

REPUBLIC
OF
SOUTH AFRICA



REPUBLIEK
VAN
SUID-AFRIKA

Government Gazette Staatskoerant

Regulation Gazette

No. 6000

Regulasiekoerant

Vol. 387

PRETORIA, 12 SEPTEMBER 1997

No. 18266

GOVERNMENT NOTICES GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF HEALTH DEPARTEMENT VAN GESONDHEID

No. R. 1185

12 September 1997

PHARMACY ACT, 1974 (ACT No. 53 OF 1974)

REGULATIONS RELATING TO THE RECOGNITION OF QUALIFICATIONS OBTAINED OUTSIDE THE REPUBLIC FOR PURPOSES OF LIMITED REGISTRATION AS A PHARMACIST: AMENDMENT

The Minister of Health has, in terms of section 49 of the Pharmacy Act, 1974 (Act No. 53 of 1974), and on the recommendation of the Interim Pharmacy Council of South Africa, made the regulations in the Schedule.

SCHEDULE

1. In this Schedule "the Regulations" means the regulations published under Government Notice No. R. 2047 of 13 September 1985, as amended by Government Notices Nos. R. 2253 of 4 October 1985, R. 157 of 31 January 1986, R. 150 of 30 January 1987 and R. 1819 of 28 August 1987.

2. The Regulations are hereby amended by the insertion of the following entries:

(a) "Union of Soviet Socialist Republics

Diploma in Pharmacy—Kirovograd Medical School

Diploma in Pharmacy—Leningrad Pharmaceutical School

Provided that the holder thereof—

- (a) is a South African citizen and has been employed as a pharmacist by the Department of Health of any one of the governments of the former Republics of Transkei, Bophuthatswana, Venda and Ciskei prior to 27 April 1994, and is still so employed, on the date of application for limited registration as a pharmacist; or
- (b) is a South African citizen and has been employed as a pharmacist's assistant in the Republic of South Africa prior to 27 April 1994, and is still so employed, on the date of application for limited registration as a pharmacist."

(b) **"Socialist Republic of the Union of Burma**

Bachelor of Science—University of Rangoon with the Diploma in Para Medical Science of the Ministry of Health

Provided that the holder thereof—

- (a) is a South African citizen and has been employed as a pharmacist by the Department of Health of any one of the governments of the former Republics of Transkei, Bophuthatswana, Venda and Ciskei prior to 27 April 1994, and is still so employed, on the date of application for limited registration as a pharmacist; or
- (b) is a South African citizen and has been employed as a pharmacist's assistant in the Republic of South Africa prior to 27 April 1994, and is still so employed, on the date of application for limited registration as a pharmacist."

No. R. 1185

12 September 1997

WET OP APTEKERS, 1974 (WET No. 53 VAN 1974)

REGULASIES BETREFFENDE DIE ERKENNING VAN KWALIFIKASIES BUITE DIE REPUBLIEK VERWERF VIR DOELEINDES VAN BEPERKTE REGISTRASIE AS APTEKER: WYSIGING

Die Minister van Gesondheid het kragtens artikel 49 van die Wet op Aptekers, 1974 (Wet No. 53 van 1974), op aanbeveling van die Interim Aptekersraad van Suid-Afrika, die regulasies in die Bylae uitgevaardig.

BYLAE

1. In hierdie Bylae beteken "die Regulasies" die regulasies afgekondig by Goewermentskennisgewing No. R. 2047 van 13 September 1985, soos gewysig by Goewermentskennisgewings Nos. R. 2253 van 4 Oktober 1985, R. 157 van 31 Januarie 1986, R. 150 van 30 Januarie 1987 en R. 1819 van 28 Augustus 1987.

2. Die Regulasies word hierby gewysig deur die invoeging van die volgende inskrywings:

(a) **"Unie van Sowjet Sosialistiese Republieke**

Diploma in Aptekerswese—Kirovograd Mediese Skool

Diploma in Aptekerswese—Leningrad Farmaseutiese Skool

Op voorwaarde dat die houer daarvan—

- (a) 'n Suid-Afrikaanse burger is en as 'n apteker in diens van die Departement van Gesondheid of voor 27 April 1994 in diens van enige een van die state van die vorige Republieke van Transkei, Bophuthatswana, Venda en Ciskei was en nog steeds is op die datum van aansoek vir beperkte registrasie as 'n apteker; of
- (b) 'n Suid-Afrikaanse burger is en voor 27 April 1994 as 'n aptekers-assistent in diens was in die Republiek van Suid-Afrika en steeds in sodanige diens is op die datum van aansoek vir beperkte registrasie as 'n apteker."

(b) **"Sosialistiese Republiek van die Unie van Burma**

Baccalaureus Scientiae—Universiteit van Rangoon met die Diploma in Para-Mediese Scientiae van die Ministerie van Gesondheid

Op voorwaarde dat die houer daarvan—

- (a) 'n Suid-Afrikaanse burger is en as 'n apteker in diens van die Departement van Gesondheid of voor 27 April 1994 in diens van enige van die state van die vorige Republieke van Transkei, Bophuthatswana, Venda en Ciskei was en nog steeds is op die datum van aansoek vir beperkte registrasie as 'n apteker; of
- (b) 'n Suid-Afrikaanse burger is en voor 27 April 1994 as 'n aptekers-assistent in diens was in die Republiek van Suid-Afrika en steeds in sodanige diens is op die datum van aansoek vir beperkte registrasie as 'n apteker."

SOUTH AFRICAN REVENUE SERVICE SUID-AFRIKAANSE INKOMSTEDIENS

No. R. 1193**12 September 1997**

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE No. 3 (No. 3/366)

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.

T. A. MANUEL

Minister of Finance

SCHEDULE

I Rebate Item	II				III Extent of Rebate	Anno= tations
	Tariff Heading	Rebate Code	C. D.	Description		
315.04	"7213.9	01.05	51	By the insertion before tariff heading No. 74.07 of the following: Bars and rods, hot-rolled, in irregular wound coils, of non-alloy steel containing by mass 0,6 per cent or more of carbon, for the manufacture of stranded wire of wire which is plated, coated or clad with copper, of subheading No. 7312.10	Full duty"	

No. R. 1193**12 September 1997**

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE No. 3 (No. 3/366)

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.

T. A. MANUEL

Minister van Finansies

BYLAE

I Korting= item	II				III Mate van korting	Anno= tasies
	Tarief= pos	Korting= kode	T. S.	Beskrywing		
315.04	"7213.9	01.05	51	Deur voor tariefpos No. 74.07 die volgende in te voeg: Stawe en stange, warmgewals, in onreëlmatige gehaspelde rolle, van nie-legeringstaal, wat volgens massa minstens 0,6 persent koolstof bevat, vir die vervaardiging van stringdraad van draad wat met koper geplateer, bestryk of bedek is, van subpos No. 7312.10	Volle reg"	

DEPARTMENT OF AGRICULTURE**No. R. 1186 12 September 1997****PLANT BREEDERS' RIGHTS ACT, 1976
(ACT No. 15 OF 1976)****REGULATIONS RELATING TO
PLANT BREEDERS' RIGHTS**

The Deputy Minister of Agriculture, acting under section 44 of the Plant Breeders' Rights Act, 1976 (Act No. 15 of 1976), on behalf of the Minister of Agriculture—

- (a) has made the regulations in the Schedule; and
- (b) has repealed the regulations published by Government Notices Nos. R. 2630 of 24 December 1980, R. 37 of 6 January 1984, R. 990 of 3 May 1985, R. 1588 of 1 August 1986, R. 2349 of 14 November 1986, R. 2341 of 16 October 1987, R. 1519 of 14 July 1989, R. 1975 of 15 September 1989, R. 1640 of 13 July 1990, R. 74 of 18 January 1991, R. 989 of 10 May 1991, R. 2415 of 4 October 1991, R. 1493 of 29 May 1992, R. 1561 of 20 August 1993, R. 2039 of 29 October 1993, R. 2534 of 31 December 1993, R. 368 of 25 February 1994, R. 492 of 18 March 1994, R. 1075 of 10 June 1994, R. 1452 of 26 August 1994, R. 831 of 9 June 1995, R. 997 of 7 July 1995, R. 1611 of 20 October 1995, R. 287 of 23 February 1996, R. 1203 of 26 July 1996, R. 95 of 24 January 1997 and R. 308 of 28 February 1997.

Definitions

1. Unless the context otherwise indicates, words and phrases in these regulations shall have the same meaning assigned thereto in the Act, and—

“**Director-General**” means the Director-General: Agriculture; and

“**the Act**” means the Plant Breeders' Rights Act, 1976 (Act No. 15 of 1976).

Kinds of plants in respect of which plant breeders' rights may be granted

2. A plant breeder's right, the contents and mode of exercise of which are as determined in the Act and these regulations, may be granted in respect of varieties of the kinds of plants specified in column 1 of Table 1.

Submission of applications

3. (1) An application for the grant of a plant breeder's right shall be submitted to the registrar on a form which is obtainable from the offices of the registrar in Pretoria for this purpose.

DEPARTEMENT VAN LANDBOU**No. R. 1186 12 September 1997****WET OP PLANTTELEERSREGTE, 1976
(WET No. 15 VAN 1976)****REGULASIES BETREFFENDE
PLANTTELEERSREGTE**

Die Adjunkminister van Landbou, handelende kragtens artikel 44 van die Wet op Planttelersregte, 1976 (Wet No. 15 van 1976), namens die Minister van Landbou—

- (a) het die regulasies in die Bylae uitgevaardig; en
- (b) het die regulasies gepubliseer by Goewermentskennisgewings Nos. R. 2630 van 24 Desember 1980, R. 37 van 6 Januarie 1984, R. 990 van 3 Mei 1985, R. 1588 van 1 Augustus 1986, R. 2349 van 14 November 1986, R. 2341 van 16 Oktober 1987, R. 1519 van 14 Julie 1989, R. 1975 van 15 September 1989, R. 1640 van 13 Julie 1990, R. 74 van 18 Januarie 1991, R. 989 van 10 Mei 1991, R. 2415 van 4 Oktober 1991, R. 1493 van 29 Mei 1992, R. 1561 van 20 Augustus 1993, R. 2039 van 29 Oktober 1993, R. 2534 van 31 Desember 1993, R. 368 van 25 Februarie 1994, R. 492 van 18 Maart 1994, R. 1075 van 10 Junie 1994, R. 1452 van 26 Augustus 1994, R. 831 van 9 Junie 1995, R. 997 van 7 Julie 1995, R. 1611 van 20 Oktober 1995, R. 287 van 23 Februarie 1996, R. 1203 van 26 Julie 1996, R. 95 van 24 Januarie 1997 en R. 308 van 28 Februarie 1997 herroep.

Woordomskrywing

1. Tensy uit die samehang anders blyk, het woorde en uitdrukkings in hierdie regulasies dieselfde betekenis as in die Wet daaraan toegeken, en beteken—

“**die Wet**” die Wet op Planttelersregte, 1976 (Wet No. 15 van 1976); en

“**Direkteur-generaal**” die Direkteur-generaal: Landbou.

Soorte plante ten opsigte waarvan planttelersregte toegestaan kan word

2. 'n Planttelersreg waarvan die inhoud en wyse van uitoefening is soos in die Wet en hierdie regulasies bepaal, kan toegestaan word ten opsigte van variëteite van die soorte plante in kolom 1 van Tabel 1 aangedui.

Indiening van aansoeke

3. (1) 'n Aansoek om die toestaan van 'n planttelersreg moet op 'n vorm wat vir dié doel van die kantore van die registrateur in Pretoria verkrygbaar is, aan die registrateur voorgelê word.

- (2) Such application shall be accompanied by—
- (a) a description, on a technical questionnaire which is obtainable from the offices of the registrar in Pretoria for this purpose, of a typical plant of the variety concerned and of the procedure to be used for the maintenance and reproduction of the variety concerned;
 - (b) such coloured illustrations as are required by the registrar, of a typical plant of the variety concerned;
 - (c) such propagating material as is required by the registrar, of a typical plant of the variety concerned;
 - (d) written proof, where applicable, of the title or authority of the legal representative or agent submitting such application;
 - (e) written authorisation from the breeder or owner of the variety in respect of which an application for a plant breeder's right is submitted;
 - (f) the application fee specified in item 1 of Table 2; and
 - (g) the examination fees as specified in items 4 and 5 of Table 2.

Priority of applications

4. (1) If more than one application for the grant of a plant breeder's right in respect of the same variety is received by the registrar, the registrar shall subject to the provisions of section 8 (2) of the Act, give priority to the application first received.

(2) A claim to give priority in terms of section 8 (2) of the Act to an application for the grant of a plant breeder's right in respect of a variety which is preceded by an application by or on behalf of the same applicant for the protection of the rights in the same variety in a convention country or an agreement country, and which has been deposited in accordance with the laws in force in that country shall—

- (a) be lodged with the registrar on a form which is obtainable from the offices of the registrar in Pretoria for this purpose;
- (b) be lodged within 12 months from the date on which the application for the protection of the rights in the same variety was duly deposited in a convention country or an agreement country; and
- (c) be accompanied by the fee specified in item 2 of Table 2.

(3) Such claim for priority shall within six months from the date on which it was lodged to the registrar, be confirmed by submitting to the registrar a copy, certified as correct by the appropriate authority in the convention country or agreement country in question, of each document which constitutes the relevant preceding application.

(2) So 'n aansoek gaan vergesel van—

- (a) 'n beskrywing, op 'n tegniese vraelys wat vir dié doel van die kantore van die registrateur in Pretoria verkrygbaar is, van 'n tipiese plant van die betrokke variëteit en van die prosedure wat gevolg moet word vir die instandhouding en voortplanting van die betrokke variëteit;
- (b) sodanige gekleurde illustrasies wat die registrateur vereis, van 'n tipiese plant van die betrokke variëteit;
- (c) sodanige voortplantingsmateriaal wat die registrateur vereis, van 'n tipiese plant van die betrokke variëteit;
- (d) skriftelike bewys, waar van toepassing, van die titel of gesag van die regsvertegenwoordiger of agent wat sodanige aansoek indien;
- (e) skriftelike magtiging van die kweker of eienaar van die variëteit ten opsigte waarvan 'n aansoek om 'n planttelersreg ingedien word;
- (f) die aansoekgeld in item 1 van Tabel 2 aangedui; en
- (g) die ondersoekgelde soos aangedui in items 4 en 5 van Tabel 2.

Voorrang van aansoeke

4. (1) Indien meer as een aansoek om die toestaan van 'n planttelersreg ten opsigte van dieselfde variëteit deur die registrateur ontvang is, verleen die registrateur behoudens die bepalings van artikel 8 (2) van die Wet, voorrang aan die aansoek wat eerste ontvang is.

