engraved or stamped in durable form. Such marker shall be uniform for the said cemetery.

24. On the allocation of any grave site the committee shall cause the number of the site thus allocated to be entered in the respective registers of burials and applications.

Application for interment

25. Application for interment shall be made to the cemetery committee in the form prescribed in Annexure D hereto at least twelve hours before the appointed time of burial, except in cases of extreme urgency, and such application shall contain information concerning the full name, sex, age, nationality, trade or occupation, last address and the date and cause of death of the deceased person and the date of the proposed burial.

Interment not permitted without burial order

26. No interment shall be permitted in the cemetery unless a burial order issued in terms of the Births, Marriages and Deaths Registration Act, 1963 (Act No. 81 of 1963), is shown to the cemetery keeper.

Register to be maintained by cemetery committee

27. The cemetery keeper shall keep a true and accurate register of all burials in the cemetery. Such register shall be open for inspection by any person upon application and shall contain such information as is required in terms of section 14 of the Births, Marriages and Deaths Registration Act, 1963 (Act No. 81 of 1963).

Opening and closing of graves

28. The cemetery committee shall arrange for the opening and closing of all graves and no person shall open or close a grave or assist in doing so save with the consent of the cemetery committee and under the supervision of the cemetery keeper.

29. Subject to the provisions of regulation 20 (2), no more than one body shall be placed in a grave unless, when initially dug, the grave was deep enough to ensure that no body shall be closer than 124 cm to the surface.

When burials are not permitted

30. No burials shall take place in the cemetery between sunset and sunrise except for special reasons and then only with the consent of the chairman of the committee.

31. No interment shall take place in the cemetery without the knowledge of the cemetery keeper.

Erection of memorials, kerbings, railings, etc.

32. The erection of memorials, kerbings, railings, etc., shall be according to directions of the cemetery keeper: Provided that—

(a) if any inscription on a memorial is at variance with the general norms of public decency, it may be referred to the Board by the committee or an employer of the Board for consideration;

(b) as die Raad sou bevind dat die inskripsie op die gedenkteken onbehoorlik is soos voormeld, hy 'n kennisgewing aan die naasbestaandes van die oorledene of sodanige persoon/persone wat vir die inskripsie verantwoordelik is, kan beteken wat die verwydering van 'n gedeelte daarvan of die geheel binne 'n sekere tydperk gelas;

(c) in geval van versuim om te voldoen aan 'n bevel wat ingevolge paragraaf (b) uitgereik is, die Raad die gedenkteken kan verwyder en deur 'n staalplaat kan vervang waarop die naam en ander relevante besonderhede van die oorledene getoon word;

(d) in die geval van stappe wat ingevolge paragraaf (c) gedoen is, die koste wat aangegaan is, verhaal word van die naasbestaandes of persoon/persone wat vir die inskripsie verantwoordelik is.

Oop- en toemaaktye van 'n begraafplaas

33. Die begraafplaas is tussen 07h00 en sonsondergang vir die publiek oop en geen persoon gaan die begraafplaas binne of is daarbinne gedurende enige tyd dat die begraafplaas vir die publiek gesluit is nie, behalwe met die toestemming van die begraafplaas-opsigter.

Veroorsaking van steurnis of beskadiging van eiendom binne 'n begraafplaas

34. Geen persoon veroorsaak enige steurnis in die begraafplaas of pleeg enige onweloweglike daad of meng hom in met enigiemand of verrig enige handeling of doen iets wat die vrede versteur of wat nadeel of ergernis veroorsaak vir mense wat die begraafplaas wettiglik gebruik of besoek nie.

35. Niemand beskadig, vernietig of peuter aan 'n gedenksteen of ander eiendom in die begraafplaas of verwyder 'n gedenksteen, randsteen, traliewerk, pen, merker of ander eiendom sonder die toestemming van die begraafplaaskomitee nie.

Diere binne 'n begraafplaas

36. Geen diere word binne die begraafplaas toegelaat nie. Enige dier wat binne die begraafplaas aange-tref word, sal geskut word.

Gelde en heffings

37. (1) Die gelde en heffings wat vir die bespreking van grafpersele, die oop- en toemaak van grafte en ander dienste of fasiliteite wat deur die komitee of die begraafplaasopsigter of werknemers van die komitee gelewer of verskaf word, aan die komitee betaalbaar is, geskied volgens tariewe wat deur die Raad bepaal en deur die Minister goedgekeur is.

