

REPUBLIC
OF
SOUTH AFRICA



REPUBLIEK
VAN
SUID-AFRIKA

Government Gazette Staatskoerant

Regulation Gazette
Regulasiekoerant

No. 5056

Vol. 334

PRETORIA, 8 APRIL 1993

No. 14724

GOVERNMENT NOTICES

ADMINISTRATION: HOUSE OF ASSEMBLY

DEPARTMENT OF AGRICULTURAL DEVELOPMENT

No. R. 578 **8 April 1993**

BUFFELSJAGTS RIVER IRRIGATION BOARD: DIVISION OF SWELLEN DAM, CAPE PROVINCE: ASSIGNMENT OF FUNCTIONS, POWERS AND DUTIES

By virtue of the powers delegated to me by Government Notice No. 2645 of 16 November 1990, I, Francois Johannes Cornelus Hugo, in my capacity as Managing Engineer: Agricultural Engineering and Water Supply in the Department of Agricultural Development, hereby assign to the Buffelsjagts River Irrigation Board the functions, powers and duties as defined in section 89 (1) (i) of the Water Act, 1956 (Act No. 54 of 1956).

F. J. C. HUGO,

Managing Engineer: Agricultural Engineering and Water Supply, Department of Agricultural Development.

DEPARTMENT OF MANPOWER

No. R. 590 **8 April 1993**

MANPOWER TRAINING ACT, 1981

TRAINING SCHEME FOR THE PRINTING, NEWSPAPER AND PACKAGING INDUSTRIES

I, Leon Wessels, Minister of Manpower, hereby, in terms of section 39 (5) of the Manpower Training Act, 1981, declare that the provisions of the Scheme as published in Government Notice No. R. 1124 of 25 May 1990, as amended by Government Notices Nos. R. 465 of 8 March 1991 and R. 8 of 3 January 1992, is

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GOEWERMENSKENNISGEWINGS

ADMINISTRASIE: VOLKSRAAD

DEPARTEMENT VAN LANDBOU- ONTWIKKELING

No. R. 578 **8 April 1993**

BUFFELSJAGTSRIVIER-BESPROEINGSRAAD: AFDELING SWELLEN DAM, KAAPPROVINSIE: TOEWYSING VAN WERKSAAMHEDE, BEVOEGDHEDE EN PLIGTE

Kragtens die bevoegdheid aan my gedelegeer by Goewermenskennisgewing No. 2645 van 16 November 1990, wys ek, Francois Johannes Cornelus Hugo, in my hoedanigheid van Besturende Ingenieur: Landbou-ingenieurswese en Watervoorsiening in die Departement van Landbou-ontwikkeling, hierby die werksaamhede, bevoegdhede en pligte soos omskryf in artikel 89 (1) (i) van die Waterwet, 1956 (Wet No. 54 van 1956), aan die Buffelsjagtsrivier-besproeiingsraad toe.

F. J. C. HUGO,

Besturende Ingenieur: Landbou-ingenieurswese en Watervoorsiening, Departement van Landbou-ontwikkeling.

DEPARTEMENT VAN MANNEKRAG

No. R. 590 **8 April 1993**

WET OP MANNEKRAGOPLEIDING, 1981

OPLEIDINGSKEMA VIR DIE DRUK-, NUUSBLAD- EN VERPAKKINGSNYWERHEDE

Ek, Leon Wessels, Minister van Mannekrag, verklaar hierby, kragtens artikel 39 (5) van die Wet op Mannekragopleiding, 1981, dat die bepalings van die Skema soos gepubliseer by Goewermenskennisgewing No. R. 1124 van 25 Mei 1990, soos gewysig by Goewermenskennisgewings Nos. R. 465 van 8 Maart 1991 en

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substituted by the Scheme which appears in the Schedule hereto and which shall be binding with effect from the second Monday after the date of publication of this notice, upon all employers and employees engaged or employed in the Printing, Newspaper and Packaging Industries in the Republic of South Africa. The Scheme shall terminate on the date of withdrawal of the Scheme in terms of section 39 (3) of the above-mentioned Act.

L. WESSELS,

Minister of Manpower.

SCHEDULE

PRINTING, NEWSPAPER AND PACKAGING INDUSTRIES TRAINING SCHEME

The Training Scheme for the Printing, Newspaper and Packaging Industries has been established by the Printing Industries Federation of South Africa and the Newspaper Press Union for the training of employees in the Industry, and provides for the establishment of a fund for the purposes of the Scheme and the payment of contributions to the fund by employers in the Industry and the establishment of a training board to administer the fund, which shall be known as the Printing, Newspaper and Packaging Industries Training and Development Fund.

1. Name of the Scheme

The name of the Scheme shall be the "Training Scheme for the Printing, Newspaper and Packaging Industries".

2. Scope of application

The provisions of the Scheme shall be observed by all employers and employees who are engaged or employed in the Printing, Newspaper and Packaging Industries in the Republic of South Africa and "Industry" shall have the same meaning as defined in clause 3.

3. Definitions

Any expression used in this Scheme which is defined in the Manpower Training Act, 1981, shall have the same meaning as in the Act and any reference to the Act shall include any amendments and any regulations made in terms of the Act and, unless inconsistent with the context—

"**Act**" means the Manpower Training Act, 1981 (Act No. 56 of 1981);

"**Board**" means the Printing, Newspaper and Packaging Industries Training Board;

"**employee**" means any employee, as defined in the Act, who is employed by or who is working for an employer in the Industry;

"**employer**" means any employer, as defined in the Act, who employs or provides work for any employee in the Industry;

"**Fund**" means the Printing, Newspaper and Packaging Industries Training and Development Fund referred to in clause 5;

"**Printing, Newspaper and Packaging Industries**" or "**Industry**" means the industry in its broadest sense in which employers and their employees are

R. 8 van 3 Januarie 1992, met ingang van die tweede Maandag na die datum van publikasie van hierdie kennisgewing, vervang word met die Skema wat in die Bylae hiervan verskyn en bindend is op alle werkgewers en werknemers wat betrokke is by of in diens is in die Druk-, Nuusblad- en Verpakkingsnywerhede in die Republiek van Suid-Afrika. Die Skema sal eindig op die datum van intrekking van die Skema kragtens artikel 39 (3) van die bogenoemde Wet.

L. WESSELS,

Minister van Mannekrag.