(2) 'n Aanspraak om ingevolge artikel 8 (2) van die Wet voorrang te verleen aan 'n aansoek om die toestaan van 'n planttelersreg ten opsigte van 'n variëteit wat voorafgegaan word deur 'n aansoek deur of namens dieselfde applikant om die beskerming van die regte in dieselfde variëteit in 'n konvensiëland of 'n ooreenkomsland, en wat ingedien is ooreenkomstig die wette wat in so 'n land van krag is, moet—

- (a) by die registrateur, op 'n vorm wat vir dié doel van die kantore van die registrateur in Pretoria verkrygbaar is, aangeteken word;
- (b) binne 12 maande vanaf die datum waarop die aansoek om die beskerming van die regte in dieselfde variëteit behoorlik in 'n konvensiëland of 'n ooreenkomsland neergelê is, aangeteken word; en
- (c) vergesel gaan van die geld in item 2 van Tabel 2 aangedui.

(3) So 'n aanspraak om voorrang moet binne ses maande vanaf die datum waarop dit by die registrateur aangeteken is, bevestig word deur 'n afskrif, as korrek gewaarmerk deur die toepaslike gesag in die betrokke konvensiëland of ooreenkomsland, van elke dokument wat die betrokke voorafgaande aansoek uitmaak, aan die registrateur voor te lê.

(4) The period referred to in section 8 (4) of the Act, within which an application thus given priority shall be confirmed by supplementing it in any respect necessary in order to comply with the requirements of the Act shall be four years: Provided that if the preceding application in a convention country or an agreement country is withdrawn or rejected, the registrar may require that such supplementation be completed at an earlier date.

Denominations for varieties

5. (1) The denomination which is proposed for a variety in terms of regulation 3 (2) (c) shall—

- (a) be suitable to identify the variety;
- (b) not be such as to be liable to mislead or to lead to confusion concerning the characteristics, value or identity of the variety in question or the identity of the breeder thereof;
- (c) be different from each denomination which distinguishes existing varieties of the same or a closely related kind of plant in a convention country or an agreement country;
- (d) subject to the provisions of subregulation (3) not be identical with or similar to, or liable to lead to confusion with a mark which enjoys the protection accorded thereto by the Trade Marks Act, 1963 (Act No. 62 of 1963), and which applies to propagating material or the use in connection therewith or in connection with a product thereof;
- (e) not be inimical to public order or contrary to morality; and
- (f) be the same in all convention countries or agreement countries.

(2) If the registrar considers a denomination proposed for a variety as unsuitable, the applicant concerned shall submit a translation thereof or some other denomination acceptable to the registrar, within two months from the date on which he or she was directed in writing to do so.

(3) Notwithstanding anything to the contrary contained in these regulations—

- (a) a mark referred to in subregulation (1) (d) may only be approved as a denomination for a variety if the applicant concerned submits documentary proof that the holder of the mark concerned renounces his or her right to such mark as from the date on which a plant breeder's right to the variety is granted; and
- (b) the denomination approved by the registrar for a variety in respect of which protection has been granted by, or an application for protection has been lodged with the appropriate authority in a convention country or an agreement

(4) Die tydperk bedoel in artikel 8 (4) van die Wet, waarbinne 'n aansoek waaraan voorrang aldus verleen is, bevestig moet word deur dit aan te vul in elke opsig wat nodig is ten einde aan die voorskrifte van die Wet te voldoen, is vier jaar: Met dien verstande dat indien die voorafgaande aansoek in 'n konvensiëland of ooreenkomsland teruggetrek of verwerp is, die registrateur kan vereis dat sodanige aanvulling op 'n vroeër datum voltooi moet wees.

Benamings vir variëteite

5. (1) Die benaming wat ingevolge regulasie 3 (2) (c) vir 'n variëteit voorgestel word, moet—

- (a) geskik wees om 'n variëteit te identifiseer;
- (b) nie sodanig wees dat dit kan mislei of kan lei tot verwarring betreffende die eienskappe, waarde of identiteit van die betrokke variëteit of die identiteit van die teler daarvan nie;
- (c) verskillend wees van elke benaming wat bestaande variëteite van dieselfde of 'n aanverwante soort plant in 'n konvensiëland of 'n ooreenkomsland onderskei;
- (d) behoudens die bepalings van subregulasie (3) nie identies of soortgelyk wees nie aan, of tot verwarring kan lei nie met 'n merk wat die beskerming deur die Wet op Handelsmerke, 1963 (Wet No. 62 van 1963), daaraan verleen, geniet en wat van toepassing is op voortplantingsmateriaal of die gebruik in verband daarmee of in verband met 'n produk daarvan;
- (e) nie skadelik vir die openbare orde of in stryd met die sedes wees nie; en
- (f) dieselfde wees in alle konvensiëlande of ooreenkomslande.

(2) Indien die registrateur die benaming wat vir 'n variëteit voorgestel word, as ongeskik beskou, moet die betrokke applikant 'n vertaling daarvan of 'n ander benaming wat vir die registrateur aanvaarbaar is, voorlê binne twee maande vanaf die datum waarop hy of sy skriftelik gelas is om dit te doen.

(3) Ondanks enige andersluidende bepalings van hierdie regulasies—

- (a) kan 'n merk in subregulasie (1) (d) bedoel, slegs as 'n benaming vir 'n variëteit goedgekeur word indien die betrokke applikant skriftelik bewys voorlê dat die houer van die betrokke merk afstand doen van sy of haar aanspraak op sodanige merk vanaf die datum waarop 'n planttelersreg aan die variëteit toegestaan word;
- (b) moet die benaming wat deur die registrateur goedgekeur word vir 'n variëteit ten opsigte waarvan beskerming verleen is deur, of aansoek om beskerming gedoen is by, die toepaslike gesag in 'n konvensiëland of 'n

country in accordance with the laws in force in that country shall be the same as the denomination thus protected or thus applied for in such country, on condition however that the provision of subparagraph (a) are complied with and that a priority claim on such denomination is not proved by another person.

(4) When a variety is advertised, offered for sale or marketed, it shall be permitted to associate a trademark, trade name or other similar indication with a registered variety denomination.

(5) A trademark, trade name or other similar indication referred to in section (4) shall not be used alone without the variety denomination which must at all times be easily recognisable.

Publication of applications

6. (1) The particulars specified in item 1 of Table 3 shall be published in terms of section 13 (1) of the Act in respect of an application for the grant of a plant breeder's right which has not been rejected by the registrar in terms of section 11 of the Act.

(2) The particulars specified in item 2 of Table 3 shall be published in terms of section 13 (2) of the Act in respect of an application for the grant of a plant breeder's right which has been withdrawn before a plant breeder's right has been granted in respect of the variety concerned.

Grant of provisional protection

7. An application for a protective direction in terms of section 14 of the Act with a view to the provisional protection of the plant breeder's right which may be granted in respect of a variety shall be submitted on a form which is obtainable from the offices of the registrar in Pretoria for this purpose.

Objections against applications for the grant of plant breeders' rights

8. (1) An objection against an application for the grant of a plant breeder's right shall—

- (a) be lodged with the registrar in writing within six months from the date on which the particulars relating to the application concerned were published in terms of section 13 (1) of the Act;
- (b) state the name and address of the person objecting;
- (c) indicate the published particulars of the application concerned;
- (d) subject to the provisions of section 17 (2) of the Act, state the grounds on which it is based; and
- (e) be accompanied by the fee specified in item 3 of Table 2.

ooreenkomsland ooreenkomstig die wette wat in daardie land van krag is, dieselfde wees as die benaming aldus in daardie land beskerm of waarom aldus aansoek gedoen is, op voorwaarde egter dat aan die bepaling van subparagraaf (a) voldoen word en dat 'n voorkeuraanspraak op sodanige benaming nie deur iemand anders bewys word nie.

(4) Wanneer 'n variëteit geadverteer, vir verkoop aangebied of bemark word, is dit toelaatbaar dat 'n handelsmerk, handelsnaam of ander soortgelyke aanduiding met 'n geregistreerde variëteitsbenaming verbind mag word.

(5) 'n Handelsmerk, handelsnaam of ander soortgelyke aanduiding in subregulasie (4) bedoel, mag nooit alleen sonder die variëteitsbenaming, wat te alle tye maklik herkenbaar moet wees, gebruik word nie.

Publikasie van aansoeke

6. (1) Die besonderhede in item 1 van Tabel 3 aangedui, moet ingevolge artikel 13 (1) van die Wet gepubliseer word ten opsigte van 'n aansoek om die toestaan van 'n planttelersreg wat nie ingevolge artikel 11 van die Wet deur die registrateur verwerp is nie.

(2) Die besonderhede in item 2 van Tabel 3 aangedui, moet ingevolge artikel 13 (2) van die Wet gepubliseer word ten opsigte van 'n aansoek om die toestaan van 'n planttelersreg wat teruggetrek is voordat 'n planttelersreg ten opsigte van die betrokke variëteit toegestaan is.

Verlening van voorlopige beskerming

7. 'n Aansoek om 'n beskermingsbevel ingevolge artikel 14 van die Wet met die oog op die voorlopige beskerming van die planttelersreg wat ten opsigte van 'n variëteit toegestaan kan word, moet op 'n vorm wat vir dié doel van die kantore van die registrateur in Pretoria verkrygbaar is, ingedien word.

Besware teen aansoeke om die toestaan van planttelersregte

8. (1) 'n Beswaar teen 'n aansoek om die toestaan van 'n planttelersreg moet—

- (a) skriftelik by die registrateur aangeteken word binne ses maande vanaf die datum waarop die besonderhede van die betrokke aansoek ingevolge artikel 13 (1) van die Wet gepubliseer is;
- (b) die naam en adres van die persoon wat beswaar maak, verklaar;
- (c) die gepubliseerde besonderhede van die betrokke aansoek aandui;
- (d) behoudens die bepalings van artikel 17 (2) van die Wet, die gronde verklaar waarop dit gebaseer is; en
- (e) vergesel gaan van die geld in item 3 van Tabel 2 aangedui.

(2) The registrar may direct that such objection be substantiated by such proof as may be deemed necessary.

(3) A person thus objecting shall serve a copy of any document and other proof lodged in terms of subregulations (1) and (2) on the person who submitted the application concerned and shall furnish the registrar with proof of such service.

(4) A counter-statement against such objection by the person who has submitted the application concerned shall—

- (a) be lodged with the registrar in writing within 60 days, or such further period as the registrar may allow, from the date on which such person has received the relevant objection and other proof referred to in subregulation (2);
- (b) indicate the published particulars of the application concerned; and
- (c) set out the particulars of each ground upon which any allegation of the person objecting, is contested.

(5) The person lodging such counter-statement shall serve a copy thereof on the person objecting and shall furnish the registrar with proof of such service.

(6) The registrar shall notify the person who objected against the application for the grant of a plant breeder's right, the person who applied for the plant breeder's right and the person or persons appointed to assist him or her in hearing the objection in writing of the date and time on which and the place at which the objection will be heard.

(7) At the hearing of an objection against an application for the grant of a plant breeder's right—

- (a) any person referred to in subregulation (6) will be allowed to call witnesses during the hearing and to cross-examine other witnesses;
- (b) the onus rests with each person to notify his or her witnesses of the date, place and time of the hearing and to ensure their presence at the hearing;
- (c) the person who lodged the objection against an application for the grant of a plant breeder's right shall be allowed to present his or her case first and to call witnesses; and
- (d) the person who applied for the plant breeder's right shall then be allowed to present his or her case and to call witnesses.

(8) After hearing all the evidence, the registrar shall reach a decision and thereafter in writing advise the person objecting and the person who applied for the grant of the plant breeder's right concerned, of his or her decision and of the grounds on which it is based.

(2) Die registrateur kan vereis dat sodanige beswaar gestaaf word met sodanige bewys wat nodig geag word.

(3) Iemand wat aldus beswaar maak, moet 'n afskrif van enige dokument en ander bewys wat ingevolge subregulasies (1) en (2) aangeteken word, aan die persoon wat die betrokke aansoek ingedien het, verskaf en bewys van sodanige verskaffing aan die registrateur voorsien.

(4) 'n Teenverklaring teen sodanige beswaar deur die persoon wat die betrokke aansoek ingedien het, moet—

- (a) skriftelik by die registrateur aangeteken word binne 60 dae, of sodanige verdere tydperk wat die registrateur toelaat, vanaf die datum waarop sodanige persoon die betrokke beswaar en ander bewys in subregulasie (2) bedoel, ontvang het;
- (b) die gepubliseerde besonderhede van die betrokke aansoek aandui; en
- (c) die besonderhede van elke grond uiteensit waarop enige bewering van die persoon wat beswaar aanteken, bestry word.

(5) Die persoon wat so 'n teenverklaring aanteken, moet 'n afskrif daarvan aan die persoon wat die betrokke beswaar ingedien het, verskaf en die registrateur van bewys van sodanige verskaffing voorsien.

(6) Die registrateur moet die persoon wat beswaar gemaak het teen die aansoek om die toestaan van 'n planttelersreg, die persoon wat aansoek om 'n planttelersreg gedoen het en die persoon of persone wat aangestel is om hom of haar by die aanhoor van die beswaar by te staan, skriftelik in kennis stel van die datum en tyd waarop en die plek waar die beswaar aangehoor sal word.

(7) By die verhoor van 'n beswaar teen 'n aansoek om 'n planttelersreg—

- (a) word enige persoon in subregulasie (6) bedoel, toegelaat om getuies in te roep tydens die verhoor en om ander getuies onder kruisverhoor te neem;
- (b) rus die onus op elke persoon om sy of haar getuies in kennis te stel van die datum, plek en tyd van die verhoor en om hulle teenwoordigheid by die verhoor te verseker;
- (c) moet die persoon wat die beswaar teen 'n aansoek om die toestaan van 'n planttelersreg aangeteken het, toegelaat word om sy of haar saak eerste te stel en om getuies in te roep; en
- (d) moet die persoon wat aansoek gedoen het om die planttelersreg dan toegelaat word om sy of haar saak te stel en om getuies in te roep.

(8) Nadat al die getuies aangehoor is, moet die registrateur 'n besluit neem en daarna die persoon wat beswaar gemaak het en die persoon wat aansoek om die betrokke planttelersreg gedoen het, skriftelik van sy of haar besluit en van die gronde waarop dit gebaseer is, in kennis stel.

(9) The registrar shall publish the particulars specified in item 3 of Table 3 in respect of an application for the grant of a plant breeder's right when such application has lapsed because an objection against it has been upheld.

Consideration and examination of applications

9. (1) When the registrar undertakes tests and trials in terms of section 19 (2) of the Act in order to determine whether a variety of a kind of plant specified in column 1 of Table 1, is a variety which qualifies for the grant of a plant breeder's right under section 2 of the Act, the examination fees specified in items 4 and 5 of Table 2 shall be payable to the registrar by the applicant concerned.