(2) 'n Afskrif van sodanige tariewe word aangebring op 'n opvallende plek in die begraafplaas of in die kantoor van die begraafplaasopsigter. 'n Ware afskrif daarvan word op aanvraag ook aan enigiemand beskikbaar gestel.

(3) Die komitee kan, met die toestemming van die Raad, slegte skuld afskryf en waar grondige redes bestaan, kan die komitee enige onvoldoende of foutiewe vorderings ten opsigte van die bestaande tariewe kondoneer.

(b) if the Board should find that the inscription on the memorial is indecent as aforesaid, it may serve a notice on the relatives of the deceased or such person/persons responsible for the inscription, ordering the removal of a part or the whole thereof within a certain period;

(c) in the event of failure to comply with an order issued in terms of paragraph (b), the Board may have the memorial removed and replaced by a steel plate on which the name and other relevant particulars of the deceased are shown;

(d) in the event of steps having been taken in terms of paragraph (c), the costs incurred shall be recovered from the relatives or person/persons responsible for the inscription.

Opening en closing hours of a cemetery

33. The cemetery shall be open to the public between 07h00 and sunset and no person shall enter or be in the cemetery at any time during which it is closed to the public, except by consent of the cemetery keeper.

Causing disturbance or damaging property within a cemetery

34. No person shall cause any disturbance in the cemetery or commit any unseemly act or interfere with any person or do any act or thing which disturbs the peace or will cause hurt or annoyance to persons lawfully using or visiting the cemetery.

35. No person shall damage, destroy or tamper with any memorial stone or other property in the cemetery or, without the consent of the cemetery committee, remove any memorial stone, kerbing, railing, peg, marker or other property.

Animals within a cemetery

36. No animals shall be permitted in the cemetery. Any animals found within the cemetery will be impounded.

Fees and levies

37. (1) The fees and levies payable to the committee for the reservation of grave sites, the opening and closing of graves and other services or facilities rendered or supplied by the committee or the cemetery keeper or employees of the committee shall be according to tariffs determined by the Board and approved by the Minister.

(2) A copy of such tariffs shall be posted in a conspicuous place in the cemetery or in the office of the cemetery keeper. A true copy thereof shall also be made available to any person on request.

(3) The committee may, with the consent of the Board, write off bad debts and upon good cause being shown, the committee may condone any undercharges or errors in respect of the existing tariffs.

Hou van boeke en rekeninge

38. Die komitee hou behoorlik boek van alle gelde wat namens die komitee ontvang is en van alle bedrae wat uitbetaal is, met vermelding van die doel waarvoor dit ontvang of uitbetaal is.

39. Geen koste of aanspreeklikheid word namens die komitee aangegaan of aanvaar nie tensy dit gedoen word op gesag van 'n behoorlik genotuleerde besluit geneem tydens 'n behoorlik gekonstitueerde vergadering van die komitee.

40. Alle gelde wat die komitee toekom of ontvang, word by die Raad inbetaal.

41. Onttrekking van geld geskied slegs onder die handtekening van die voorsitter en een van die lede van die komitee. Al drie lede van die komitee is egter gemagtig om kragtens 'n spesiale besluit van die komitee vir die onttrekking van geld te teken.

42. (1) Geen uitbetaling word gemaak nie tensy dit ingevolge die bepalings van regulasie 41 gemagtig is en alle uitbetalings word bevestig deur behoorlik gekwiteerde uitbetalingsbewysstukke met duidelike besonderhede aangaande die betalings.

(2) Uitbetalingsbewysstukke word genommer en so gebêre dat hulle te alle tye geredelik beskikbaar is.

43. Notule van die verrigtinge van alle vergaderings van die komitee word opgeteken in 'n boek wat vir daardie doel gehou word en sodanige notules word ten tyde van sodanige optekening of op die eersvolgende vergadering onderteken deur die voorsitter of deur die komiteelid wat op sodanige vergadering as voorsitter optree.

Voorlegging van jaarlikse finansiële state

44. Gedurende April van elke jaar stuur die komitee state van ontvangste en uitbetalings en van bates en laste, gestaaf deur die nodige bewysstukke, vir die voorafgaande 12 maande geëindig op 31 Maart aan die Raad.