BYLAE

OPLEIDINGSKEMA VIR DIE DRUK-, NUUSBLAD- EN VERPAKKINGSNYWERHEDE

Die Opleidingskema vir die Druk-, Nuusblad- en Verpakkingsnywerhede is deur die Suid-Afrikaanse Federasie van Druknywerhede en die Nuusbladpersunie ingestel vir die opleiding van werknemers in die Nywerheid en maak voorsiening vir die stigting van 'n fonds vir die doeleindes van die Skema, die betaling van bydraes aan die fonds deur werkgewers in die Nywerheid en die instelling van 'n opleidingsraad om die fonds, wat as die Opleidings- en Ontwikkelingsfonds vir die Druk-, Nuusblad- en Verpakkingsnywerhede bekend sal staan, te administreer.

1. Naam van die Skema

Die naam van die Skema is die "Opleidingskema vir die Druk-, Nuusblad- en Verpakkingsnywerhede".

2. Toepassingsbestek

Die bepalinge van die Skema moet deur alle werkgewers en werknemers wat betrokke is by of in diens is in die Druk-, Nuusblad- en Verpakkingsnywerhede in die Republiek van Suid-Afrika nagekom word en "Nywerheid" het dieselfde betekenis soos omskryf in klousule 3.

3. Woordomskrywing

Enige uitdrukking wat in hierdie Skema gebruik word en wat omskryf word in die Wet op Mannekragopleiding, 1981, het dieselfde betekenis as in die Wet en enige verwysing na die Wet omvat enige wysigings daarvan en enige regulasie wat kragtens die Wet uitgevaardig word en, tensy uit die samehang anders blyk, beteken—

"**Druk-, Nuusblad- en Verpakkingsnywerhede**" of "Nywerheid" die nywerheid, in sy wydste betekenis, waarin werkgewers en hul werknemers met mekaar geassosieer is vir die produksie van drukwerk en/of vir verpakking van welke aard ook al, en omvat dit werk wat oor die algemeen bekend staan as subkontrauteurswerk, reproduksiehuise en dergelike;

"**Fonds**" die Opleidings- en Ontwikkelingsfonds vir die Druk-, Nuusblad- en Verpakkingsnywerhede bedoel in klousule 5;

"**geskoolde werknemer**" 'n werknemer wat werk verrig wat binne 'n aangewese ambag val;

"**Raad**" die Opleidingsraad vir die Druk-, Nuusblad- en Verpakkingsnywerhede;

associated for the purpose of producing printed matter and/or for the packaging of any nature whatsoever, and includes work commonly known as sub-contract work, reproduction houses and the like;

"Registrar" means the Registrar of Manpower Training appointed in terms of the Act;

"Scheme" means the Training Scheme for the Printing, Newspaper and Packaging Industries; and

"skilled employee" means an employee who performs work in a designated trade.

4. Objects of the Scheme

The objects of the Scheme are to provide the necessary funds—

- 4.1 to ensure an adequate supply of trained employees for the Industry and to assist financially with the training and development of labour for the Industry at all levels; and
- 4.2 to finance the administration of the Board and the objects of the Board as set out in its constitution.

5. Printing, Newspaper and Packaging Industries Training and Development Fund

- 5.1 There is hereby established a fund to be known as the Printing, Newspaper and Packaging Industries Training and Development Fund.
- 5.2 The Fund shall be administered by the Printing, Newspaper and Packaging Industries Training Board.
- 5.3 Into the Fund shall be paid—
 - 5.3.1 training levies in terms of clause 7 of this Scheme;
 - 5.3.2 interests and/or capital appreciation derived from the investment of any moneys of the Fund; and
 - 5.3.3 any other moneys to which the fund may become entitled.
- 5.4 The moneys of the Fund shall be used for the attainment of the objects of the Scheme as set out in clause 4.

6. Establishment and function of the Printing, Newspaper and Packaging Industries Training Board

- 6.1 The Printing, Newspaper and Packaging Industries Training Board shall be established by the Printing Industries Federation of South Africa, The Newspaper Press Union and The South African Typographical Union in accordance with the constitution approved by the Registrar.
- 6.2 The Board shall have the power to deal with all matters falling within the scope of the objects of the Scheme set out in clause 4.

7. Returns and contributions

- 7.1 Every employer shall contribute to the Fund of the Board as follows:
 - 7.1.1 R17,00 (inclusive of VAT) per week for every skilled employee; and

"Registrateur" die Registrateur van Mannekragopleiding, aangestel kragtens die Wet;

"Skema" die Opleidingskema vir die Druk-, Nuusblad- en Verpakkingsnywerhede;

"werkgewer" enige werkgewer, soos omskryf in die Wet, wat werknemers in diens het of werk verskaf aan enige werknemer in die Nywerheid;

"werknemer" enige werknemer, soos omskryf in die Wet, wat in diens is van of wat werksaam is by 'n werkgewer in die Nywerheid; en

"Wet" die Wet op Mannekragopleiding, 1981 (Wet No. 56 van 1981).

4. Doelstellings van die Skema

Die doelstellings van die Skema is om die nodige fondse te voorsien—

- 4.1 om te verseker dat genoeg opgeleide werknemers aan die Nywerheid voorsien word en om finansiële bystand te verleen met die opleiding en ontwikkeling van werknemers vir die Nywerheid op alle vlakke; en
- 4.2 om die administrasie van die Raad en die doelstellings van die Raad soos in sy konstitusie uiteengesit, te finansier.

5. Opleidings- en Ontwikkelingsfonds vir die Druk-, Nuusblad- en Verpakkingsnywerhede

- 5.1 Hierby word 'n fonds ingestel wat bekend staan as die Opleidings- en Ontwikkelingsfonds vir die druk-, Nuusblad- en Verpakkingsnywerhede.
- 5.2 Die Fonds word deur die Opleidingsraad vir die Druk-, Nuusblad- en Verpakkingsnywerhede geadministreer.
- 5.3 In die Fonds word die volgende inbetaal—
 - 5.3.1 opleidingsheffings kragtens klousule 7 van hierdie Skema;
 - 5.3.2 rente en/of kapitale groei wat verkry word uit die belegging van enige gelde van die Fonds; en
 - 5.3.3 enige ander gelde waarop die Fonds geregtig mag word.
- 5.4 Die gelde van die Fonds word aangewend ter bereiking van die doelstellings van die Fonds soos uiteengesit in klousule 4.