(2) The amount payable in respect of the cost of results which are obtained from the appropriate authority in a convention country or an agreement country in terms of section 19 (4) and (6) of the Act shall be the fee determined by the appropriate country and shall be calculated at the rate of exchange between the monetary units of the Republic and the country concerned as on the date of payment of such costs to the appropriate authority concerned.

(3) The amount specified in item 6 of Table 2 shall be payable when the registrar provides the results of tests and trials undertaken by him or her to the appropriate authority in a convention country or an agreement country.

(4) The particulars specified in items 4 and 5 of Table 3 shall respectively be published in respect of—

- (a) a plant breeder's right which has been granted; and
- (b) the refusal to grant a plant breeder's right.

Payment of annual fee

10. (1) The annual fee which is, in terms of section 22 of the Act, payable to the registrar during the currency of a plant breeder's right in respect of a variety of a kind of plant specified in column 1 of Table 1 by the holder of such right shall be the amount specified in item 7 of Table 2.

(2) If the annual fee for a particular year has not been paid prior to or on 31 January of that year, an additional amount of 10 per cent of the appropriate fee referred to in subregulation (1) shall be payable in terms of section 22 (2) of the Act for each month or portion of a month of late payment.

Period of plant breeders' rights

11. The period for which a plant breeder's right in respect of a variety of a kind of plant specified in column 1 of Table 1 is granted shall be as specified in column 3 of the said Table opposite the name of the kind of plant concerned.

(9) Die registrateur moet die besonderhede in item 3 van Tabel 3 aangedui, ten opsigte van 'n aansoek om die toestaan van 'n planttelersreg publiseer wanneer sodanige aansoek verval het omdat 'n beswaar daarteen gehandhaaf is.

Oorweging en ondersoek van aansoeke

9. (1) Wanneer die registrateur toetse en proewe ingevolge artikel 19 (2) van die Wet onderneem ten einde te bepaal of 'n variëteit van 'n soort plant in kolom 1 van Tabel 1 aangedui, 'n variëteit is wat ingevolge artikel 2 van die Wet vir die toestaan van 'n planttelersreg kwalifiseer, is die ondersoekgelde in items 4 of 5 van Tabel 2 aangedui deur die betrokke applikant aan die registrateur betaalbaar.

(2) Die bedrag betaalbaar ten opsigte van die koste van resultate wat ingevolge artikel 19 (4) en (6) van die Wet van die toepaslike gesag in 'n konvensiëland of 'n ooreenkomsland verkry word, is die bedrag wat deur die toepaslike land bepaal is en word bereken teen die wisselkoers tussen die geldeenheide van die Republiek en die betrokke land soos op die datum van betaling van sodanige koste aan die toepaslike gesag.

(3) Die bedrag in item 6 van Tabel 2 aangedui, is betaalbaar wanneer die registrateur die resultate van toetse en proewe deur hom of haar onderneem, aan die toepaslike gesag in 'n konvensiëland of 'n ooreenkomsland voorsien.

(4) Die besonderhede in items 4 en 5 van Tabel 3 aangedui, moet onderskeidelik gepubliseer word ten opsigte van—

- (a) 'n planttelersreg wat toegestaan is; en
- (b) die weiering om 'n planttelersreg toe te staan.

Betaling van jaargeld

10. (1) Die jaargeld wat ingevolge artikel 22 van die Wet, gedurende die geldigheidstermyn van 'n planttelersreg ten opsigte van 'n variëteit van 'n soort plant in kolom 1 van Tabel 1 aangedui, aan die registrateur betaalbaar is deur die houer van sodanige reg, is die bedrag in item 7 van Tabel 2 aangedui.

(2) Indien die jaargeld vir 'n bepaalde jaar nie voor of op 31 Januarie van daardie jaar betaal is nie, is 'n addisionele bedrag van 10 persent van die toepaslike geld in subregulasie (1) bedoel, ingevolge artikel 22 (2) van die Wet betaalbaar vir elke maand of gedeelte van 'n maand van laatbetaling.

Termyn van planttelersregte

11. Die termyn waarvoor 'n planttelersreg ten opsigte van 'n variëteit van 'n soort plant in kolom 1 van Tabel 1 aangedui, toegestaan word, is soos in kolom 3 van voormelde Tabel teenoor die naam van die betrokke soort plant aangedui.

Period of sole rights

11(a). The holder of a plant breeder's right in respect of a variety of a kind of plant specified in column 1 of Table 1 shall during the period specified in column 4 of the said Table opposite the name of the kind of plant in question, have the sole right referred to in section 23 of the Act.

Notice of licences

12. (1) The holder of a plant breeder's right shall notify the registrar on a form which is obtainable from the offices of the registrar in Pretoria for this purpose, of each licence which was issued by him or her in terms of section 25 of the Act.

(2) Such notice shall be submitted to the registrar within 30 days from the date of issue of the licence concerned.

Application for compulsory licences

13. (1) An application for the issue of a compulsory licence in respect of a plant breeder's right shall—

- (a) be submitted in writing to the registrar;
- (b) indicate the published particulars of the application concerned;
- (c) set out the reasons why the applicant concerned considers the refusal by the holder of the plant breeder's right concerned to issue a license, or the conditions imposed to be unreasonable; and
- (d) be accompanied by the fee specified in item 8 of Table 2.

(2) The registrar may direct that such application be substantiated by such proof as he or she may deem necessary.

(3) A person thus applying shall serve a copy of any document and proof submitted in terms of subregulations (1) and (2) on the holder of the plant breeder's right concerned and shall furnish the registrar with proof of service thereof.

(4) The holder of such plant breeder's right may within 60 days from the date of receipt of the document and proof referred to in subregulation (3), or within such further time as the registrar may allow, lodge a counter-statement with the registrar in which the particulars of any ground upon which he or she contests the application concerned are set out.

Transfer of plant breeders' rights

14. (1) The holder of a plant breeder's right shall notify the registrar on a form which is obtainable from the offices of the registrar in Pretoria for this purpose, of the fact that such a right or any part thereof has been transferred to another person.

(2) Such notice shall—

- (a) be submitted within 30 days from the date on which the plant breeder's right concerned or a portion thereof was transferred; and
- (b) be accompanied by the fee specified in item 9 of Table 2.

Tydperk van alleenreg

11(a). Die houer van 'n planttelersreg ten opsigte van 'n variëteit van 'n soort plant in kolom 1 van Tabel 1 aangedui, het gedurende die tydperk in kolom 4 van voormelde Tabel teenoor die naam van die betrokke soort plant aangedui, die alleenreg in artikel 23 van die Wet bedoel.

Kennisgewing van lisensies

12. (1) Die houer van 'n planttelersreg moet die registrateur op 'n vorm wat vir dié doel van die kantore van die registrateur in Pretoria verkrygbaar is, in kennis stel van elke lisensie wat ingevolge artikel 25 van die Wet deur hom of haar uitgereik is.

(2) So 'n kennisgewing moet binne 30 dae vanaf die datum van uitreiking van die betrokke lisensie by die registrateur ingedien word.

Aansoek om verpligte lisensies

13. (1) 'n Aansoek om die uitreiking van 'n verpligte lisensie ten opsigte van 'n planttelersreg moet—

- (a) skriftelik by die registrateur ingedien word;
- (b) die gepubliseerde besonderhede van die betrokke aansoek aandui;
- (c) die redes uiteensit waarom die betrokke applikant meen dat die weiering deur die houer van die betrokke planttelersreg om 'n lisensie uit te reik, of die voorwaardes opgelê, onredelik is; en
- (d) vergesel gaan van die geld in item 8 van Tabel 2 aangedui.

(2) Die registrateur kan vereis dat so 'n aansoek gestaaf word met die bewys wat hy of sy nodig ag.

(3) Iemand wat aldus aansoek doen, moet 'n afskrif van enige dokument en bewys wat ingevolge subregulasies (1) en (2) ingedien is, aan die houer van die betrokke planttelersreg verskaf en bewys van sodanige verskaffing aan die registrateur voorsien.

(4) Die houer van so 'n planttelersreg kan binne 60 dae vanaf die datum van ontvangs van die dokument en bewys in subregulasie (3) bedoel, of binne die verdere tydperk wat die registrateur toelaat, 'n teenverklaring by die registrateur aanteken waarin die besonderhede uiteengesit word van elke grond waarop hy of sy die betrokke aansoek betwis.

Oordrag van planttelersregte

14. (1) Die houer van 'n planttelersreg moet die registrateur op 'n vorm wat vir dié doel van die kantore van die registrateur in Pretoria verkrygbaar is, in kennis stel van die feit dat so 'n reg of 'n deel daarvan aan iemand anders oorgedra is.

(2) So 'n kennisgewing moet—

- (a) binne 30 dae vanaf die datum waarop die betrokke planttelersreg of 'n deel daarvan oorgedra is, ingedien word; en
- (b) vergesel wees van die geld in item 9 van Tabel 2 aangedui.

(3) When the registrar has been notified of the transfer of a plant breeder's right as contemplated in subregulation (1), the particulars specified in item 6 of Table 3, in respect of such transfer shall be published.

Alteration of denominations

15. (1) An application for the alteration or supplementation of the denomination approved for a variety in respect of which a plant breeder's right has been granted shall—

- (a) be submitted to the registrar by the holder of the plant breeder's right concerned on the form which is obtainable from the offices of the registrar in Pretoria for this purpose; and
- (b) be accompanied by the fee specified in item 10 of Table 2.

(2) If the registrar intends to approve the alteration or supplementation of the denomination of a variety, the particulars specified in item 7 of Table 3 in respect thereof shall be published.

(3) An objection against the intended approval of an alteration or supplementation shall—

- (a) be lodged with the registrar in writing within three months from the date on which the particulars thereof were published in terms of section 32 (4) of the Act;
- (b) state the name and address of the person objecting;
- (c) indicate the published particulars of the application concerned;
- (d) state the grounds on which it is based; and
- (e) be accompanied by the fee specified in item 11 of Table 2.

(4) The registrar may direct that such objection be substantiated by such proof as he or she may be deemed necessary.

(5) The registrar shall publish the particulars specified in item 8 of Table 3 in respect of the denomination of a variety after he or she has approved an alteration or supplementation thereof.

Termination of plant breeders' rights

16. (1) An objection against the intended termination of a plant breeder's right of which the holder thereof or the holder of a licence therein has been notified as contemplated in section 33 (2) of the Act shall—

- (a) be lodged in writing by the holder of the plant breeder's right concerned or the holder of a licence therein;
- (b) be lodged with the registrar within 60 days from the date on which a person referred to in paragraph (a) has been notified thereof;
- (c) state the name and address of the person objecting;
- (d) indicate the published particulars of the plant breeder's right concerned;
- (e) state the grounds on which the objection is based; and

(3) Wanneer die registrateur van die oordrag van 'n planttelersreg in kennis gestel is soos in sub-regulasie (1) beoog, moet die besonderhede in item 6 van Tabel 3 aangedui, ten opsigte van sodanige oordrag, gepubliseer word.

Wysiging van benamings

15. (1) 'n Aansoek om die wysiging of aanvulling van die benaming wat goedgekeur is vir 'n variëteit ten opsigte waarvan 'n planttelersreg toegestaan is, moet—

- (a) deur die houer van die betrokke planttelersreg op 'n vorm wat vir dié doel van die kantore van die registrateur in Pretoria verkrygbaar is, by die registrateur ingedien word; en
- (b) vergesel gaan van die geld in item 10 van Tabel 2 aangedui.

(2) Indien die registrateur beoog om die wysiging of aanvulling van die benaming van 'n variëteit goed te keur, moet die besonderhede in item 7 van Tabel 3 aangedui, ten opsigte daarvan gepubliseer word.

(3) 'n Beswaar teen die beoogde goedkeuring van 'n wysiging of aanvulling moet—

- (a) skriftelik by die registrateur aangeteken word binne drie maande vanaf die datum waarop die besonderhede daarvan ingevolge artikel 32 (4) van die Wet gepubliseer is;
- (b) die naam en adres van die persoon wat beswaar maak, verklaar;
- (c) die gepubliseerde besonderhede van die betrokke aansoek, aandui;
- (d) die gronde verklaar waarop dit gebaseer is; en
- (e) vergesel gaan van die geld in item 11 van Tabel 2 aangedui.

(4) Die registrateur kan vereis dat so 'n beswaar gestaaf word met die bewys wat hy of sy nodig ag.

(5) Die registrateur moet die besonderhede in item 8 van Tabel 3 aangedui, ten opsigte van die benaming van 'n variëteit publiseer nadat hy of sy 'n wysiging of aanvulling daarvan goedgekeur het.

Beëindiging van planttelersrege

16. (1) 'n Beswaar teen die voorgename beëindiging van 'n planttelersreg waarvan die houer daarvan of die houer van 'n lisensie daarin in kennis gestel is soos in artikel 33 (2) van die Wet beoog, moet—

- (a) skriftelik deur die houer van die betrokke planttelersreg of die houer van 'n lisensie daarin, aangeteken word;
- (b) binne 60 dae vanaf die datum waarop 'n persoon in paragraaf (a) bedoel, daarvan in kennis gestel is, by die registrateur aangeteken word;
- (c) die naam en adres van die persoon wat beswaar maak, verklaar;
- (d) die gepubliseerde besonderhede van die betrokke planttelersreg aandui;
- (e) die gronde verklaar waarop die beswaar gebaseer is; en

- (f) be accompanied by the fee specified in item 12 of Table 2.

(2) The registrar shall publish the particulars specified in item 9 of Table 3 in respect of the termination of a plant breeder's right.

(3) The holder of a plant breeder's right shall return the certificate of registration issued in respect thereof to the registrar within 30 days from the date of the publication referred to in subregulation (2).

Voluntary surrender of plant breeders' rights

17. (1) A notice by the holder of a plant breeder's right that he or she is surrendering such a right, shall—

- (a) be submitted to the registrar on a form which is obtainable from the offices of the registrar in Pretoria for this purpose; and
- (b) be accompanied by—
 - (i) the fee specified in item 13 of Table 2; and
 - (ii) the certificate of registration issued in respect of the plant breeder's right concerned.

(2) The registrar shall publish the particulars specified in item 10 of Table 3 in respect of the voluntary surrender of a plant breeder's right.

Recognition of agents

18. (1) The registrar may recognise a person as an agent if he or she is satisfied that such person—

- (a) is of good standing; and
- (b) has suitable qualifications and adequate experience;

and is therefore able to represent a person applying for the grant of a plant breeder's right or the holder of such right and to further the interests of such person or holder.