Aanstelling van ouditeur

45. Die ouditeure van die Raadn word deur die Raad aangestel om die boeke van die komitee na te sien, en hulle stel jaarliks 'n ondertekende verslag met betrekking tot die finansiële aspekte van die begraafplaas-komitee op en lê dit aan die Raad voor.

Oortredings en strawwe

46. Enigiemand wat—

(a) enige bepaling van hierdie regulasies oortree of in gebreke bly om daaraan te voldoen; of

(b) die begaan van enige oortreding verswyg of enige ondersoek of vervolging in verband met enige beweerde oortreding verhinder of versteur; of

(c) weier of in gebreke bly om aan 'n wettige versoek van 'n beampde gehoor te gee,

is aan 'n misdryf skuldig en is by skuldigbevinding strafbaar met die strawwe voorgeskryf in regulasie 20 (1) van die Regulasies vir die Administrasie van en Beheer oor Sekere Gebiede in Natal, afgekondig by Proklamasie No. 67 van 1983.

Keeping of books and accounts

38. The committee shall keep proper account of all moneys received on behalf of the committee and of all amounts paid out and shall mention the purpose for which they were received or paid out.

39. No costs may be incurred or liability accepted on behalf of the committee unless it is done on the authority of a properly minuted resolution taken at a duly convened meeting of the committee.

40. Any moneys accruing to or received by the committee shall be deposited with the Board.

41. Withdrawals of money shall only be made against the signature of the chairman and one of the members of the committee. All three members of the committee shall, however, be authorised to sign for the withdrawal of money by a special resolution of the committee.

42. (1) No payments may be made unless authorised in accordance with the provisions of regulation 41 and all payments shall be confirmed by properly receipted payment vouchers clearly stating the particulars of the payments.

(2) Payment vouchers shall be numbered and filed in such a way that they are readily accessible at all times.

43. Minutes of the proceedings of all meetings of the committee shall be entered in a book to be kept for that purpose and such minutes shall be signed at the time of such entry or at the ensuing meeting by the chairman or by the member of the committee acting as chairman at such meeting.

Submission of annual financial statements

44. The committee shall, during April of each year, submit to the Board statements of receipts and payments and of assets and liabilities, confirmed by the necessary vouchers, for the previous 12 months ended 31 March.

Appointment of auditor

45. The auditors of the Board shall be appointed by the Board to audit the books of the committee and they shall prepare and submit annually to the Board a signed report on the financial aspects of the cemetery committee.

Offences and penalties

46. Any person who—

(a) contravenes or fails to comply with any provision of these regulations; or

(b) conceals the commission of any offence or prevents or disrupts any investigation or prosecution in connection with any alleged offence; or

(c) refuses or fails to comply with a lawful request of any official,

shall be guilty of an offence and shall be liable on conviction to the penalties prescribed in regulation 20 (1) of the Regulations for the Administration and Control of Certain Areas in Natal, published under Proclamation No. 67 of 1983.

BYLAE A**AANSOEK OM DIE MINISTER SE GOEDKEURING VIR DIE OPGRAWING VAN 'N LYK**

Ek (naam),, van (adres)

....., as die (meld verwantskap met die oorledene) en die naaste oorlewende/naasbestaande/eksekuteur van die boedel (skrap wat nie van toepassing is nie) van die oorledene,, (volle naam van die oorledene) doen hiermee ansoek om die goedkeuring van die Minister kragtens regulasie 12 (1) van die Begraafplaasregulasies, 1992, om die lyk van die genoemde oorledene op te grawe en verskaf die volgende inligting ter ondersteuning van my ansoek:

1. Ras, geslag en ouderdom van die oorledene.....
2. Plek en oorsaak van dood.....
3. Plek en datum van begrafnis.....
4. Plek waar oorledene herbegrawe sal word
5. Redes vir die voorgestelde opgraving en verwydering van die lyk.....
6. As hierdie ansoek deur enigiemand anders as die oorlewende gade of naaste oorlewende naasbestaande ouer as 21 jaar of die eksekuteur van die oorledene se boedel onderteken is, meld of die voorgenoemde partye se toestemming verkry is (Ja of Nee).

As sodanige toestemming nie geredelik verkrygbaar is nie, moet 'n verklaring waarin die omstandighede van die aangeleentheid en die pogings wat aangewend is om sodanige toestemming te verkry uiteengesit is, hierby aangeheg word.