6. Instelling en funksies van die Opleidingsraad vir die Druk-, Nuusblad- en Verpakkingsnywerhede

- 6.1 Die Opleidingsraad vir die Druk-, Nuusblad- en Verpakkingsnywerhede word ingestel deur die Suid-Afrikaanse Federasie van Druknywerhede, die Nuusbladpersunie en die Suid-Afrikaanse Tipografiese Unie in ooreenstemming met die konstitusie wat goedgekeur is deur die Registrateur.
- 6.2 Die Raad het die mag om met alle aangeleenthede wat binne die raamwerk van die doelstellings van die Skema val, soos uiteengesit in klousule 4, te handel.

7. Opgawes en bydraes

- 7.1 Elke werkgewer moet soos volg tot die Opleidingsfonds van die Raad bydrae:
 - 7.1.1 R17,00 (BTW ingesluit) per week vir elke geskoolde werknemer; en

- 7.1.2 R2,00 (inclusive of VAT) per week for every other employee employed, irrespective of whether they are members of a trade union or not.
- 7.2 Every employer shall pay the contributions to the Chief Executive of the Board not later than the 15th of the month immediately following the month to which the contributions relate.
- 7.3 Should any amount that is due in terms of this clause not be received by the Board by the 15th day of the month following the month in respect of which it is payable, the employer shall pay interest on such amount or on such lesser amount as remains unpaid, calculated, subject to the provisions of the Prescribed Rate of Interest Act, 1975 (Act No. 55 of 1975), at the rate of one and a half per cent per month or part thereof from such 15th day until the day upon which payment in cash is actually received by the Board: Provided that the Board shall be entitled in its absolute discretion to waive the payment of such interest or part thereof.
- 7.4 Every employer in the Industry shall pay the said contributions to the Fund at P.O. Box 2500, Bellville, 7535, or such other address as may be advised in writing, and posted by prepaid registered post to the employer.

8. Application of the funds

- 8.1 The funds shall be used for the payment of the following:
- 8.1.1 The registration, tuition, examination or other fees charged by the technical college or other institutions which an apprentice or student is required to attend, or from which an apprentice or student is required to take a correspondence course, in terms of the Conditions of Apprenticeship for the Industry as promulgated from time to time in terms of the Manpower Training Act, 1981, as well as the cost of all text books and prescribed books required by an apprentice or student during the course of such tuition;
- 8.1.2 the minimum remuneration, proportionate leave pay and holiday bonus payable to any such apprentice, who is required to attend a technical college or other institution referred to in paragraph 8.1.1;
- 8.1.3 at the sole discretion of the Executive Committee, the cost of travelling and hostel accommodation expenses of apprentices referred to in paragraph 8.1.1 who are required to attend a technical college or other institutions which is not within reasonable daily travelling distance of their homes, and for the purposes of this subclause the decision of the Executive Committee on the question of whether a technical college or other institution is situated within reasonable daily travelling distance of an apprentice's home shall be final;

7.1.2 R2,00 (BTW ingesluit) per week vir elke ander werknemer in diens, ongeag of hulle lede is van 'n vakvereniging al dan nie.

- 7.2 Elke werkgever moet die bydraes voor of op die 15de dag van die maand wat onmiddellik volg op dié waarop die bydraes betrekking het, aan die Hoofuitvoerende Beamppte van die Raad besorg.
- 7.3 Indien 'n bedrag wat ingevolge hierdie klousule verskuldig is, nie teen die 15de dag van die maand wat volg op die maand ten opsigte waarvan dit betaalbaar is, deur die Raad ontvang word nie, moet die werkgever rente betaal op sodanige bedrag of op sodanige kleiner bedrag wat nie betaal is nie, bereken teen die koers van, behoudens die bepalinge van die Wet op Voorgeskrewe Rentekoerse, 1975 (Wet No. 55 van 1975), een en 'n half persent per maand of gedeelte daarvan vanaf sodanige 15de dag tot die dag waarop betaling in kontant werklik deur die Raad ontvang word: Met dien verstande dat die Raad daartoe geregtig is om na goeddunke betaling van sodanige rente of gedeelte daarvan kwyt te skeld.
- 7.4 Elke werkgever in die Nywerheid moet die gemelde bydraes betaal aan die Fonds, Posbus 2500, Bellville, 7535, of sodanige ander adres wat skriftelik verskaf word en per voorafbetaalde aangetekende pos aan die werkgever gestuur word.

8. Aanwending van die fondse

- 8.1 Die fondse word aangewend vir die betaling van die volgende:
- 8.1.1 Die registrasie-, klas-, eksamen- of ander gelde wat gevra word deur die tegniese kollege of ander inrigtings wat 'n vakleerling of student moet bywoon of waarvan hy 'n korrespondensiekursus moet volg ooreenkomstig die Leervoordes van die Nywerheid soos van tyd tot tyd afgekondig word ingevolge die Wet op Mannekragopleiding, 1981, asook die koste van alle hand- en voorgeskrewe boeke wat 'n vakleerling of student gedurende sodanige onderrigkursus nodig het;
- 8.1.2 die minimum besoldiging, proporsionele verlofbesoldiging en vakansiebonus betaalbaar aan 'n vakleerling wat 'n tegniese kollege of ander inrigting ooreenkomstig paragraaf 8.1.1 moet bywoon;
- 8.1.3 na die goeddunke van die Uitvoerende Komitee, die reis- en koshuisakkommodasiekoste van vakleerlinge genoem in paragraaf 8.1.1 wat 'n tegniese kollege of ander inrigting moet bywoon wat nie binne redelike daaglikse reisafstand van hul huise geleë is nie, en vir die toepassing van hierdie subklousule is die beslissing van die Uitvoerende Komitee oor die vraag of 'n tegniese kollege of ander inrigting binne redelike daaglikse reisafstand van 'n vakleerling se huis geleë is, finaal;

8.1.4 the minimum remuneration payable to an apprentice who is required to undergo a trade test at the Central Organisation for Trade Testing at Olifantsfontein, Transvaal, or any other accredited trade testing centre, for the time taken up by such test, including travelling to and from Olifantsfontein or the accredited trade testing centre by the first available train or bus in order to undergo the test;

8.1.5 the following lump sum bonuses payable to a time based apprentice who, during his apprenticeship, obtains the following certificates at a technical college or technical institution in the Republic:

- National Technical Certificate, Part I (N1), National Printers' Certificate, Part I or Technical Theoretical Module I: R400;
- National Technical Certificate, Part II (N2), National Printers' Certificate, Part II or Technical Theoretical Module II: R500;
- National Technical Certificate, Part III (N3) with three subjects, National Printers' Certificate, Part III, with three subjects or Technical Theoretical Module III: R550;
- National Technical Certificate, Part III (N3), with four subjects, or National Printers' Certificate, Part III, with four subjects: R600; and

8.1.6 the lump sum bonuses defined in paragraph 8.1.5 are not applicable to an apprentice who is indentured in terms of the Competency Based Modular Training System.