(2) A notice in connection with the designation or substitution of an agent shall—

- (a) be furnished by a person who has applied for the grant of a plant breeder's right or by the holder of such right;
- (b) be submitted to the registrar on a form which is obtainable from the offices of the registrar in Pretoria for this purpose; and
- (c) be submitted within 30 days from the date on which such designation or substitution has come into effect.

Notice of change of address

19. Any change of the address which, for purposes of correspondence is specified in an application for the grant of a plant breeder's right, or of an address entered in the register, shall—

- (1) as the case may be, be furnished by—
 - (a) the person who has applied for the grant of the plant breeder's right concerned;

- (f) vergesel gaan van die geld in item 12 van Tabel 2 aangedui.

(2) Die registrateur moet die besonderhede in item 9 van Tabel 3 aangedui, ten opsigte van die beëindiging van 'n planttelersreg publiseer.

(3) Die houer van 'n planttelersreg moet die sertifikaat van registrasie wat ten opsigte daarvan uitgereik is, binne 30 dae vanaf die datum van die publikasie in subregulasie (2) bedoel, aan die registrateur terugstuur.

Vrywillige afstanddoening van planttelersregte

17. (1) 'n Kennisgewing deur die houer van 'n planttelersreg dat hy of sy afstand doen van so 'n reg moet—

- (a) by die registrateur, op 'n vorm wat vir dié doel van die kantore van die registrateur in Pretoria verkrygbaar is, ingedien word; en
- (b) vergesel gaan van—
 - (i) die geld in item 13 van Tabel 2 aangedui; en
 - (ii) die sertifikaat van registrasie wat ten opsigte van die betrokke planttelersreg uitgereik is.

(2) Die registrateur moet die besonderhede in item 10 van Tabel 3 aangedui, ten opsigte van die vrywillige afstanddoening van 'n planttelersreg publiseer.

Erkenning van agente

18. (1) Die registrateur kan 'n persoon as 'n agent erken indien hy of sy oortuig is dat sodanige persoon—

- (a) van goeie naam is;
- (b) oor geskikte kwalifikasies en voldoende ervaring beskik;

en daarom in staat is om 'n persoon wat aansoek om die toestaan van 'n planttelersreg doen of die houer van so 'n reg, te verteenwoordig en om die belange van sodanige persoon of houer te bevorder.

(2) 'n Kennisgewing in verband met die aanwysing of vervanging van 'n agent moet—

- (a) deur iemand wat aansoek om die toestaan van 'n planttelersreg gedoen het of deur die houer van so 'n reg verstrekk word;
- (b) by die registrateur op 'n vorm wat vir dié doel van die kantore van die registrateur in Pretoria verkrygbaar is, ingedien word; en
- (c) ingedien word binne 30 dae vanaf die datum waarop sodanige aanwysing of vervanging in werking getree het.

Kennisgewing van adresverandering

19. Enige verandering van die adres wat vir korrespondensiedoeleindes in 'n aansoek om die toestaan van 'n planttelersreg aangedui is, of van 'n adres wat in die register aangeteken is, moet—

- (1) na gelang van die geval, verstrekk word deur—
 - (a) die persoon wat aansoek om die toestaan van die betrokke planttelersreg gedoen het;

- (b) the holder of the plant breeder's right concerned;
 - (c) the legal representative or agent of such applicant or holder; or
 - (d) the person to whom a licence or compulsory licence has been issued in respect of the plant breeder's right concerned;
- (2) be submitted to the registrar on a form which is obtainable from the offices of the registrar in Pretoria for this purpose; and
- (3) be submitted within 30 days from the date on which such change of address has come into effect.

Register of plant breeders' rights

20. (1) In the register of plant breeders' rights referred to in section 4 of the Act shall be entered—

- (a) the kind of plant to which each variety belongs;
- (b) the denomination of each variety and any approved alteration thereof;
- (c) the principal characteristics of each variety and, where varieties are produced by a cross between certain hereditary components, the principal characteristics of such components;
- (d) the full name and address of the original breeder of each variety;
- (e) the name and address of the holder of the plant breeder's right in each variety and the name and address of each person to whom such right has been transferred;
- (f) the name and address of the person who has been appointed as the agent of any person referred to in paragraph (e);
- (g) the date of inception of the plant breeder's right in each variety;
- (h) the date on which a plant breeder's right ceases to exist and the reason therefor;
- (i) the name and address of each person to whom a licence or a compulsory licence has been issued in terms of the Act for the use of a plant breeder's right; and
- (j) such other particulars as the registrar may, subject to the provisions of the Act, deem necessary.

(2) The fee specified in item 14 of Table 2 shall be payable by a person requesting inspection of the register of plant breeders' rights.

Inspection in and copies of documents

21. (1) Any person—

- (a) desiring to inspect a document submitted to the registrar in connection with an application for the grant of a plant breeder's right;
- (b) requiring a copy of any particulars in the register, or of a document referred to in paragraph (a); or

- (b) die houer van die betrokke planttelersreg;
- (c) die regsverteenwoordiger of agent van sodanige applikant of houer; of
- (d) die persoon aan wie 'n lisensie of verpligte lisensie ten opsigte van die betrokke planttelersreg uitgereik is;

- (2) by die registrateur op 'n vorm wat vir dié doel van die kantore van die registrateur in Pretoria verkrygbaar is, ingedien word; en
- (3) binne 30 dae vanaf die datum waarop sodanige adresverandering in werking getree het, ingedien word.

Register van planttelersregte

20. (1) In die register van planttelersregte in artikel 4 van die Wet bedoel, word aangeteken—

- (a) die soort plant waartoe elke variëteit behoort;
- (b) die benaming van elke variëteit en elke goedgekeurde verandering daarvan;
- (c) die belangrikste eienskappe van elke variëteit en, waar variëteit voortgebring deur 'n kruising tussen sekere oorerflike komponente, die belangrikste eienskappe van sodanige komponente;
- (d) die volle naam en adres van die oorspronklike teler van elke variëteit;
- (e) die naam en adres van die houer van die planttelersreg in elke variëteit en die naam en adres van elke persoon aan wie sodanige reg oorgedra is;
- (f) die naam en adres van enige persoon wat as die agent van 'n persoon in paragraaf (e) bedoel, aangestel is;
- (g) die aanvangsdatum van die planttelersreg in elke variëteit;
- (h) die datum waarop 'n planttelersreg ophou om te bestaan en die rede daarvoor;
- (i) die naam en adres van elke persoon aan wie 'n lisensie of 'n verpligte lisensie ingevolge die Wet uitgereik is vir die gebruik van 'n planttelersreg; en
- (j) sodanige ander besonderhede as wat die registrateur, behoudens die bepalings van die Wet, nodig ag.

(2) Die geld in item 14 van Tabel 2 aangedui, is betaalbaar deur iemand wat insae in die register van planttelersregte versoek.

Insae in en afskrifte van dokumente

21. (1) Enige persoon—

- (a) wat insae in 'n dokument verlang wat in verband met 'n aansoek om die toestaan van 'n planttelersreg by die registrateur ingedien is;
- (b) wat 'n afskrif van enige besonderhede in die register, of van 'n dokument in paragraaf (a) bedoel, verlang; of

- (c) requiring a certificate by the registrar in connection with particulars or a document referred to in paragraph (b);

shall apply therefor on a form which is obtainable from the offices of the registrar in Pretoria for this purpose.

(2) Such application shall be accompanied by the appropriate application fees specified in items 15, 16 and 17 of Table 2.

Appeal to the minister

22. (1) An appeal in terms of section 42 of the Act, shall—

- (a) be lodged with the Director-General in writing within 60 days from the date on which the registrar has given the appellant written notice of the decision or action concerned;
- (b) state the reference number and the date of the document by means of which such appellant was notified of that decision or action;
- (c) state the grounds on which the appeal is based; and
- (d) be accompanied by the fee specified in item 18 of Table 2.

(2) An appeal shall—

- (a) when forwarded by post, be addressed to—

The Director-General: Agriculture
Private Bag X250
PRETORIA
0001; or

- (b) when delivered by hand, be delivered to—

The Director-General: Agriculture
Dirk Uys Building
Hamilton Street
PRETORIA.

Remuneration of chairperson and members of appeal boards

23. A person who is appointed in terms of section 42 (2) (a) of the Act, as a member of an appeal board, and who is not an officer, shall be remunerated according to Category C of the Manual for the Application of the System for the Administration of the Service Benefit Packages for Office-bearers of Certain Statutory and other Institutions.

Payment of fees

24. (1) Postage on and delivery costs of any application or document submitted in terms of these regulations, as well as on or of anything else pertaining thereto, shall be prepaid.

(2) Any fee payable in terms of these regulations, shall be paid by means of a cheque, postal order or money order made out in favour of the Director-General: Agriculture: Provided that if such fee is delivered by hand, it may be paid in cash.

- (c) wat 'n sertifikaat deur die registrateur verlang in verband met besonderhede of 'n dokument in paragraaf (b) bedoel;

moet op 'n vorm wat vir dié doel van die kantore van die registrateur in Pretoria verkrygbaar is, daarom aansoek doen.

(2) So 'n aansoek moet van die toepaslike aansoekgelde in items 15, 16 en 17 van Tabel 2 aangedui, vergesel gaan.

Appel by die minister

22. (1) 'n Appel ingevolge artikel 42 van die Wet moet—

- (a) skriftelik by die Direkteur-generaal aangeteken word binne 60 dae vanaf die datum waarop die registrateur die appellant skriftelik van die betrokke beslissing of stap kennis gegee het;
- (b) die verwysingsnommer en datum van die dokument deur middel waarvan so 'n appellant van daardie beslissing of stap kennis gegee is, vermeld;
- (c) die gronde verklaar waarop die appel gebaseer is; en
- (d) vergesel gaan van die geld in item 18 van Tabel 2 aangedui;

(2) 'n Appel moet—

- (a) wanneer per pos gestuur, geadresseer wees aan—

Die Direkteur-generaal: Landbou
Privaatsak X250
PRETORIA
0001; of

- (b) wanneer per hand afgelewer, afgelewer word by—

Die Direkteur-generaal: Landbou
Dirk Uysgebou
Hamiltonstraat
PRETORIA.

Besoldiging van voorsitter en lede van appèlrade

23. 'n Persoon wat ingevolge artikel 42 (2) (a) van die Wet as lid van 'n appèlraad aangestel is en wat nie 'n beampte is nie, sal besoldig word volgens Kategorie C van die Handleiding vir die Toepassing van die Stelsel vir die Administrering van die Diensvoordele-pakkette vir Ampsdraers van sekere Statutêre en ander Instellings.

Betaling van gelde

24. (1) Posgeld op en afleweringskoste van 'n aansoek of dokument wat ingevolge hierdie regulasies ingedien word, asook op of van enigiets anders in verband daarmee, moet vooruitbetaal word.

(2) Enige geld wat ingevolge hierdie regulasies betaalbaar is, moet per tjek, posorder of poswissel wat ten gunste van die Direkteur-generaal: Landbou uitgemaak is, betaal word: Met dien verstande dat indien sodanige geld per hand afgelewer word, dit in kontant betaal kan word.

(3) Subject to the provisions of section 42 (8) of the Act, fees which are paid in terms of these regulations shall not be repayable.

Address for the submission of documents

25. Any application, notice, objection or other document which is to be submitted to the registrar in terms of these regulations shall—

(a) when forwarded by post, be addressed to—

The Registrar of Plant Breeders' Rights
Private Bag X258
PRETORIA
0001; or

(b) when delivered by hand, be addressed to or delivered to—

The Registrar of Plant Breeders' Rights
Directorate: Plant and Quality Control
Block V—Agriculture Building
Hamilton Street
PRETORIA.

(3) Behoudens die bepalinge van artikel 42 (8) van die Wet is gelde wat ingevolge hierdie regulasies betaal is, nie terugbetaalbaar nie.

Adres van indiening van dokumente

25. Enige aansoek, kennisgewing, beswaar of ander dokument wat ingevolge hierdie regulasies by die registrateur ingedien moet word, moet—

(a) wanneer per pos gestuur, geadresseer wees aan—

Die Registrateur van Planttelersregte
Privaatsak X258
PRETORIA
0001; of

(b) wanneer per hand afgelewer, geadresseer wees aan of afgelewer word by—

Die Registrateur van Planttelersregte
Direktoraat: Plant- en Gehaltebeheer
Blok V—Landbougebou
Hamiltonstraat
PRETORIA.

TABLE 1 • TABEL 1

KINDS OF PLANTS AND PERIODS OF RIGHTS
SOORTE PLANTE EN TERMYNE VAN REGTE

[Reg. 11; 11(a)]

1 Kind of plant/Soort plant		2	3	4
Botanical name Botaniese naam	Common name Gewone naam	Category Kategorie	Period of plant breeder's right (years) Termyn van Planttelers- reg (jare)	Period of sole right (years) Termyn van alleenreg (jare)
<i>Abutilon</i> Mill. (All/Alle Spp.)	Flowering maple, Chinese lantern/ Blomwattel, Chinese lantern	B	25	8
<i>Acacia podalyriifolia</i> A. Cunn. ex G. Don	Queensland silver wattle, Pearl acacia/Lierwattel, Vaalmimosa	B	25	8
<i>Actinidia chinensis</i> Planch.	Kiwifruit/Kiwivrug	B	25	8
<i>Agapanthus</i> L'Hérit. (All/Alle spp.)	Agapanthus, Blue lily/Agapant, Blou- kandelaar, Bloulelie	A	20	5
<i>X Agrotriticum</i> Ciferri et Giacom. (<i>Agro- pyron</i> x <i>Triticum</i>)	Agrotriticum	A	20	5
<i>Allium cepa</i> L.	Onion/Ui	A	20	5
<i>Aloe</i> L. (All/Alle spp.)	Aloe/Aalwyn	A	20	5
<i>Alstroemeria</i> L. (All/Alle spp.)	Peruvian lily, Inca lily/Perulelie, Inka- lelie	A	20	5
<i>Ananas comosus</i> (L.) Merrill	Pineapple/Pynappel	B	25	8
<i>Antheophora pubescens</i> Nees	Bottle brush grass/Borseltjiegras	A	20	5
<i>Anthurium</i> Schott (All/Alle spp.)	Anthurium	A	20	5
<i>Arachis</i> L. (All/Alle spp.)	Groundnut/Grondboon	A	20	5
<i>Arctotis</i> L. (All/Alle spp.)	Arctotis/Gousblom	A	20	5