7. Voorgestelde wyse van verseëling en vervoer van die lyk
8. Sal 'n begrafnisondernemer in diens geneem word met die opgraving en herbegrawing van die lyk? (Ja of Nee).

Nota: Indien 'n begrafnisondernemer nie in diens eneem gaan word nie, moet die redes verstrek word en 'n verduideliking gegee word van die alternatiewe reëlins wat getref word.

N.B.: Die volgende dokumente moet hierdie ansoekvorm vergesel:

- (a) 'n Mediese sertifikaat of behoorlik gesertifiseerde afskrif daarvan of ander getuienis betreffende die oorsaak van dood van die oorledene tot bevrediging van die Minister.
- (b) Die skriftelike toestemming van die plaaslike owerheid of begraafplaaskomitee in wie se gebied die lyk begrawe is, of van die eienaar van 'n private begraafplaas of die eienaar van die grond waar die lyk begrawe is.
- (c) Die skriftelike toestemming van die plaaslike owerheid of begraafplaaskomitee in wie se gebied die lyk herbegrawe sal word of die eienaar van 'n private begraafplaas of die eienaar van die grond waar of in wie se gebied die lyk herbegrawe sal word.
- (d) As die ansoek deur enigiemand anders as die naaste oorlewende naasbestaande/eksekuteur van die oorledene se boedel onderteken is, die skriftelike toestemming van sodanige naaste oorlewende naasbestaande of eksekuteur.

.....
Handtekening van Applikant

ANNEXURE A**APPLICATION FOR THE APPROVAL OF THE MINISTER TO EXHUME A DEAD BODY**

I (name),, of (address)

....., being the (state relationship to deceased) and the nearest surviving relative/executor in the estate (delete whichever is not applicable) of the late (full name of deceased), hereby apply for the approval of the Minister in terms of regulation 12 (1) of the Cemetery Regulations, 1992, to exhume the dead body of the said deceased and submit the following information in support of my application:

1. Race, sex and age of deceased

2. Place and cause of death.....
3. Place and date of interment
4. Place where deceased is to be reinterred
5. Reasons for proposed exhumation and removal of the dead body.....
6. If this application is signed by any person other than the surviving spouse or nearest surviving relative over the age of 21 years or executor in the estate of the deceased, state whether the consent of the aforementioned parties has been obtained (Yes or No)
- If such consent is not readily obtainable, a statement of the circumstances of the case and the efforts made to obtain such consent, must be attached hereto.
7. Proposed method of enclosing and mode of conveyance of the dead body
8. Will an undertaker be employed in the exhumation and reinterment of the dead body? (Yes or No)
- Note:* If an undertaker is not to be employed, the reasons must be stated and an explanation given of the alternative arrangements made.

N.B.: The following documents must accompany this application form:

- (a) A medical certificate stating the cause of death or a duly certified copy thereof or other evidence of the cause of death of the deceased to the satisfaction of the Minister.
- (b) The written consent of the local authority or cemetery committee in whose area the dead body was interred or of the proprietor of a private cemetery or the owner of the land where the dead body was interred.
- (c) The written consent of the local authority or committee in whose area the dead body is to be reinterred or of the proprietor of a private cemetery or the owner of the land in which the dead body is to be reinterred;
- (d) If the application was signed by any person other than the nearest surviving relative/executor in the estate of the deceased, the written consent of such nearest surviving relative or executor.

.....
Signature of Applicant

BYLAE B

AANSOEK OM DIE MINISTER SE GOEDKEURING VIR DIE OPGRAWING VAN 'N LYK

Ek (naam),, van (adres)

....., doen hiermee aansoek om die Minister se goedkeuring kragtens regulasie 12 (2) van die Begraafplaasregulasies, 1992, om die lyk van die oorledene (volle naam van die oorledene) op te grawe en verskaf die volgende inligting ter ondersteuning van my aansoek:

1. Ras, geslag en ouderdom van die oorledene.....
2. Plek en oorsaak van dood.....
3. Plek en datum van begrafnis.....
4. Plek waar oorledene herbegrawe sal word
5. Redes vir die voorgestelde opgraving en verwydering van die lyk.....