8.2 The provisions of paragraphs 8.1.1., 8.1.2, 8.1.3, 8.3.1 and 8.4.3 of this Scheme shall, *mutatis mutandis*, apply in respect of a trainee printers' technician who is required to attend a technikon or take a correspondence course towards obtaining the National Diploma in Electrical Engineering.

8.3 Claims:

8.3.1 Claims shall be submitted to the Chief Executive of the Printing, Newspaper and Packaging Industries Training Board, P.O. Box 2500, Bellville, 7535, on forms approved and issued by the Executive Committee and shall be supported by such additional information or documents as the Executive Committee may determine.

8.3.2 Claims shall be submitted within two months of the close of the block course to which they refer or within two months of the trade test or examination, as the case may be.

8.1.4 die minimum besoldiging betaalbaar aan 'n vakleerling wat 'n ambagstoets moet aflê by die Sentrale Organisasie vir Vaktoetse te Olifantsfontein, Transvaal, of enige ander geakkrediteerde vaktoets-sentrum, vir die tyd wat deur so 'n toets in beslag geneem word, met inbegrip van die reistyd na en van Olifantsfontein of die geakkrediteerde vaktoets-sentrum met die eerste beskikbare trein of bus om die toets af te lê;

8.1.5 die volgende enkelbedragbonusse betaalbaar aan 'n tydgebonde vakleerling wat gedurende sy leertyd die volgende sertifikate aan 'n tegniese kollege of tegniese inrigting in die Republiek verwerf:

- Nasionale Tegniese Sertifikaat, Deel I (N1), Nasionale Drukkerssertifikaat, Deel I, of Tegniese Teoretiese Module I: R400;
- Nasionale Tegniese Sertifikaat, Deel II (N2), Nasionale Drukkerssertifikaat, Deel II, of Tegniese Teoretiese Module II: R500;
- Nasionale Tegniese Sertifikaat, Deel III (N3), met drie vakke, Nasionale Drukkerssertifikaat, Deel III, met drie vakke, of Tegniese Teoretiese Module III: R550;
- Nasionale Tegniese Sertifikaat, Deel III (N3), met vier vakke, of Nasionale Drukkerssertifikaat, Deel III, met vier vakke: R600; en

8.1.6 die enkelbedragbonusse, omskryf in paragraaf 8.1.5, is nie van toepassing op 'n vakleerling wat ingeboek is volgens die bepalings van die Bevoegdheidsgerigte Modulêre Opleidingsstelsel nie.

8.2 Die bepalings van paragrawe 8.1.1, 8.1.2, 8.1.3, 8.3.1 en 8.4.3 van hierdie Skema is *mutatis mutandis*, van toepassing in die geval van 'n leerling-drukkerstegnikus van wie daar vereis word om 'n technikon by te woon of 'n korrespondensiekursus te volg ter verkryging van die Nasionale Diploma in Elektriese Ingenieurswese.

8.3 Eise:

8.3.1 Eise moet by die Hoofuitvoerende Beampte van die Opleidingsraad vir die Druk-, Nuusblad- en Verpakkingsnywerhede, Posbus 2500, Bellville, 7535, ingedien word op vorms wat deur die Uitvoerende Komitee goedgekeur en uitgereik word en moet gestaaf word deur dié addisionele inligting of dokumente wat die Uitvoerende Komitee bepaal.

8.3.2 Eise moet ingedien word binne twee maande na die afsluiting van die groepkursus waarop hulle betrekking het of binne twee maande na die aflegging van die vaktoets of eksamen, na gelang van die geval.

8.3.3 Unless otherwise decided by the Executive Committee, no payment shall be made in respect of a late claim nor in respect of a claim where the employer has failed to supply the Executive Committee with all the information or documents require by it.

8.4 Money payable for attending a technical college or institution:

8.4.1 An employer shall advance to the technical college or institution concerned the class or course fees payable by an apprentice who is required, or who in terms of the Conditions of Apprenticeship elects, to attend any practical or theoretical classes or follow correspondence courses and may claim a refund of such fees from the Fund. Should the apprentice fail to produce a certificate from the technical college or institution that he has obtained satisfactory marks for diligence and progress during the year and, subject to authorised absences, attended all the possible number of classes, or in the case of a correspondence course satisfactorily completed the full number of papers during that calendar year, the amount of the fees shall be deducted from the wages of the apprentice by instalments of not more than R10,00 per week. The amount so deducted shall, where applicable, be paid by the employer to the Fund.

8.4.2 An employer shall advance to the technical college or institution concerned the examination fees payable by an apprentice who is required, or who in terms of the Conditions of Apprenticeship elects, to enter for any examination, and may recover the amount advanced from the Fund. Should the apprentice fail to pass the examination, in any subject, the examination fees for that subject shall be deducted by the employer from the wages of the apprentice by instalments of not more than R1,00 per week. The amount so deducted shall, where applicable, be paid by the employer to the Fund.

8.4.3 An employer shall advance the train or bus fare and hostel fees payable by an apprentice, who in order to attend prescribed classes or enter for an examination, is required to live in a college hostel, and may recover the amounts so advanced from the Fund, subject to the apprentice having passed the examination.

9. Finance

9.1 All moneys received shall be deposited into a specific banking account in the name of the Fund, within seven (7) days of receipt thereof.

8.3.3 Tensy die Uitvoerende Komitee anders besluit, word geen betaling gedoen ten opsigte van 'n eis wat laat ingedien word nie en ook nie ten opsigte van 'n eis waar die werkgewer versuim om die Uitvoerende Komitee te voorsien van al die inligting of dokumente wat deur die Komitee vereis word nie.