1		2	3	4
Kind of plant/Soort plant				
Botanical name Botaniese naam	Common name Gewone naam	Category Kategorie	Period of plant breeder's right (years) Termyn van Planttelers- reg (jare)	Period of sole right (years) Termyn van alleenreg (jare)
<i>Argyranthemum</i> Webb ex Sch. Bip. (All/Alle spp.)	Daisy bush, White marguerite/Made- liefiebos	A	20	5
<i>Aster</i> L. (All/Alle spp.)	Michaelmas daisy, Star wort, Frost flower/Michaelmas madeliefie	A	20	5
<i>Aulax</i> Berg	Aulax	B	25	8
<i>Avena</i> L. (All/Alle spp.)	Oats/Hawer	A	20	5
<i>Barleria</i> L. (All/Alle spp.)	Barleria	A	20	5
<i>Begonia</i> L. (All/Alle spp.)	Begonia	A	20	5
<i>Bergenia</i> Moench. (All/Alle spp.)	Elephant's ear, Siberian saxifrage/ Siberiese steenbreek	A	20	5
<i>Beta vulgaris</i> L. subsp. <i>vulgaris</i> var. <i>con-</i> <i>ditiva</i> Alef.	Garden beet/Tuinbeet	A	20	5
<i>Bougainvillea</i> Comm. ex Juss. (All/Alle spp.)	Bougainvillea	A	20	5
<i>Brachiaria brizantha</i> (Hochst. ex A. Rich.) Stapf	Bread grass/ Broodsijnjaalgras	A	20	5
<i>Brachycome</i> Cass. (All/Alle spp.)	Swan river daisy/Australiese made- liefie	A	20	5
<i>Brassica napus</i> L.	Forage rape/Weikool	A	20	5
<i>Brassica napus</i> L. var. <i>napobrassica</i> (L.) Reichb.	Swede/Sweedse raap	A	20	5
<i>Brassica oleracea</i> L. convar. <i>acephala</i> (DC.) Alef.	Fodder kale/Beeskool	A	20	5
<i>Brassica oleracea</i> L. convar. <i>acephala</i> (DC.) Alef. var. <i>sabellica</i> L.	Curly kale/Boerkool	A	20	5
<i>Brassica oleracea</i> L. convar. <i>botrytis</i> (L.) Alef. var. <i>botrytis</i> L.	Cauliflower/Blomkool	A	20	5
<i>Brassica oleracea</i> L. convar. <i>capitata</i> (L.) Alef. var. <i>capitata</i> (L.) Alef.	Cabbage/Kopkool	A	20	5
<i>Brassica oleracea</i> L. convar. <i>capitata</i> (L.) Alef. var. <i>sabauda</i> L.	Savoy cabbage/Savojekool, Savoi- kool	A	20	5
<i>Brassica rapa</i> L. var. <i>rapa</i> (L.) Thell.....	Turnip/Raap	A	20	5
<i>Bromus catharticus</i> Vahl	Rescue grass/Reddingsgras	A	20	5
<i>Brunia</i> Lam. (All/Alle spp.)	Brunia/Stompie	B	25	8
<i>Callistemon</i> R. Br. (All/Alle spp.)	Bottle brush/Bottelborsel, Perdestert	B	25	8
<i>Camellia</i> L. (All/Alle spp.)	Camellia, Japonica/Kamellia, Japonika	B	25	8
<i>Camellia sinensis</i> (L.) O. Kuntze (= <i>Thea sinensis</i> L.)	Tea/Tee	B	25	8
<i>Canna</i> L. (All/Alle spp.)	Canna/Kanna	A	20	5
<i>Capsicum</i> L. (All/Alle spp.)	Pepper, Paprika/Rissie, Paprika	A	20	5
<i>Carica papaya</i> L.	Pawpaw/Papaja	B	25	8
<i>Carya illinoensis</i> (Wangenh.) K. Koch..	Pecan nut/Pekanneut	B	25	8
<i>Cenchrus ciliaris</i> L.	Blue buffalo grass/Bloubuffelgras	A	20	5
<i>Chamaelucium</i> Desf. (All/Alle spp.)	Wax flower, Wax plant/Wasblom, Wasplant	B	25	8
<i>Cheiranthus</i> L. (All/Alle spp.)	Wall flower/Muurbloem	A	20	5
<i>Chloris gayana</i> Kunth	Rhodes grass/Rhodesgras	A	20	5
<i>Chrysanthemum</i> L. (All/Alle spp.)	Chrysanthemum/Krisant, Aster	A	20	5
<i>Citharexylum</i> Mill. (All/Alle spp.)	Fiddlewood/Vioolhout	B	25	8
<i>Citrullus lanatus</i> (Thunb.) Matsum. et Nakai	Watermelon/Waatlemoen, Maka- taan	A	20	5

1		2	3	4
Kind of plant/Soort plant				
Botanical name Botaniese naam	Common name Gewone naam	Category Kategorie	Period of plant breeder's right (years) Termyn van Planttelers- reg (jare)	Period of sole right (years) Termyn van alleenreg (jare)
<i>Citrus</i> L. (All/Alle spp.)	Sweet orange, Lemon, Grapefruit, Loose skin citrus types, Other citrus (Bitter Seville, Lime, Kumquat)/Soetlemoen, Suur- lemoen, Pomelo, Losskil sitrus- soorte, Ander sitrus (Bitter Seville, Lemmetjie, Kumkwat)	B	25	8
<i>Clivia</i> Lindl. (All/Alle spp.)	Bush lily/Boslelie	A	20	5
<i>Coffea arabica</i> L.	Coffee/Koffie	B	25	8
<i>Coprosma</i> J. R. Forster et G. Forster (All/Alle spp.)	Mirror plant/Spieëlplant	A	20	5
<i>Cordyline</i> Comm. ex Juss. (All/Alle spp.)	Dragon tree/Drakeboom	A	20	5
<i>Cucumis</i> L. (All/Alle spp.)	Sweet melon, Cucumber/Span- spek, Komkommer	A	20	5
<i>Cucurbita</i> L. (All/Alle spp.)	Pumpkin, Squash/Fampoen, Skorsie	A	20	5
<i>Cupressus</i> L. (All/Alle spp.)	Cypress/Sipres	B	25	8
<i>Cyathea</i> Sm. (All/Alle spp.)	Tree fern/Boomvaring	B	25	8
<i>Cydonia</i> Mill. (All/Alle spp.)	Quince/Kweper	B	25	8
<i>Cynodon</i> L. (All/Alle spp.)	Bermuda grass, Couch grass/ Bermudagras, Kweekgras	A	20	5
<i>Cyrtanthus</i> L. f. (All/Alle spp.)	Fire lily/Vuurlelie	A	20	5
<i>Dactylis glomerata</i> L.	Cocksfoot/Kropaargras	A	20	5
<i>Daucus carota</i> L.	Carrot/Geelwortel	A	20	5
<i>Dendranthema</i> (DC.) Desm. (All/Alle spp.)	Crysanthemum/Krisant	A	20	5
<i>Dianthus caryophyllus</i> L.	Carnation/Angelier	A	20	5
<i>Diascia</i> Link et Otto (All/Alle spp.)	Twinspur/Pensie	A	20	5
<i>Dieffenbachia</i> Schott (All/Alle spp.)	Dieffenbachia, Dumb cane/Stomriet, Verdoofblaar	A	20	5
<i>Digitaria eriantha</i> Steud.	Smuts finger grass/Smutsvingergras	A	20	5
<i>Dimorphotheca</i> Vaill. ex Moench (All/Alle spp.)	Bitou, Daisy / Bietou, Madeliefie, Magrietjie	A	20	5
<i>Dipladenia</i> A. DC. (See/Sien <i>Mandevilla</i> Lindl.)				
<i>Duranta</i> L. (All/Alle spp.)	Forget-me-not tree/Vergeet-my-nie- boom	A	20	5
<i>Eragrostis curvula</i> (Schrud.) Nees	Weeping lovegrass/Oulandsgras	A	20	5
<i>Eragrostis tef</i> (Zucc.) Trotter	Teff/Tefgras	A	20	5
<i>Erica</i> L. (All/Alle spp.)	Heath/Heide	B	25	8
<i>Eucalyptus</i> L'Hér. (All/Alle spp.)	Eucalypt, gumtree/Bloekom	B	25	8
<i>Euonymus</i> L. (All/Alle spp.)	Spindle tree/Speekbeenboom	A	20	5
<i>Eupatorium</i> L. (All/Alle spp.)	Eupatorium	A	20	5
<i>Euphorbia pulcherrima</i> Willd. ex Klotzsch	Poinsettia/Poinsettia, Karlienblom	A	20	5
<i>Festuca arundinacea</i> Schreber	Tall fescue/Langswenkgras	A	20	5
X <i>Festulolium</i> Aschers. et Graebn. (<i>Fes- tuca x Lolium</i>).	Festulolium, Hybrid fescue/Baster swenkgras	A	20	5
<i>Ficus</i> L.	Fig tree, Rubber plant/Vyeboom, Rub- berboom	B	25	8
<i>Fragaria ananassa</i> X Duchesne	Strawberry/Aarbei	A	20	5
<i>Freesia</i> Klatt (All/Alle spp.)	Freesia/Freesia, Kammetjie	A	20	5

1		2	3	4
Kind of plant/Soort plant				
Botanical name Botaniese naam	Common name Gewone naam	Category Kategorie	Period of plant breeder's right (years) Termyn van Planttelers- reg (jare)	Period of sole right (years) Termyn van alleenreg (jare)
<i>Fuchsia</i> L. (All/Alle spp.)	Fuchsia, Ladies' eardrops/Fuchsia, Foksia	A	20	5
<i>Gardenia</i> Ellis (All/Alle spp.)	Gardenia/Katjiepiering	B	25	8
<i>Gazania</i> Gaertn. (All/Alle spp.)	Gazania/Gousblom, Botterblom	A	20	5
<i>Gerbera</i> L. (All/Alle spp.)	Barberton daisy, Gerbera/Barber- tonse madeliefie	A	20	5
<i>Gladiolus</i> L. (All/Alle spp.)	Gladiolus/Swaardlelie	A	20	5
<i>Glycine max</i> (L.) Merrill	Soya bean/Sojaboon	A	20	5
<i>Gossypium hirsutum</i> L.	Cotton/Katoen	A	20	5
<i>Grevillea</i> R. Br. (All/Alle spp.)	Grevillea	B	25	8
<i>Gypsophila</i> L. (All/Alle spp.)	Gypsophila, Baby's breath/Gips- kruid	A	20	5
<i>Haemanthus</i> L. (All/Alle spp.)	Haemanthus	A	20	5
<i>Hardenbergia</i> Benth (All/Alle spp.)	Australian lilac/Australiese lila	A	20	5
<i>Hebe</i> Comm. ex Juss. (All/Alle spp.)	Shrubby veronica/Bosveronica	A	20	5
<i>Hedera</i> L. (All/Alle spp.)	Ivy/Hedera, Klimop	A	20	5
<i>Helianthus annuus</i> L.	Sunflower/Sonneblom	A	20	5
<i>Helianthus tuberosus</i> L.	Jerusalem artichoke, Girasole/Jeru- salemartisjok, Knolartisjok	A	20	5
<i>Hemerocallis</i> L. (All/Alle spp.)	Day lily/Daglelie	A	20	5
<i>Hibiscus</i> L. (All/Alle spp.)	Hibiscus, Rosemallow, Kenaf/Hibis- kus, Vuurbloem	B	25	8
<i>Hordeum</i> L. (All/Alle spp.)	Barley/Gars	A	20	5
<i>Hosta</i> Tratt. (All/Alle spp.)	Plaintain lily/Funkia	A	20	5
<i>Humulus lupulus</i> L.	Hops/Hop	A	20	5
<i>Hydrangea</i> L. (All/Alle spp.)	Hydrangea/Krismisroos, Hortensia	A	20	5
<i>Hypericum</i> L. (All/Alle spp.)	Saint John's wort/Sint-Janskruide	A	20	5
<i>Iberis</i> L. (All/Alle spp.)	Candy tuft/Skeefbloem	A	20	5
<i>Impatiens</i> L. (All/Alle spp.)	Snapweed/Springsaad, Springkruid	A	20	5
<i>Ipomoea batatas</i> (L.) Lam.	Sweet potato/Patat	A	20	5
<i>Jamesbrittenia</i> O. Kuntze (All/Alle spp.)	Jamesbrittenia	A	20	5
<i>Juniperus</i> L. (All/Alle spp.)	Juniper, Cedar/Seder	B	25	8
<i>Koeleria</i> Pers. (All/Alle spp.)	Hair grass/Haargras	A	20	5
<i>Lachenalia</i> Jacq. f. ex J. Murr. (All/Alle spp.)	Lachenalia, Cowslip/Viooltjie, Ka- lossie	A	20	5
<i>Lactuca sativa</i> L.	Lettuce/Slaai	A	20	5
<i>Lantana montevidensis</i> (Sprengel) Briq.	Weeping lantana/Treurlantana	A	20	5
<i>Lathyrus tingitanus</i> L.	Tangier scarlet pea, T. sweet pea, Gypsy sweet pea/Pronkertjie	A	20	5
<i>Lavandula</i> L. (All/Alle spp.)	Lavender/Laventel	A	20	5
<i>Leptospermum</i> J. R. Forster et G. Forster (All/Alle spp.)	Myrtle/Mirt	A	20	5
<i>Leucadendron</i> R. Br. (All/Alle spp.)	Conebush, Yellowbush/Tolbos, Geel- bos	B	25	8
<i>Leucospermum</i> R. Br. (All/Alle spp.)	Pincushion/Speldekussing	B	25	8
<i>Lilium</i> L. (All/Alle spp.)	Lily/Lelie	A	20	5
<i>Litchi chinensis</i> Sonn.	Litchi/Lietsjie	B	25	8
<i>Lolium</i> L. (All/Alle spp.)	Rye grass/Raaigras	A	20	5
<i>Lupinus</i> L. (All/Alle spp.)	Lupin/Lupien	A	20	5
<i>Lycopersicon lycopersicum</i> (L.) Karsten ex Farwell	Tomato/Tamatie	A	20	5
<i>Lysimachia</i> L. (All/Alle spp.)	Money wort/Penningkruid	A	25	5
<i>Macadamia</i> F. Mueller (All/Alle spp.)	Macadamia/Makadamia	B	25	8
<i>Malus</i> Mill. (All/Alle spp.)	Apple/Appel	B	25	8