6. Meld pogings aangewend om die skriftelike toestemming van die naaste oorlewende naasbestaande/eksekuteur van die boedel van die oorledene te verkry
 7. Voorgestelde wyse van verseëling en vervoer van die lyk
 8. Sal 'n begrafnisondernemer in diens geneem word met die opgraving en herbegrawing van die lyk? (Ja of Nee)
- Nota:* As 'n begrafnisondernemer nie in diens geneem sal word nie, moet die redes verstrek word en 'n verduideliking gegee word van die alternatiewe reëlins wat getref sal word.

.....
Handtekening van Applikant

Notas

1. Die applikant moet tot bevrediging van die Minister aantoon dat die openbare belang deur die voorgestelde opgraving gedien sal word. As hierdie ruimte onvoldoende is, meld redes op afsonderlike velle
2. Die naaste oorlewende naasbestaande is, in die volgorde hier vermeld, 'n gade, 'n kind ouer as 21 jaar, 'n ouer, 'n broer/suster ouer as 21 jaar van die oorledene of, as daar geen sodanige oorlewende naasbestaandes is nie, die eksekuteur van die boedel van die oorledene, of as daar geen sodanige eksekuteur is nie, die naaste beskikbare volwasse naasbestaande van die oorledene.

N.B.: Die volgende dokumente moet die aansoekvorm vergesel:

- (a) 'n Mediese sertifikaat van die doodsoorsaak of 'n behoorlik gesertifiseerde afskrif daarvan of ander getuienis betreffende die dood van die oorledene tot bevrediging van die Minister.
- (b) Die skriftelike toestemming van die plaaslike owerheid of begraafplaaskomitee in wie se gebied die lyk begrawe is, of van die eienaar van 'n private begraafplaas of die eienaar van die grond waar die lyk begrawe is.
- (c) Die skriftelike toestemming van die plaaslike owerheid of begraafplaaskomitee in wie se gebied die lyk herbegrawe sal word of die eienaar van 'n private begraafplaas of die eienaar van die grond waar die lyk herbegrawe sal word.
- (d) 'n Skriftelike onderneming deur die applikant dat hy op sy eie koste voldoende en paslike voorsiening sal maak vir die opgraving, vervoer na die nuwe begraafplek en herbegrawing van die lyk en vir die verwydering, vervoer en heroprigting van enige gedenksteen en randstene wat by die huidige graf opgerig is.
- (e) 'n Skriftelike onderneming deur die applikant dat hy per geregistreerde pos die naaste oorlewende naasbestaande/eksekuteur van die boedel van die oorledene (as sy/haar posadres bekend is of geredelik vasgestel kan word) in kennis sal stel van die ligging van die nuwe grafperseel waarin die lyk herbegrawe is.

ANNEXURE B

APPLICATION FOR THE APPROVAL OF THE MINISTER TO EXHUME A DEAD BODY

I (name),, of (address), hereby apply for the approval of the Minister in terms of regulation 12 (2) of the Cemetery Regulations, 1992, to exhume the dead body of the late (full name of deceased) and submit the following information in support of my application:

1. Race, sex and age of deceased
2. Place and cause of death
3. Place and date of interment
4. Place of reinterment
5. Reasons for proposed exhumation and removal of dead body

6. State efforts made to obtain the written consent of the nearest surviving relative/executor in the estate of the deceased
7. Proposed method of enclosing and mode of conveyance of the dead body
8. Is an undertaker to be entrusted with the exhumation and reinterment of the dead body? (Yes or No)
- Note:* If an undertaker is not to be employed, the reasons must be stated and an explanation given of the alternative arrangements made.

.....
Signature of Applicant

Notes

1. The applicant must prove to the satisfaction of the Minister that the public interest will be served by the proposed exhumation. If this space is insufficient, state reasons on separate sheets
2. The nearest surviving relative is, in the order stated here, a spouse, a child over 21 years, a parent, a brother/sister of the deceased over 21 years or, if there is no such surviving relative, the executor in the estate of the deceased or, if there is no such executor, the nearest available adult relative of the deceased.

N.B.: The following documents must accompany this application:

- (a) A medical certificate of the cause of death or a duly certified copy thereof or other evidence of the cause of death to the satisfaction of the Minister.
- (b) The written consent of the local authority or cemetery committee in whose area the dead body was interred, or of the proprietor of a private cemetery or the owner of the land where the dead body was interred.
- (c) The written consent of the local authority or cemetery committee in whose area the dead body is to be reinterred or of the proprietor of a private cemetery or the owner of the land where the dead body is to be reinterred.
- (d) A written undertaking by the applicant that he will, at his own expense, make adequate and proper provision for the exhumation, conveyance to the new place of burial and reinterment therein of the dead body and for the removal, conveyance to and re-erection on the new grave site of any memorial stone and kerbings erected on the existing grave site.
- (e) A written undertaking by the applicant that he will, by registered post, notify the nearest surviving relative/executor in the estate of the deceased (if his/her postal address is known or readily ascertainable) of the location of the new grave site in which the dead body has been reinterred.