8.4 Gelde betaalbaar vir die bywoning van 'n tegniese kollege of inrigting:

8.4.1 'n Werkgewer moet aan die betrokke tegniese kollege of inrigting die klas- of kursusgelde voorskiet wat betaalbaar is deur 'n vakleerling en van wie vereis word, of wat ingevolge die Leervooraardes verkies, om praktiese of teoretiese klasse by te woon of korrespondensiekursusse te volg, en kan terugbetaling van sodanige gelde van die Fonds eis. Indien die vakleerling nie 'n sertifikaat van die tegniese kollege of inrigting kan toon dat hy gedurende die jaar bevredigende punte vir werkywer en vordering behaal het en, behoudens gemagtigde afwesigheid, alle moontlike getal klasse bygewoon het, of in die geval van 'n korrespondensiekursus die volle getal werkopdragte voltooi het nie, moet die gelde in paaielemente van hoogstens R10,00 per week van die vakleerling se loon afgetrek word. Die bedrag wat aldus afgetrek word, moet, waar van toepassing, deur die werkgewer aan die Fonds inbetaal word.

8.4.2 'n Werkgewer moet aan die betrokke tegniese kollege of inrigting die eksamen-gelde voorskiet wat betaalbaar is deur 'n vakleerling van wie vereis word, of wat ingevolge die Leervooraardes verkies, om vir 'n eksamen in te skryf, en kan die bedrag wat voorgeskiets is op die Fonds verhaal. Indien die vakleerling in die eksamen in 'n vak druipe, moet die eksamen-gelde vir die vak deur die werkgewer in paaielemente van hoogstens R1,00 per week van die vakleerling se loon afgetrek word. Die bedrag wat aldus afgetrek word moet, waar van toepassing, deur die werkgewer aan die Fonds betaal word.

8.4.3 'n Werkgewer moet die treingeld of busgeld en die koshuisgelde voorskiet wat betaalbaar is deur 'n vakleerling van wie vereis word om by 'n kollegekoshuis in te woon ten einde voorgeskrewe klasse by te woon of vir 'n eksamen in te skryf, en kan die bedrag aldus voorgeskiets op die Fonds verhaal mits die vakleerling die eksamen geslaag het.

9. Finansies

9.1 Alle gelde wat ontvang word, moet in 'n spesifieke bankrekening in die naam van die Fonds gedeponeer word binne sewe (7) dae na die ontvangs daarvan.

9.2 All payments made on behalf of the Fund shall be made by cheque drawn on the specified banking account and shall be signed by the Chief Executive Officer of the Board and co-signed by any other official designated in writing by the Board.

9.3 Funds which are not required for immediate use shall at the discretion of the Board be invested in—

9.3.1 internal registered stock within the meaning of section 21 of the Exchequer Act, 1975 (Act No. 66 of 1975);

9.3.2 National Savings Certificates;

9.3.3 Post Office savings accounts or certificates;

9.3.4 savings accounts, permanent shares or fixed deposits in building societies or banks,

or in such other manner as may be approved by the Registrar.

9.4 The Board shall appoint a public auditor who shall be paid out of the Fund. The accounts of the Fund shall be audited annually for the period ending 31 December. Two copies of the audited accounts shall be made available to the Executive Committee and a copy shall be forwarded to the Registrar. Copies shall also be made available to all contributors to the Fund.

10. Information

The Board shall furnish every employer in the Industry, who is participating in the Scheme, with details concerning the Scheme in such form as it may from time to time determine: Provided that such details shall include at least the constitution of the Scheme and of the Board, the contributions to be made or the levies payable to the Fund, the financial incentives to be provided under the Scheme and the procedure to be followed for the lodging of claims against the Fund, and any other such details as may be deemed necessary.

11. Agents

The Board may appoint agents to give effect to the objects of the Scheme on such terms and under such conditions as the Board may deem fit. The appointment of an agent may be revoked by the Board at any time and for any reason. The agent shall be empowered to enter any establishment and to question the employer or any employee for the purpose of ascertaining whether or not clause 7 is being observed in its entirety.

12. Indemnity

The members of the Board shall not be liable for any loss to the Fund arising from any improper investment made in good faith, or by any act in their *bona fide* administration of the Fund, or by negligence or fraud by any person who may be employed by the Board, or by reason of any act or omission by members or by reason of any other matter or thing save individual wilful or fraudulent wrong-doing on the part of such members who can be held liable.

9.2 Alle betalings wat namens die Fonds gemaak word, moet per tjek getrek word op die spesifieke bankrekening en moet onderteken word deur die Hoofuitvoerende Beamppte van die Raad en medeonderteken word deur enige beamppte wat vir hierdie doel skriftelik deur die Raad aangewys word.

9.3 Fondse wat nie vir die onmiddellike gebruik nodig is nie moet na goeddunke van die Raad belê word in—

9.3.1 binnelandse geregistreerde effekte binne die betekenis van artikel 21 van die Skatkiswet, 1975 (Wet No. 66 van 1975);

9.3.2 Nasionale Spaarsertifikate;

9.3.3 Posspaarbankrekeninge of -sertifikate;

9.3.4 spaarrekeninge, permanente aandele of vaste deposito's in bougenootskappe of banke,

of op enige ander wyse deur die Registrateur goedgekeur.

9.4 Die Raad moet 'n openbare ouditeur aanstel wat uit die Fonds betaal moet word. Die rekening van die Fonds moet jaarliks geouditeer word vir die tydperk eindigende 31 Desember. Twee afskrifte van die geouditeerde rekening moet aan die Uitvoerende Komitee voorgelê word en 'n afskrif moet aan die Registrateur gestuur word. Afskrifte moet tot die beskikking van alle bydraers tot die Fonds gestel word.

10. Inligting

Die Raad moet elke werkgewer in die Nywerheid wat aan die Skema deelneem, voorsien van besonderhede aangaande die Skema in sodanige vorm as wat die Raad van tyd tot tyd mag bepaal: Met dien verstande dat sodanige besonderhede ten minste die konstitusie van die Skema en die Raad, die bydraes en heffings wat aan die Fonds betaalbaar is, die finansiële aansporing wat onder die skema beskikbaar gestel word en die prosedure wat gevolg moet word vir die indiening van eise teen die Fonds en enige sodanige ander inligting as wat nodig geag mag word, moet insluit.