1		2	3	4
Kind of plant/Soort plant				
Botanical name Botaniese naam	Common name Gewone naam	Category Kategorie	Period of plant breeder's right (years) Termyn van Planttelers- reg (jare)	Period of sole right (years) Termyn van alleenreg (jare)
<i>Mandevilla</i> Lindl. (= <i>Dipladenia</i> A. DC.) (All/Alle spp.)	Chilean jasmine/Chileense jasmyn..	A	20	5
<i>Mangifera indica</i> L.....	Mango.....	B	25	8
<i>Medicago murex</i> Willd. (See/Sien <i>M.</i> <i>sphaerocarpos</i> Bertol.)				
<i>Medicago sativa</i> L.....	Lucerne/Lusern.....	A	20	5
<i>Medicago sphaerocarpos</i> Bertol. (= <i>M.</i> <i>murex</i> Willd.)	Sphere medic/Sferiese medicago....	A	20	5
<i>Medicago truncatula</i> Gaertn.....	Barrel medic/Medicago.....	A	20	5
<i>Mimetes</i> Salisb. (All/Alle spp.)	Cape bottlebrush/Stompie.....	B	25	8
<i>Monarda</i> L. (All/Alle spp.).....	Wild bergamot, horsemint/Monarda.	A	20	5
<i>Musa acuminata</i> Colla.....	Banana/Piesang.....	B	25	8
<i>Narcissus</i> L. (All/Alle spp.).....	Narcissus/Narsing.....	A	20	5
<i>Nemesia</i> Vent. (All/Alle spp.).....	Nemesia.....	A	20	5
<i>Nephrolepis</i> Schott (All/Alle spp.)	Sword fern/Swaardvaring.....	A	20	5
<i>Nerine</i> Herb. (All/Alle spp.)	Nerine/Nerina, Berglelie.....	A	20	5
<i>Nerium</i> L. (Alle/Alle spp.).....	Oleander/Selonsroos.....	B	25	8
<i>Nicotiana tabacum</i> L.....	Tobacco/Tabak.....	A	20	5
<i>Olea</i> L. (All/Alle spp.).....	Olive/Olyf.....	B	25	8
<i>Ophiopogon</i> Ker-Gawl. (All/Alle spp.).....	Lilyturf, Mondo, Snake's-beard/ Mondo, Slangbaard	A	20	5
<i>Ornithogalum</i> L. (All/Alle spp.).....	Chincherinchee/Tjenkerientjee.....	A	20	5
<i>Orothamnus</i> Pappe ex Hook. (All/Alle spp.)	Marsh rose/Vleiroos.....	B	25	8
<i>Oryza sativa</i> L.....	Rice/Rys.....	A	20	5
<i>Osteospermum</i> L. (All/Alle spp.).....	Bitou/Bietou.....	A	20	5
<i>Pandorea</i> Spach (All/Alle spp.).....	Pandorea.....	A	20	5
<i>Panicum antidotale</i> Retz.....	Giant Panicum, Blue panicum/ Reuse panicum, Blou panicum	A	20	5
<i>Panicum deustum</i> Thunb.....	Broad-leaved panicum/Breëblaar- buffelgras	A	20	5
<i>Panicum maximum</i> Jacq.....	White buffalo grass/Witbuffelgras....	A	20	5
<i>Paranomus</i> Salisb. (All/Alle spp.).....	Paranomus.....	B	25	8
<i>Passiflora edulis</i> Sims.....	Granadilla/Grenadella, Granadilla....	A	20	5
<i>Pelargonium</i> L'Herit. (All/Alle spp.)	Geranium, Pelargonium/Malva.....	A	20	5
<i>Pennisetum glaucum</i> (L.) R. Br. <i>emend.</i> Stuntz	Pearl millet/Babala.....	A	20	5
<i>Pentas</i> Benth. (All/Alle spp.).....	Pentas.....	A	20	5
<i>Persea americana</i> Mill.....	Avocado/Avokado.....	B	25	8
<i>Petunia</i> Juss. (All/Alle spp.).....	Petunia.....	A	20	5
<i>Phalaris aquatica</i> Hack.....	Phalaris.....	A	20	5
<i>Phaseolus coccineus</i> L.....	Kidney Bean/Nierboon.....	A	20	5
<i>Phaseolus vulgaris</i> L.....	Bean/Boon.....	A	20	5
<i>Philodendron</i> Schott (All/Alle spp.).....	Philodendron, Elephant's ear/ Olifantsoor	A	20	5
<i>Phlox</i> L. (All/Alle spp.).....	Phlox/Floks.....	A	20	5
<i>Phoenix dactylifera</i> L.....	Date palm/Dadelpalm.....	B	25	8
<i>Phormium</i> J. R. Forster et G. Forster (All/Alle spp.)	Flax/Vlas.....	A	20	5
<i>Photinia</i> Lindl. (All/Alle spp.).....	Photinia.....	B	25	8
<i>Pimelea</i> Banks et Soland. (All/Alle spp.)	Riceflower/Pimelea.....	A	20	5
<i>Pinus</i> L. (All/Alle spp.).....	Pine/Den.....	B	25	8
<i>Pisum</i> L. (All/Alle spp.).....	Pea/Ert.....	A	20	5

1		2	3	4
Kind of plant/Soort plant				
Botanical name Botaniese naam	Common name Gewone naam	Category Kategorie	Period of plant breeder's right (years) Termyn van Planttelers- reg (jare)	Period of sole right (years) Termyn van alleenreg (jare)
<i>Plectranthus</i> L'Herit. (All/Alle spp.).....	Spurflower, Coleus/Muishondblaar, Coleus	A	20	5
<i>Plumbago</i> L. (All/Alle spp.).....	Leadwort/Loodkruid	A	20	5
<i>Polypodium</i> L. (All/Alle spp.).....	Polypody/Polypodium	A	20	5
<i>Protea</i> L. (All/Alle spp.)	Protea, Sugarbush/Protea, Suiker- bos	B	25	8
<i>Prunus amygdalus</i> Batsch. [See/Sien <i>Prunus dulcis</i> (Mill.) D. Webb]				
<i>Prunus armeniaca</i> L.....	Apricot/Appelkoos	B	25	8
<i>Prunus avium</i> (L.) L.....	Sweet cherry/Soetkersie	B	25	8
<i>Prunus cerasus</i> L.....	Sour cherry/Suurkersie	B	25	8
<i>Prunus domestica</i> L.....	European plum/Europese pruim, Pruimedant	B	25	8
<i>Prunus dulcis</i> (Mill.) D. Webb (= <i>Prunus amygdalus</i> Batsch)	Almond/Amandel.....	B	25	8
<i>Prunus persica</i> (L.) Batsch.....	Peach/Perske.....	B	25	8
<i>Prunus persica</i> (L.) Batsch var. <i>nuciper- sica</i> Schneid.	Nectarine/Nektarien	B	25	8
<i>Prunus salicina</i> Lindl.	Japanese plum/Japanse pruim.....	B	25	8
<i>Psidium guajava</i> L.....	Guava/Koejawel	B	25	8
<i>Pyrus</i> L. (All/Alle spp.).....	Pear/Peer	B	25	8
<i>Raphanus sativus</i> L. var. <i>oleiformis</i> Pers.	Fodder radish/Voerradys.....	A	20	5
<i>Rhododendron</i> L. (All/Alle spp.)	Rhododendron, Rosebay, Azalea/ Azalea, Bergroos	A	20	5
<i>Ribes</i> L. (All/Alle spp.).....	Currant, Gooseberry/Kruisbessie.....	B	25	8
<i>Ricinus communis</i> L.....	Castor bean, Castor-oil-plant/ Kasterolie	A	20	5
<i>Rosa</i> L. (All/Alle spp.)	Rose/Roos	B	25	8
<i>Rosmarinus</i> L. (All/Alle spp.).....	Rosemary/Rosmaryn	A	20	5
<i>Rubus</i> L. (All/Alle spp.)	Bramble, Raspberry/Braam, Fram- boos	B	25	8
<i>Saintpaulia ionantha</i> H. Wendl.....	African violet/Usambaraviooltjie.....	A	20	5
<i>Scabiosa</i> L. (All/Alle spp.)	Pincushion flower / Koringblom, Scabiosa	A	20	5
<i>Scaevola</i> L. (All/Alle spp.).....	Scaevola	A	20	5
<i>Schlumbergera</i> Lem. (All/Alle spp.)	Crab cactus, Christmas cactus/ Kersfeeskaktus, Krapkaktus	A	20	5
<i>Sclerocarya birrea</i> (A. Rich.) Hochst. subsp. <i>caffra</i> (Sond.) Kokwaro	Marula/Maroela	B	25	8
<i>Secale cereale</i> L.....	Rye/Rog	A	20	5
<i>Serruria</i> Salisb. (All/Alle spp.)	Spider bush, Blushing bride/ Spinnekopbos, Bruidsblom	B	25	8
<i>Setaria nigrirostris</i> (Nees) Dur. et Schinz	Black seed bristle grass/Swartsaad- mannagras	A	20	5
<i>Setaria sphacelata</i> (Schum.) Stapf et C. E. Hubb.	Common setaria/Gewone setaria	A	20	5
<i>Solanum melongena</i> L. var. <i>esculentum</i> Nees	Egg fruit, Aubergine, Brinjal/Eiervrug	A	20	5
<i>Solanum tuberosum</i> L.....	Potato/Aartappel	A	20	5
<i>Sorghum bicolor</i> (L.) Moench.....	Grain sorghum/Graansorghum	A	20	5
<i>Sorghum</i> spp. [<i>S. alnum</i> Parodi, <i>S. sudanense</i> (Piper) Stapf and/en hybrids/hibriede]	Forage sorghum/Voersorghum	A	20	5

1		2	3	4
Kind of plant/Soort plant				
Botanical name Botaniese naam	Common name Gewone naam	Category Kategorie	Period of plant breeder's right (years) Termyn van Planttelers- reg (jare)	Period of sole right (years) Termyn van alleenreg (jare)
<i>Spathiphyllum</i> Schott (All/Alle spp.)	Spathe flower, White sail/Seilbootjie	A	20	5
<i>Strelitzia</i> Ait. (All/Alle spp.)	Strelitzia	A	20	5
<i>Sutera</i> Roth (All/Alle spp.)	Sutera	A	20	5
<i>Syzygium</i> Gaertn. (All/Alle spp.)	Waterwood trees/Waterhoutbome ...	B	25	8
<i>Thea sinensis</i> L. [See/Sien <i>Camellia</i> <i>sinensis</i> (L.) O. Kuntze]				
<i>Tibouchina</i> Aubl. (All/Alle spp.)	Glory bush tree/Gloriebosboom, La- siandra	A	20	5
<i>Trifolium hybridum</i> L.	Alsike clover/Alsike-klawer	A	20	5
<i>Trifolium pratense</i> L.	Red clover/Rooiklawer	A	20	5
<i>Trifolium repens</i> L.	White clover/Witklawer	A	20	5
<i>Trifolium resupinatum</i> L.	Persian clover/Persiese klawer	A	20	5
<i>Trifolium subterraneum</i> L.	Subterranean clover/Ondergrondse klawer	A	20	5
X <i>Triticosecale</i> Witt. (<i>Triticum</i> x <i>Secale</i>) (All/Alle spp.)	Triticale/Trikale, Korog	A	20	5
<i>Triticum</i> L. (All/Alle spp.)	Wheat/Koring	A	20	5
<i>Tropaeolum</i> L. (All/Alle spp.)	Nasturtium/Kappertjie	A	20	5
<i>Tulbaghia</i> L. (All/Alle spp.)	Wild garlic/Wilde knoffel	A	20	5
<i>Vaccinium</i> L. (All/Alle spp.)	Blueberry, Cranberry/Bosbessie	B	25	8
<i>Verbena</i> L. (All/Alle spp.)	Vervain/Verbena	A	20	5
<i>Vicia faba</i> L. var. <i>major</i> Harz	Broad bean/Boerboon	A	20	5
<i>Vigna unguiculata</i> (L.) Walp. [including/ insluitend <i>V. sinensis</i> (L.) Savi ex Hassk., <i>Dolichos biflorus</i> L.]	Cowpea/Akkerboon	A	20	5
<i>Vinca</i> L. (All/Alle spp.)	Periwinkle/Maagdeblom	A	20	5
<i>Viola</i> L. (All/Alle spp.)	Violet/Viooltjie	A	20	5
<i>Vitis</i> L. (All/Alle spp.)	Grape/Druif	B	25	8
<i>Zantedeschia</i> Sprengel (All/Alle spp.)	Arum lily/Aronskelk, Varkoor	A	20	5
<i>Zea mays</i> L.	Grain maize/Graanmielie	A	20	5
<i>Zea mays</i> L. var. <i>saccharata</i> Bailey	Sweetcorn/Soetmielie, Suikermielie.	A	20	5

TABLE 2 • TABEL 2
FEES PAYABLE • GELDE BETAALBAAR

No.	Purpose/Doel	Amount/Bedrag
1.	An application for the grant of a plant breeder's right/n Aansoek om die toestaan van 'n planttelersreg. [Reg. 3 (2) (f)]	R514,00 each/elk.
2.	A claim to give priority in terms of section 8 (2) of the Act to an application for the grant of a plant breeder's right/n Aansoek om ingevolge artikel 8 (2) van die Wet voorrang te verleen aan 'n aansoek om die toestaan van 'n planttelersreg. [Reg. 4 (2) (c)]	R115,00 each/elk.
3.	An objection to the grant of a plant breeder's right/n Beswaar teen die toestaan van 'n planttelersreg. [Reg. 8 (1) (e)]	R115,00 each/elk.
4.	Examination fee for a plant breeder's right: Category A (Agronomic, vegetable, pasture crops and annual ornamentals/Ondersoekgeld vir 'n planttelersreg: Kategorie A (Akkerbou, groente, weidingsgewasse en eenjarige sierplante) [Reg. 3 (2) (g) and/en 9 (1)].	R950,00 each/elk.
5.	Examination fee for a plant breeder's right: Category B (Fruit, vines, citrus and perennial ornamentals)/Ondersoekgeld vir 'n planttelersreg: Kategorie B (Vrugte, wingerd, sitrus en meerjarige sierplante) [Reg. 3 (2) (g) and/en 9 (1)]	R1 350,00 each/elk.