BYLAE C

MAGTINGING VIR DIE OPGRAWING VAN 'N LYK

Hiermee word gesertifiseer dat dit die Minister behaag het om, kragtens regulasie 12 (1) van die Begraafplaasregulasies, 1992, goedkeuring te verleen vir die opgraving van die lyk van die afgestorwe, tans begrawe in (plek) en vir die vervoer van die lyk na en herbegrawing te (plek), onderworpe aan die volgende voorwaardes:

1. Die lyk word opgegrawe, vervoer en herbegrawe op 'n ordelike en gepaste wyse en word—
 - (a) vervoer en herbegrawe in 'n behoorlike kis of ander fatsoenlike en voldoende bedekking; of
 - (b) voor die verwydering daarvan geplaas en verseël, hetsy in 'n plaatmetaalomhulsel in 'n stewige houtkis of in 'n plastiekhouer, of afgesonder op 'n ander wyse tot bevrediging van die Minister.
2. Alle moontlike voorsorg moet getref word om die openbare gesondheid te beskerm.

.....
Direkteur-generaal: Ontwikkelingshulp

ANNEXURE C

AUTHORISATION TO EXHUME DEAD BODY

It is hereby certified that the Minister has been pleased, in terms of regulation 12 (1) of the Cemetery Regulations, 1992, to approve to the exhumation of the dead body of the late, at present buried in (place), and the conveyance of the dead body to and its reinterment in (place), subject to the following conditions:

1. The dead body shall be exhumed, conveyed and reinterred in an orderly and proper manner and shall—
 - (a) be conveyed and reinterred in a proper coffin or other decent and sufficient covering; or
 - (b) prior to removal thereof be placed and sealed either in a sheet metal shell enclosed in a stout wooden coffin or in a plastic container, or enclosed in some other manner to the satisfaction of the Minister.
2. All possible precautions must be taken to safeguard the public health.

.....
Director-General: Development Aid

BYLAE D

AANSOEK OM BEGRAWING

Ek (naam van aansoeker),, van (adres),
doen hiermee aansoek om die begrawing van, wie se besonderhede soos volg is:

Volle naam.....

Geslag

Ouderdom

Nasionaliteit.....

Beroep of besigheid.....

Laaste adres.....

Datum en oorsaak van dood.....

Tyd en datum van voorgenome begrafnis.....

.....
Applikant

Datum.....

ANNEXURE D

APPLICATION FOR INTERMENT

I (name of applicant),, of (address), hereby apply for the interment
of..... whose particulars are as follows:

Full name.....

Sex

Age

Nationality.....

Occupation or trade

Last address.....

Date and cause of death.....

Time and date of proposed burial.....

.....
Applicant

Date.....

SUID-AFRIKAANSE POLISIE

No. R. 826

20 Maart 1992

VERBETERINGSKENNISGEWING

POLISIEWET, 1958 (WET 7 VAN 1958)

WYSIGING VAN REGULASIES VIR DIE
SUID-AFRIKAANSE POLISIE

Goewermentskennisgewing No. R. 429 in *Staatskoerant* No. 13761 van 1 Februarie 1992 word hiermee gewysig deur in regulasie 3 wat regulasie 8 (1) (a) wysig die woorde "Departmental Head: Lieutenant-General" deur die woorde "Divisional Head: Lieutenant-General" in die Engelse teks te vervang.

SOUTH AFRICAN POLICE

No. R. 826

20 March 1992

CORRECTION NOTICE

POLICE ACT, 1958 (ACT No. 7 OF 1958)

AMENDMENT OF REGULATIONS FOR THE SOUTH
AFRICAN POLICE

Government Notice No. R. 429 in *Government Gazette* No. 13761 of 1 February 1992 is hereby amended by the substitution in regulation 3 which amends regulation 8 (1) (a) for the words "Departmental Head: Lieutenant-General" of the words "Divisional Head: Lieutenant-General" in the English text.

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