11. Agente

Die Raad kan agente aanstel om uitvoering te gee aan die oogmerke van die Skema ooreenkomstig sodanige bepalinge en onder sodanige voorwaardes as wat die Raad goeddink. Die aanstelling van 'n agent kan op enige tydstip en om enige rede deur die Raad teruggetrek word. Die agent word gemagtig om enige bedryfsinrigting te betree en die werkgewer of enige werknemer te ondervra met die doel om vas te stel of aan klousule 7 in sy geheel voldoen word al dan nie.

12. Vrywaring

Die lede van die Raad is nie aanspreeklik nie vir enige verlies vir die Fonds wat voortspruit uit enige onbehoorlike belegging gemaak te goeder trou, of deur enige optrede in hul *bona fide*-administrasie van die Fonds, of deur die nalatigheid of bedrog van enige persoon in diens van die Raad, of as gevolg van 'n handeling of versuim deur lede, of as gevolg van enige ander saak, uitgesluit individuele opsetlike of bedrieglike optrede van die kant van sodanige lede as wat aanspreeklik gehou kan word.

Any such member shall be reimbursed by the Fund for any liability incurred by him in defending any proceedings, whether civil or criminal, arising out of an allegation involving bad faith in which judgment is given in his favour or in which he is acquitted.

13. Dissolution of the Scheme

Upon termination of the Scheme, the assets of the Fund shall be transferred to the Board for disposal in accordance with clause 16 of its constitution.

14. Exemptions

- 14.1 The Minister of Manpower, or any officer in the service of the Department of Manpower to whom any power to grant exemption from a training scheme in terms of section 47 of the Act has been granted, may grant exemption from any provision of clause 7 of the Scheme after consultation with the Board.
- 14.2 Any application for exemption shall be lodged with the Printing, Newspaper and Packaging Industries Training Board at P.O. Box 2500, Bellville, 7535, which shall forward such application together with the recommendation of the Board to the Director-General: Manpower.

No. R. 596

8 April 1993

LABOUR RELATIONS ACT, 1956

CANCELLATION OF GOVERNMENT NOTICES

INDUSTRIAL COUNCIL FOR THE CLOTHING INDUSTRY, CAPE: PROVIDENT FUND AGREEMENT

I, Leon Wessels, Minister of Manpower, hereby, in terms of section 48 (5) of the Labour Relations Act, 1956, cancel Government Notices Nos. R. 1234 of 30 May 1991 and R. 2510 of 4 September 1992 with effect from the first Monday after the date of publication of this notice.

L. WESSELS,

Minister of Manpower.

No. R. 597

8 April 1993

LABOUR RELATIONS ACT, 1956

CLOTHING INDUSTRY, CAPE: RE-ENACTMENT OF PROVIDENT FUND AGREEMENT

I, Leon Wessels, 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 30 June 1993, upon the employers' organisations and the trade union which entered into the said Agreement and upon the employers and employees who are members of the said organisations or union; and

Enige sodanige lid moet deur die Fonds vergoed word vir enige aanspreeklikheid opgeloopt deur hom in die verdediging van enige vervolging, hetsy siviël of strafregtelik, voortspruitend uit 'n bewering dat hy in kwader trou opgetree het en waarin regspraak in sy guns gelever word of waarvan hy vrygespreek word.

13. Ontbinding van die Skema

By beëindiging van die Skema moet die bates van die Fonds na die Raad oorgedra word vir aanwending ooreenkomstig klousule 16 van die Raad se konstitusie.

14. Vrystellings

- 14.1 Die Minister van Mannekrag, of enige beampte in diens van die Departement van Mannekrag aan wie die bevoegdheid gedelegeer is om vrystelling van 'n opleidingskema ingevolge artikel 47 van die Wet te verleen, kan na oorleg met die Raad vrystelling verleen van enige bepaling van klousule 7 van die Skema.
- 14.2 Enige aansoek om vrystelling moet by die Opleidingsraad vir die Druk-, Nuusblad- en Verpakkingsnywerhede, Posbus 2500, Bellville, 7535, ingedien word, wat sodanige aansoek tesame met die Raad se aanbeveling moet deurstuur aan die Direkteur-generaal: Mannekrag.

No. R. 596

8 April 1993

WET OP ARBEIDSVERHOUDINGE, 1956

INTREKKING VAN GOEWERMENTS-KENNISGEWINGS

NYWERHEIDSRAAD VIR DIE KLERASIENYWERHEID, KAAP: VOORSORGFONDSOOREENKOMS

Ek, Leon Wessels, Minister van Mannekrag, trek hierby, kragtens artikel 48 (5) van die Wet op Arbeidsverhoudinge, 1956, Goewermetskennisgewings Nos. R. 1234 van 30 Mei 1991 en R. 2510 van 4 September 1992 in met ingang van die eerste Maandag na die datum van publikasie van hierdie kennisgewing.

L. WESSELS,

Minister van Mannekrag.

No. R. 597

8 April 1993

WET OP ARBEIDSVERHOUDINGE, 1956

KLERASIENYWERHEID, KAAP: HERBEKRAGTING VAN VOORSORGFONDSOOREENKOMS

Ek, Leon Wessels, Minister van Mannekrag, verklaar hierby—

- (a) kragtens artikel 48 (1) (a) van die Wet op Arbeidsverhoudinge, 1956, dat die bepalings van die Ooreenkoms wat in die Bylae hiervan verskyn en betrekking het op die Onderneming, Nywerheid, Bedryf of Beroep in die opskrif by die kennisgewing vermeld, met ingang van die eerste Maandag na die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 30 Junie 1993 eindig, bindend is vir die werkgewersorganisasies en die vakvereniging wat genoemde Ooreenkoms aangegaan het en vir die werkgewers en werknemers wat lede van genoemde organisasies of vereniging is; en

(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) (a), 2 and 3 shall be binding, with effect from the first Monday after the date of publication of this notice and for the period ending 30 June 1993, upon all employers and employees, other than those referred to in paragraph (a) of this notice, who are engaged or employed in the said Undertaking, Industry, Trade or Occupation in the areas specified in clause 1 of the said Agreement.

L. WESSELS,

Minister of Manpower.

SCHEDULE

INDUSTRIAL COUNCIL FOR THE CLOTHING INDUSTRY (CAPE)

PROVIDENT FUND AGREEMENT

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

Cape Clothing Manufacturers' Association

the

Cape Knitting Industry Association

and the

Garment Manufacturers' Association of the Western Cape

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

South African Clothing and Textile Workers' Union

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

being the parties to the Industrial Council for the Clothing Industry (Cape).