No.	Purpose/Doel	Amount/Bedrag
6.	Provision of results of tests and trials undertaken by the registrar, to the appropriate authority in a convention country or an agreement country/Voorsiening van resultate van toetse en proewe deur die registrateur onderneem, aan die toepaslike gesag in 'n konvensieland of 'n ooreenkomsland. [Reg. 9 (3)]	R1 372,00 each/elk.
7.	Annual fee for a plant breeder's right/Jaargeld vir 'n planttelersreg. [Reg. 10 (1)]	R120,00 each/elk.
8.	An application for the issue of a compulsory licence in respect of a plant breeder's right/n Aansoek om die uitreiking van 'n verpligte lisensie ten opsigte van 'n planttelersreg. [Reg. 13 (1) (d)]	R231,00 each/elk.
9.	Notice of the transfer of a plant breeder's right/Kennisgewing van die oordrag van 'n planttelersreg. [Reg. 14 (2) (b)]	R330,00 each/elk.
10.	An application for the alteration or supplementation of the denomination approved for a variety/n Aansoek om die wysiging of aanvulling van die benaming wat goedgekeur is vir 'n variëteit. [Reg. 15 (1) (b)]	R3 000,00 each/elk.
11.	An objection against the intended approval of an alteration or supplementation of the denomination approved for a variety/n Beswaar teen die beoogde goedkeuring van 'n wysiging of aanvulling van die benaming goedgekeur vir 'n variëteit. [Reg. 15 (3) (e)]	R115,00 each/elk.
12.	An objection against the intended termination of a plant breeder's right/n Beswaar teen die voorgename beëindiging van 'n planttelersreg. [Reg. 16 (1) (f)]	R115,00 each/elk.
13.	A notice of the voluntary surrender of a plant breeder's right/n Kennisgewing van die vrywillige afstanddoening van 'n planttelersreg. [Reg. 17 (1) (b) (i)]	R115,00 each/elk.
14.	Inspection of the register of plant breeders' rights/Insae in die register van planttelersregte. [Reg. 20 (2)]	Gratis.
15.	Inspection of a document submitted to the registrar in connection with an application for the grant of a plant breeder's right/Insae in 'n dokument by die registrateur ingedien, in verband met 'n aansoek om die toestaan van 'n planttelersreg. [Reg. 21 (2)]	R60,00 per occasion/geleentheid.
16.	A certificate of any particulars in the register or of any document in connection with an application for the grant of a plant breeder's right/n Sertifikaat van enige besonderhede in die register of van enige dokument in verband met 'n aansoek om die toestaan van 'n planttelersreg. [Reg. 21 (2)]	R60,00 per certificate/sertifikaat.
17.	A copy of any particulars in the register or of a document submitted to the registrar in connection with an application for the grant of a plant breeder's right/n Afskrif van enige besonderhede in die register of van 'n dokument by die registrateur ingedien in verband met 'n aansoek om die toestaan van 'n planttelersreg. [Reg. 21 (2)]	R4,00 per page/bladsy.
18.	Submission of appeal against any decision or action taken by the registrar in terms of the Act/Voorlegging van appél teen enige beslissing van of stappe gedoen deur die registrateur ingevolge die Wet. [Reg. 22 (1) (d)]	R500,00 each/elk.

TABLE 3 • TABEL 3

PARTICULARS RELATING TO PLANT BREEDERS' RIGHTS TO BE PUBLISHED

BESONDERHEDE BETREFFENDE PLANTTELEERSREGTE WAT GEPUBLISEER MOET WORD

No.	Subject of publication/Onderwerp van publikasie	Particulars to be published/Besonderhede wat gepubliseer moet word
1.	Receipt of an application for the grant of a plant breeder's right/Ontvangs van 'n aansoek om die toestaan van 'n planttelersreg [section/artikel 13 (1); reg. 6(1)]	Application number/Aansoeknommer Name of applicant/Naam van applikant Address of applicant/Adres van applikant Kind of plant/Soort plant Proposed denomination/Voorgestelde benaming Name of agent/Naam van agent Address of agent/Adres van agent Date of application/Datum van aansoek

No.	Subject of publication/Onderwerp van publikasie	Particulars to be published/Besonderhede wat gepubliseer moet word
2.	Withdrawal of an application for the grant of a plant breeder's right/Terugtrekking van 'n aansoek om die toestaan van 'n planttelersreg [section/artikel 13 (2); reg. 6 (2)]	Application number/Aansoeknommer Name of applicant/Naam van applikant Address of applicant/Adres van applikant Kind of plant/Soort plant Proposed denomination/Voorgestelde benaming Name of agent/Naam van agent Address of agent/Adres van agent Date of withdrawal/Datum van terugtrekking
3.	Lapsing of an application for a plant breeder's right in respect of which an objection has been upheld/Verval van 'n aansoek om 'n planttelersreg ten opsigte waarvan 'n beswaar gehandhaaf is [section/artikel 18 (7); reg. 8 (9)]	Application number/Aansoeknommer Name of applicant/Naam van applikant Address of applicant/Adres van applikant Kind of plant/Soort plant Proposed denomination/Voorgestelde benaming Name of agent/Naam van agent Address of agent/Adres van agent Date of application/Datum van aansoek Date of lapsing/Datum van verval
4.	Grant of a plant breeder's right/Toestaan van 'n planttelersreg [reg. 9 (4) (a)]	Registration number/Registrasienuummer Name of holder/Naam van houër Address of holder/Adres van houër Kind of plant/Soort plant Denomination/Benaming Name of agent/Naam van agent Address of agent/Adres van agent Date granted/Datum toegestaan
5.	Refusal to grant an application for a plant breeder's right/Weiering om 'n aansoek om 'n planttelersreg toe te staan [reg. 9 (4) (b)]	Application number/Aansoeknommer Name of applicant/Naam van applikant Address of applicant/Adres van applikant Kind of plant/Soort plant Proposed denomination/Voorgestelde benaming Name of agent/Naam van agent Address of agent/Adres van agent Date of refusal/Datum van weiering
6.	Notice of the transfer of a plant breeder's right/Kennisgewing van die oordrag van 'n planttelersreg [section/artikel 29 (3); reg. 14 (3)]	Registration number/Registrasienuummer Name of transferor/Naam van oordraggewer Address of transferor/Adres van oordraggewer Kind of plant/ Soort plant Denomination/Benaming Date granted/Datum toegestaan Name of transferee/Naam van persoon aan wie oorgedra Address of transferee/Adres van persoon aan wie oorgedra Portion transferred/Gedeelte oorgedra Date of transfer/Datum van oordrag Name of new agent/Naam van nuwe agent Address of new agent/Adres van nuwe agent
7.	Application for the alteration or supplementation of the denomination of a variety/Aansoek om die wysiging of aanvulling van die benaming van 'n variëteit [section/artikel 32 (4); reg. 15 (2)]	Application or registration number/Aansoek- of registrasienuummer Name of applicant/Naam van applikant Address of applicant/Adres van applikant Kind of plant/Soort plant Proposed or approved denomination/Voorgestelde of goedgekeurde benaming Date granted/Datum toegestaan Name of agent/Naam van agent Address of agent/Adres van agent Proposed alteration or supplementation/Voorgestelde wysiging of aanvulling

No.	Subject of publication/Onderwerp van publikasie	Particulars to be published/Besonderhede wat gepubliseer moet word
8.	Approval of the alteration or supplementation of the denomination of a variety/Goedkeuring van die wysiging of aanvulling van die benaming van 'n variëteit [section/artikel 32 (6) en (7); reg. 15, (5)]	Application or registration number/Aansoek- of registrasienommer Name of applicant/Naam van applikant Address of applicant/Adres van applikant Kind of plant/Soort plant Previous denomination/Vorige benaming Date granted/Datum toegestaan Name of agent/Naam van agent Address of agent/Adres van agent New denomination/Nuwe benaming
9.	Termination of a plant breeder's right/Beëindiging van 'n planttelersreg [section/artikel 33 (6); reg. 16 (2)]	Registration number/Registrasienommer Name of holder/Naam van houer Address of holder/Adres van houer Kind of plant/Soort plant Denomination/Benaming Date granted/Datum toegestaan Name of agent/Naam van agent Address of agent/Adres van agent Date of termination/Datum van beëindiging
10.	Voluntary surrender of a plant breeder's right/Vrywillige afstanddoening van 'n planttelersreg [section/artikel 34 (2); reg. 17 (2)]	Registration number/ Registrasienommer Name of holder/Naam van houer Address of holder/Adres van houer Kind of plant/ Soort plant Denomination/Benaming Date granted/Datum toegestaan Name of agent/Naam van agent Address of agent/Adres van agent Date of voluntary surrender/Datum van vrywillige afstanddoening

**DEPARTMENT OF LABOUR
DEPARTEMENT VAN ARBEID**

No. R. 1195

12 September 1997

LABOUR RELATIONS ACT, 1956

**INDUSTRIAL COUNCIL FOR THE TEAROOM, RESTAURANT AND CATERING TRADE, PRETORIA:
NEW AGREEMENT**

I, Tito Titus Mboweni, Minister of Labour, hereby—

- (a) in terms of section 48 (1) (a) of the Labour Relations Act, 1956, declare that the provisions of the Agreement which appears in the Schedule hereto and which relates to the Undertaking, Industry, Trade or Occupation referred to in the heading to this notice, shall be binding, with effect from the second Monday after the date of publication of this notice and for the period ending 28 February 1998, upon the employers' organisation and the trade unions which entered into the said Agreement and upon the employers and employees who are members of the said organisation or unions; 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) (a), 2, 5 (5) (g), 19, 22, 23 and 24, shall be binding, with effect from the second Monday after the date of publication of this notice and for the period ending 28 February 1998, 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.

T. T. MBOWENI

Minister of Labour

SCHEDULE**INDUSTRIAL COUNCIL FOR THE TEAROOM, RESTAURANT AND CATERING TRADE, PRETORIA
AGREEMENT**

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

Pretoria and Districts Caterers' Association

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

Retail and General Workers' Union (RE & G.W.U.),**General Industries Workers' Union of S.A. (G.I.W.U.S.A.),****South African Commercial, Catering and Allied Workers' Union (SACCAWU)**

and

Club, Caterers, Retail and Allied Workers' Union (CCRAWU)

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

being the parties to the Industrial Council for the Tearoom, Restaurant and Catering Trade, Pretoria,

to amend the Agreement published under Government Notice No. R. 1797 of 8 November 1996.

1. SCOPE OF APPLICATION OF AGREEMENT

The terms of this Agreement shall be observed in the Tearoom, Restaurant and Catering Trade—

- (a) by all employers and employees who are members of the employers' organisation and the trade union, respectively;
- (b) in the Magisterial Districts of Pretoria, Brits, Bronkhorstspuit, Cullinan, Rustenburg, Witbank and Wonderboom, and in the municipal area of Midrand.

2. PERIOD OF OPERATION OF AGREEMENT

This Agreement shall come into operation on a date to be fixed by the Minister of Labour in terms of section 48 (1) of the Act and shall remain in force for the period ending 28 February 1998 or for such period as may be determined by him.

3. CLAUSE 3: DEFINITIONS

Delete the definition of "Commercial Distributive Trade", and the definition of "establishment" and the definition of "pie maker".

4. CLAUSE 15: TERMINATION OF CONTRACT OF EMPLOYMENT

- (1) Substitute the following for subclause (8):

"(8) *Retrenchments*: Two weeks' notice shall be given to employees of impending retrenchment after completion of the first year of employment. Thereafter three weeks' notice after two to four years of employment and, after the fifth year, one month's notice shall be given.

The employer shall be entitled to retrench any employees in any order chosen, irrespective of the time the various employees have been with the employer."

- (2) Add the following subclause (10):

"(10) An employee who is incapacitated for longer than three consecutive days without informing his employer thereof shall be liable to termination of his employment contract at the discretion of the employer."

5. CLAUSE 27: HOURS OF BUSINESS

Substitute the following for clause 27:

"Subject to the provisions of clause 6 of the Agreement, the employer shall have the right to allocate staff whatever business hours may be necessary to accommodate the business, so long as the total number of hours worked does not exceed 48 in any week, *excluding* lunch breaks of a minimum of one hour."

Signed at Pretoria, on behalf of the parties, this 15th day of May 1997.

T. N. HONDROU

Chairman of the Council

A. NKOANA

Vice-Chairman of the Council

D. KYRIACOU

Secretary of the Council

No. R. 1195

12 September 1997

WET OP ARBEIDSVERHOUDINGE, 1956

**NYWERHEIDSRAAD VIR DIE TEEKAMER-, RESTOURLANT- EN VERVERSINGSBEDRYF, PRETORIA:
NUWE OOREENKOMS**

Ek, Tito Titus Mboweni, Minister van Arbeid, verklaar hierby—

- (a) kragtens artikel 48 (1) (a) van die Wet op Arbeidsverhoudinge, 1956, dat die bepalings van die Ooreenkoms wat in die Bylae hiervan verskyn en betrekking het op die Onderneming, Nywerheid, Bedryf of Beroep in die opskrif by hierdie kennisgewing vermeld, met ingang van die tweede Maandag na die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 28 Februarie 1998 eindig, bindend is vir die werkgewersorganisasie en die vakverenigings wat die Wysigingsooreenkoms aangegaan het en vir die werkgewers en werknemers wat lede van genoemde organisasie 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) (a), 2, 5 (5) (g), 19, 22, 23 en 24, met ingang van die tweede Maandag na die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 28 Februarie 1998 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.

T. T. MBOWENI

Minister van Arbeid

BYLAE**NYWERHEIDSRAAD VIR DIE TEEKAMER-, RESTOURLANT- EN VERVERSINGSBEDRYF, PRETORIA
OOREENKOMS**

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

Pretoria and Districts Caterers' Association

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

Retail and General Workers' Union (RE & G.W.U.),**General Industries Workers' Union of S.A. (G.I.W.U.S.A.),****South African Commercial, Catering and Allied Workers' Union (SACCAWU)**

en

Club, Caterers, Retail and Allied Workers' Union (CCRAWU)

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

wat die partye is by die Nywerheidsraad vir die Teekamer-, Restourant- en Verversingsbedryf, Pretoria,

tot wysiging van die Ooreenkoms gepubliseer by Goewermentskennisgewing No. R. 1797 van 8 November 1996.

1. TOEPASSINGSBESTEK VAN OOREENKOMS

Hierdie Ooreenkoms moet in die Teekamer-, Restourant- en Verversingsbedryf nagekom word—

- (a) deur alle werkgewers en werknemers wat lede van onderskeidelik die werkgewersorganisasie en die vakvereniging is;
- (b) in die landdrostdistrikte Pretoria, Brits, Bronkhorstspuit, Cullinan, Rustenburg, Witbank, Wonderboom, en in die munisipale gebied Midrand.

2. GELDIGHEIDSDUUR VAN OOREENKOMS

Hierdie ooreenkoms tree in werking op die datum wat die Minister van Arbeid kragtens artikel 48 (1) van die Wet vasstel, en bly van krag vir die tydperk eindigende 28 Februarie 1998 of vir die tydperk wat hy bepaal.

3. KLOUSULE 3: WOORDOMSKRYWING

Skrap die woordomskeywing "Kommersiële Distribusiebedryf, bedryfsinrigting" direk daarna en die woordomskeywing "pasteimaker".

4. KLOUSULE 15: BEÏNDIGING VAN DIENSKONTRAK

- (1) Vervang subklousule (8) deur die volgende:

"(8) *Personeelvermindering*: Twee weke kennis van naderende personeelvermindering moet aan werknemers gegee word na voltooiing van die eerste jaar diens. Daarna moet drie weke kennis na twee tot vier jaar diens en een maand kennis na die vyfde jaar diens gegee word.