1. SCOPE OF APPLICATION

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

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

(b) in the Magisterial Districts of—

(i) The Cape, Simon's Town, Bellville, Goodwood, Somerset West, Strand and George, on the operations set forth in paragraphs (a) and (b) of the definition "Clothing Industry" in clause 3 of the Agreement published under Government Notice No. R. 678 of 31 March 1983;

(ii) Malmesbury, in respect of that part of the Industry in which employers and employees are associated for the making of all classes of women's and girls' wear, including parts of such garments and cloth belts;

(iii) Wynberg, on the operations set forth in paragraphs (a) and/or (b) and/or (c) of the definition "Clothing Industry" in clause 3 of the said Agreement.

(b) kragtens artikel 48 (1) (b) van genoemde Wet, dat die bepalings van die genoemde Ooreenkoms, uitgesonderd dié vervat in klousules 1 (1) (a), 2 en 3 met ingang van die eerste Maandag na die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 30 Junie 1993 eindig, bindend is vir alle ander werkgewers en werknemers as dié genoem in paragraaf (a) van hierdie kennisgewing wat betrokke is by of in diens is in genoemde Onderneming, Nywerheid, Bedryf of Beroep in die gebiede in klousule 1 van die genoemde Ooreenkoms gespesifiseer.

L. WESSELS,

Minister van Mannekrag.

BYLAE

NYWERHEIDSRAAD VIR DIE KLERASIENYWERHEID (KAAP)

VOORSORGFONDSOOREENKOMS

ooreenkoms die Wet op Arbeidsverhoudinge, 1956, gesluit deur die aangegaan tussen die

Cape Clothing Manufacturers' Association

die

Cape Knitting Industry Association

en die

Garment Manufacturers' Association of the Western Cape

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

South African Clothing and Textile Workers' Union

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

wat die partye is by die Nywerheidsraad vir die Klerasiennywerheid (Kaap).

1. TOEPASSINGSBESTEK

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

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

(b) in die landdrosdistrikte—

(i) Die Kaap, Simonstad, Bellville, Goodwood, Somerset-Wes, Strand en George, ten opsigte van die werksaamhede uiteengesit in paragrafe (a) en/of (b) van die omskrywing "Klerasiennywerheid" in klousule 3 van die Ooreenkoms gepubliseer by Goewermentskennisgewing No. R. 678 van 31 Maart 1983;

(ii) Malmesbury, ten opsigte van die gedeelte van die Nywerheid waarin die werkgewers en die werknemers met mekaar geassosieer is vir die maak van alle klasse kledingstukke vir vroue en meisies, met inbegrip van gedeeltes van sodanige kledingstukke en lapgordels;

(iii) Wynberg, ten opsigte van die werksaamhede uiteengesit in paragrafe (a) en/of (b) en/of (c) van die omskrywing "Klerasiennywerheid" in klousule 3 van genoemde Ooreenkoms.

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

(a) apply only in respect of employees for whom wages are prescribed in the Main Agreement, the Knitting Division Agreement and the Country Areas Agreement;

(b) not apply to employees and working directors whose wages are more than the amount referred to in clause 1 (2) (b) of the Main Agreement of the Council.

(3) Notwithstanding the provisions of subclauses (1) and (2), the terms of this Agreement shall apply in respect of employees and working directors who were contributors as at the date of coming into operation of this Agreement.

2. PERIOD OF OPERATION OF AGREEMENT

This Agreement shall come into operation on a date to be fixed by the Minister of Manpower in terms of section 48 (1) of the Act and shall remain in force for the period ending 30 June 1993 or for such period as may be determined by him.

3. SPECIAL PROVISIONS

The provisions of clause 16 of the Agreement published under Government Notice No. R. 678 of 31 March 1983, as extended, renewed and amended by Government Notice Nos. R. 2719 of 15 December 1983, R. 2434 of 9 November 1984, R. 2671 of 7 December 1984, R. 1065 of 30 May 1986, R. 2338 of 14 November 1986, R. 253 of 6 February 1987, R. 1463 of 22 July 1988, R. 2070 of 14 October 1988, R. 2455 of 2 December 1988, R. 2529 of 17 November 1989, R. 2866 of 7 December 1990, R. 1234 of 30 May 1991 and R. 2510 of 4 September 1992

(hereinafter referred to as the "Former Agreement") as further extended, renewed and amended from time to time, shall apply to employers and employees.

4. GENERAL PROVISIONS

The provisions contained in clauses 3 to 15, 17 and 18 of the Former Agreement, as further extended, renewed and amended from time to time, shall apply to employers and employees.

5. CLAUSE 6 OF THE FORMER AGREEMENT: CONTRIBUTIONS

Substitute the following for subclause (1):

"(1) *Employees' ordinary contributions:* Every employer shall, save as provided in clause 1 (2) (b) of this Agreement, each week deduct from the wages of each of his employees (hereinafter referred to as 'contributor') who has worked during any week, irrespective of the time so worked, an amount equal to 2,0 per cent of his actual basic wage rate and for such purposes a fraction of a cent shall be regarded as one cent when assessing the rate of contributions payable by the contributor and his employer in terms of this clause.

For the purposes of the Fund in assessing the amount of benefits in terms of clause 9 of this Agreement, the employees' ordinary contributions shall be as determined by the Agreement published under Government Notice No. R. 678 of 31 March 1983 or the corresponding provisions of any agreement superseding that Agreement.

Provided that no deductions shall be made from the wages of any contributor who has reached the age of 65 years or has retired from the Fund at an earlier age."

Signed at Salt River, on behalf of the parties, this 16th day of March 1993.

W. F. ALEXANDER,
Chairperson of the Council.

H. MOF,
Vice-Chairperson of the Council.

J. N. VAUGHAN,
Secretary of the Council.

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

(a) van toepassing slegs ten opsigte van werknemers vir wie lone in die Hoofooreenkoms, die Ooreenkoms vir die Brei-afdeling en die Ooreenkoms vir die Platte-land voorgeskryf word;

(b) nie van toepassing nie op werknemers en werkende direkteure wie se lone meer bedra as die bedrag bedoel in klousule 1 (2) (b) van die Hoofooreenkoms van die Raad.

(3) Ondanks subklousules (1) en (2) is hierdie Ooreenkoms van toepassing ten opsigte van werknemers en werkende direkteure wat bydraers was op die datum van inwerkingtreding van hierdie Ooreenkoms.

2. GELDIGHEIDSDUUR VAN OOREENKOMS

Hierdie Ooreenkoms tree in werking op die datum wat die Minister van Mannekrag kragtens artikel 48 (1) van die Wet vasstel, en bly van krag vir die tydperk eindigende 30 Junie 1993 of vir die tydperk wat hy bepaal.

3. SPESIALE BEPALINGS

Die bepalinge soos vervat in klousule 16 van die Ooreenkoms gepubliseer by Goewermentskennisgewing No. R. 678 van 31 Maart 1983, soos verleng, hernieu en gewysig is deur Goewermentskennisgewings Nos. R. 2719 van 15 Desember 1983, R. 2434 van 9 November 1984, R. 2671 van 7 Desember 1984, R. 1065 van 30 Mei 1986, R. 2338 van 14 November 1986, R. 253 van 6 Februarie 1987, R. 1463 van 22 Julie 1988, R. 2070 van 14 Oktober 1988, R. 2455 van 2 Desember 1988, R. 2529 van 17 November 1989, R. 2866 van 7 Desember 1990, R. 1234 van 30 Mei 1991 en R. 2510 van 4 September 1992

(hierna die "Vorige Ooreenkoms" genoem) soos verder verleng, hernieu en gewysig van tyd tot tyd, is van toepassing op sowel werkgewers as werknemers.

4. ALGEMENE BEPALINGS

Die bepalinge soos vervat in klousules 3 tot 15, 17 en 18 van die Vorige Ooreenkoms soos verder verleng, hernieu en gewysig van tyd tot tyd, is van toepassing op sowel werkgewers as werknemers.

5. KLOUSULE 6 VAN DIE VORIGE OOREENKOMS: BYDRAES

Vervang subklousule (1) deur die volgende:

"(1) *Werknemers se gewone bydraes:* Elke werkgever moet, behoudens klousule 1 (2) (b) van hierdie Ooreenkoms, elke week van die loon van elke van sy werknemers (hierna 'bydraer' genoem) wat gedurende 'n week gewerk het, ongeag die tydsduur aldus gewerk, 'n bedrag aftrek gelyk aan 2,0 per sent van sy werklike basiese loon, en vir sodanige doeleindes word 'n breuk van 'n sent as een sent beskou by die vasstelling van die bydraetarief wat ingevolge hierdie klousule deur die bydraer en sy werkgever betaalbaar is.

Wanneer vir die doeleindes van die Fonds, die bedrag van die bystand ingevolge klousule 9 van hierdie Ooreenkoms vasgestel word, is die werknemers se gewone bydraes soos bepaal by die Ooreenkoms gepubliseer by Goewermentskennisgewing No. R. 678 van 31 Maart 1983 of die ooreenstemmende bepalinge van 'n ooreenkoms wat daardie Ooreenkoms vervang.

Met dien verstande dat geen bedrae van die loon van 'n bydraer wat die ouderdom van 65 jaar bereik het of wat op 'n vroeër ouderdom uit die fonds getree het, afgetrek mag word nie."

Namens die partye op hede die 16de dag van Maart 1993 te Soutrivier onderteken.

W. F. ALEXANDER,
Voorsitter van die Raad.

H. MOF,
Ondervoorsitter van die Raad.

J. N. VAUGHAN,
Sekretaris van die Raad.

IMPORTANT ANNOUNCEMENT

Closing times PRIOR TO PUBLIC HOLIDAYS for

LEGAL NOTICES
GOVERNMENT NOTICES **1993**

The closing time is 15:00 sharp on the following days:

- ▶ **31 March**, Wednesday, for the issue of Thursday **8 April**
- ▶ **7 April**, Wednesday, for the issue of Friday **16 April**
- ▶ **13 May**, Thursday, for the issue of Friday **21 May**
- ▶ **9 December**, Thursday, for the issue of Friday **17 December**

Late notices will be published in the subsequent issue. If, under special circumstances, a late notice is being accepted, a double tariff will be charged

The copy for a **SEPARATE Government Gazette** must be handed in not later than three calendar weeks before date of publication

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WETLIKE KENNISGEWINGS
GOEWERMENSKENNISGEWINGS **1993**

Die sluitingstyd is stiptelik 15:00 op die volgende dae:

- ▶ **31 Maart**, Woensdag, vir die uitgawe van Donderdag **8 April**
- ▶ **7 April**, Woensdag, vir die uitgawe van Vrydag **16 April**
- ▶ **13 Mei**, Donderdag, vir die uitgawe van Vrydag **21 Mei**
- ▶ **9 Desember**, Donderdag, vir die uitgawe van Vrydag **17 Desember**

Laat kennisgewings sal in die daaropvolgende uitgawe geplaas word. Indien 'n laat kennisgewing wel, onder spesiale omstandighede, aanvaar word, sal 'n dubbeltarief gehef word

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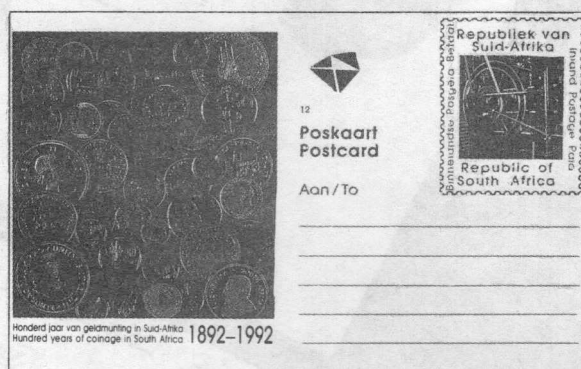
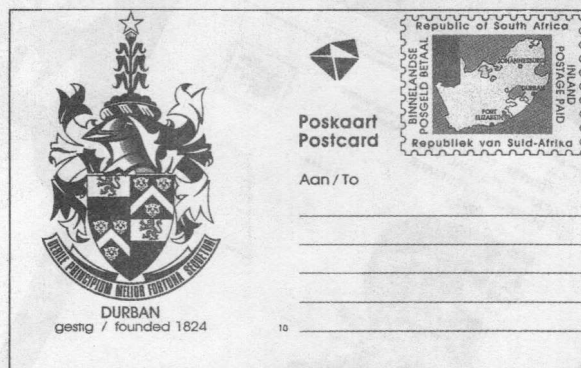
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