Die werkgewer is geregtig om personeel in enige volgorde wat hy wil te verminder, ongeag die tydperk wat die verskillende werknemers by die werkgewer gewerk het."

- (2) Voeg die volgende subklousule (10) in:

"(10) 'n Werknemer wat langer as drie agtereenvolgende dae vir werk ongeskik is sonder om sy werkgewer daarvan te verwittig, stel hom daaraan bloot dat sy dienskontrak na goeddunke van die werkgewer beëindig word."

5. KLOUSULE 27: BESIGHEIDSURE

Vervang klousule 27 deur die volgende:

"Behoudens die bepalings van klousule 6 van die Ooreenkoms het die werkgewer die reg om aan die personeel enige besigheidsure toe te wys wat nodig is om die besigheid te akkommodeer, mits die totale ure wat gewerk word, nie altesaam 48 uur in enige week, uitgesonderd middagete-pouses van 'n minimum van een uur, oorskry nie."

Namens die partye op hede die 15de dag van Mei 1997 te Pretoria onderteken.

T. N. HONDROU

Voorsitter van die Raad

A. NKOANA

Ondervoorsitter van die Raad

D. KYRIACOU

Sekretaris van die Raad

No. R. 1196

12 September 1997

LABOUR RELATIONS ACT, 1956

BORDER FURNITURE MANUFACTURING INDUSTRY: AMENDMENT OF MAIN AGREEMENT

I, Tito Titus Mboweni, Minister of Labour, hereby—

- (a) in terms of section 48 (1) (a) of the Labour Relations Act, 1956, declare that the provisions of the Agreement (hereinafter referred to as the Amending Agreement) which appears in the Schedule hereto and which relates to the Undertaking, Industry, Trade or Occupation referred to in the heading to this notice, shall be binding, with effect from the second Monday after the date of publication of this notice and for the period ending 20 March 1998, upon the employers' organisation and the trade union which entered into the Amending Agreement and upon the employers and employees who are members of the said organisation or union; and
- (b) in terms of section 48 (1) (b) of the said Act, declare that the provisions of the Amending Agreement, excluding those contained in clause 1 (1) (a) of Part I, shall be binding, with effect from the second Monday after the date of publication of this notice and for the period ending 20 March 1998, upon all employers and employees, other than those referred to in paragraph (a) of this notice, who are engaged or employed in the said Undertaking, Industry, Trade or Occupation in the areas specified in clause 1 of the Amending Agreement.

T. T. MBOWENI, Minister of Labour

SCHEDULE

**BORDER INDUSTRIAL COUNCIL FOR THE FURNITURE MANUFACTURING INDUSTRY
AGREEMENT**

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

Border Furniture Manufacturers' Association

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

National Union of Furniture and Allied Workers of South Africa

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

being the parties to the Border Industrial Council for the Furniture Manufacturing Industry,

to amend the Agreement published under Government Notice No. R. 1227 of 22 June 1984 (hereinafter referred to as the Re-enacting Agreement), as extended, amended and renewed by Government Notices Nos. R. 523 of 15 March 1985, R. 859 of 19 April 1985, R. 991 of 23 May 1986, R. 1454 of 11 July 1986, R. 433 of 27 February 1987, R. 847 of 16 April 1987, R. 340 of 4 March 1988, R. 787 of 22 April 1988, R. 614 of 31 March 1989, R. 1242 of 16 June 1989, R. 778 of 5 April 1990, R. 2082 of 31 August 1990, R. 2078 of 23 August 1991, R. 924 of 27 March 1992, R. 2117 of 24 July 1992, R. 352 of 5 March 1993, R. 1180 of 2 July 1993, R. 475 of 11 March 1994, R. 1428 of 19 August 1994, R. 139 of 3 February 1995, R. 1432 of 29 September 1995, R. 274 of 16 February 1996 and R. 1172 of 19 July 1996.

PART I

**PROVISIONS APPLICABLE TO THE INDUSTRY THROUGHOUT THE AREAS COVERED BY THE AGREEMENT
UNLESS THE CONTRARY IS STATED**

1. SCOPE OF APPLICATION OF AGREEMENT

(1) The terms of this Agreement shall be observed in the Border Furniture Manufacturing Industry—

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

- (b) within the Magisterial Districts of Albert, Aliwal North, East London (excluding those portions which prior to the publication of Government Notices Nos R. 1877 of 4 September 1981, R. 1079 of 10 June 1988 and R. 2354 of 5 October 1990 fell within the Ciskei), Fort Beaufort (excluding that portion which prior to the publication of Government Notice No. R. 1904 of 30 August 1985 fell within the Magisterial District of Stockenström, Queenstown (excluding that portion which prior to the publication of Government Notice No. R. 1904 of 30 August 1985 fell within the Magisterial District of Stockenström), and Stutterheim (including that portion which prior to the publication of Government Notice No. R. 2354 of 5 October 1990 fell within the Magisterial District of Stutterheim).
- (2) Notwithstanding the provisions of subclause (1), the terms of this Agreement shall apply—
- only to employees for whom minimum wages are prescribed in this Agreement;
 - to apprentices only in so far as the said terms are not inconsistent with the provisions of the Manpower Training Act, 1981, or any contract entered into or any condition fixed thereunder.

2. CLAUSE 7: HOURS OF WORK

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

- "(a) To work for more than 43 hours, from Monday to Saturday, excluding meal intervals, in any one week; or".

3. CLAUSE 8: SHORT TIME

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

- "(b) When short time is worked, the work available shall be distributed amongst the employees affected in any section and should it be found necessary to dismiss any employee, the employees to be dismissed shall be paid severance pay of one week's normal wage (43 hours) for each completed year of service: Provided that no employee shall be dismissed by reason of short time until the hours of work on short time fall below 35 per week over a continuous period of two weeks.

Severance pay on one week's normal wage shall be paid weekly until such entitlements are exhausted or until such time as the retrenched employee is re-engaged by the employers."

4. CLAUSE 24: WAGES

Substitute the following for clause 24:

- Subject to the provisions of clauses 8 and 9 of this Part of the Agreement, no employer shall pay and no employee shall accept wages lower than those prescribed in Part II of this Agreement.
- Any employee who, on 20 March 1997, was in receipt of a wage higher than the wage prescribed for the class of work upon which he is employed, shall receive an increase equal to the difference between the wages as prescribed for the period ending 20 March 1997 and the wages as prescribed in this Agreement: Provided that the additional amount payable to an employee in terms of this subclause may be reduced by the amount of any increase granted to such an employee in the period from 20 March 1996 to the date of coming into operation of this Agreement.
 - Any employee who, on 20 March 1997, was in receipt of a wage higher than the wage prescribed for the class of work upon which he is employed shall receive an increase equal to the difference between the wages as prescribed for the period ending 20 March 1997 and the wages as prescribed thereafter.
- The provisions of subclause (2) shall not apply to casual employees."

5. CLAUSE 33: NIGHT SHIFT WORK

Substitute the following for subclauses (2) and (3):

- "(2) Time worked by an employee after the completion of his usual 40-hour shift in the establishment concerned shall be regarded as overtime and shall be paid for at the rates prescribed in clause 10.
- (3) Notwithstanding anything to the contrary contained in this clause, the employer shall pay to every employee who performs night shift work for a continuous period of five working days, wages at normal weekly rates."

6. CLAUSE 34: SUBSISTANCE ALLOWANCE

- Substitute the following for paragraphs (a) and (b):

- occasional meal: R20,00;
- evening meal and bed: R80,00."

- Delete paragraph (c).

7. CLAUSE 37: ATTENDANCE BONUS

Substitute the expression "42 3/4" for the expression "43 3/4".

8. PART II

Substitute the following for Part II:

"WAGES

Grade I

1. Employees engaged in any or all of the operations performed in the Furniture Manufacturing Industry, with the exception of the employees referred to in clauses 5 to 15 of this Part, but including foremen and/or supervisors who shall be paid at a rate not less than five per cent above the rate prescribed in this clause:

	Cents per hour
During the period ending 20 March 1998.....	927

Cents per
hour

2. Learners employed in learning the operations covered by clause 1:

Grade 1L1: For the first year of employment:

During the period ending 20 March 1998.....	744
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Grade 1L2: For the second year of employment:

During the period ending 20 March 1998.....	789
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Grade 1L3: For the third year of employment:

During the period ending 20 March 1998.....	835
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Grade 1L4: For the fourth year of employment:

During the period ending 20 March 1998.....	875
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Thereafter, the wage prescribed for an employee engaged on work referred to in clause 1.

3. (a) Juvenile male employees engaged in a trade or a branch of a trade designated under the Manpower Training Act, 1981, shall be paid the wage prescribed in terms of that Act for the appropriate year of apprenticeship.

(b) All other juveniles: The minimum wage prescribed for adult employees employed on the same class of work.

4. (a) Employees engaged in the welding of metal, other than spot-welding; and

(b) employees engaged in the maintenance of machinery:

	Cents per hour
During the period ending 20 March 1998.....	927

Grade II

5. (a) Employees engaged in—

- (1) bedding-making, which means the manufacture by hand or mechanical appliance, either in whole or in part, of all types of mattresses filled with coir, hairlock, flock, kapok, cotton wadding, hair, fibre, wool, feathers, grass, chaff, straw, rubber or any other similar materials; or any combination of spring interior, all types of wire springs, chain and/or spiral springs, full spiral, springs, mesh springs, helical springs, all types of springs and/or spring units; pillows, cushions, bolsters, overlays, quilts; knocking on and/or hooking on spring mattress wires, chain spring meshes, spiral springs and helical springs to frames for bedding, but excluding the sundry operations referred to in subclauses (b) and (c);
- (2) weaving of spring mesh;
- (3) stuffing filling into mattresses cases, whether by hand or machine;
- (4) side-stitching;
- (5) tufting, whether by hand or machine;
- (6) operating a border quilting machine;
- (7) operating a top quilting machine;
- (8) preparing frames and rollers for the top quilting machine;
- (9) securing, sewing or stapling interlaced pads to spring units, whether by hand or machine;
- (10) filling of cushions with spring interiors and/or spring units;
- (11) laying out filling material upon a spring unit;
- (12) securing mattress tops, whether quilted or not, in a position for building a prebuilt interior or spring mattress;
- (13) tape-ending a spring interior mattress;
- (14) rol-edging by hand or machine;

Cents per
hour

During the period ending 20 March 1998.....	712
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(b) Employees engaged in spot-welding:

Cents per
hour

During the period ending 20 March 1998.....	712
---	-----

- (c) Employees employed as despatch clerks or storemen:
- | | |
|--|-----------------------|
| | <i>Cents per hour</i> |
| During the period ending 20 March 1998 | 712 |
- (d) Learners employed in learning the classes of work referred to in clause 5 (a):
- During the first year in which this Agreement comes into operation:
- | | |
|---|-----------------------|
| <i>Per week</i> | <i>Cents per hour</i> |
| Grade 2L1: For the first six months of employment: | |
| During the period ending 20 March 1998 | 585 |
| Grade 2L2: For the second six months of employment: | |
| During the period ending 20 March 1998 | 638 |
- Thereafter, the wage prescribed for an employee engaged on work referred to in clause 5 (a).
6. Employees engaged in:
- Operating all machines where such machines have been set by a setter or supervisor, all repetitive upholstery work (but excluding re-upholstery, prototype and one-off work), operating spray guns, curtain and roller castors and all repetitive assembly operations:
- | | |
|--|-----------------------|
| | <i>Cents per hour</i> |
| During the period ending 20 March 1998 | 712 |
7. Learners employed in learning the operations referred to in clause 6:
- During the first year in which this Agreement comes into operation:
- | | |
|---|-----------------------|
| <i>Per week</i> | <i>Cents per hour</i> |
| Grade 2L1: For the first six months of employment: | |
| During the period ending 20 March 1998 | 585 |
| Grade 2L2: For the second six months of employment: | |
| During the period ending 20 March 1998 | 638 |
- Thereafter, the wage prescribed for an employee engaged on work referred to in clause 6.

Grade III

8. Employees engaged in—
- (1) any operation or process, in whole or in part, performed by hand or mechanical appliance, in slip-stitching; sewing and/or joining covers, flies, cushions, cords, pelmets or bolsters, but excluding the cutting of covers;
 - (2) buttoning of removable and/or loose cushions;
 - (3) affixing gimp and/or braid and/or box pleating, but excluding the stapling and/or tacking thereof:
- | | |
|--|-----------------------|
| | <i>Cents per hour</i> |
| During the period ending 20 March 1998 | 563 |
9. Employees engaged in—
- (1) all sewing required in the manufacture of tops, borders, mattress cases, studio couch covers and component parts;
 - (2) sewing mattress handles to border;
 - (3) sewing quilted borders onto mattress units prior to tape edging;
 - (4) closing up by hand or machine the mouth of a mattress;
 - (5) joining border lengths;
 - (6) closing pillows, cushions and bolsters;
 - (7) cutting tops, borders and cases:
- | | |
|--|-----------------------|
| | <i>Cents per hour</i> |
| During the period ending 20 March 1998 | 563 |
10. Learners employed in learning the classes of work referred to in clauses 8 and 9:
- | | |
|---|-----------------------|
| <i>Per week</i> | <i>Cents per hour</i> |
| Grade 3L1: For the first six months of employment: | |
| During the period ending 20 March 1998 | 532 |
| Grade 3L2: For the second six months of employment: | |
| During the period ending 20 March 1998 | 545 |

Thereafter, the wage prescribed for an employee engaged on work referred to in clauses 8 and 9.

11. Employees engaged in—

- (1) fixing up of ready-made cane mats;
- (2) setting up and operating single-drum sander, open-disc sander, bobbin sander and air-filled sander;
- (3) boring holes;
- (4) morticing on the mortice machine only;
- (5) operating the hinge recessing machine for the purpose of cutting recesses for locks and hinges;
- (6) filling cushions with spring interior and/or spring units;
- (7) operating a dowel insertion machine;
- (8) inserting hanger bolt, and bolting on or screwing in of a leg, but excluding the affixing of the plate and/or attachment to the carcass to take the hanger bolt;
- (9) operating an edge veneering machine, but excluding edge banding;
- (10) machine sanding, excluding double and triple drum and combination drum and belt sander;
- (11) positioning of wooden and metal laths and crossbars to frames for upholstery;

*Cents per
hour*

During the period ending 20 March 1998 563

Grade IV

12. Employees engaged in—

- (1) bolting;
- (2) making and/or pointing of wooden dowels and pins by hand and/or machine;
- (3) sandpapering by hand and/or portable sander, regardless of whether the articles sandpapered are stationary or rotating;
- (4) bending of solid timber by hand or mechanical process;
- (5) filling of holes or cracks in furniture with wood filler or similar substances;
- (6) fixing bed irons, domes and sockets castors;
- (7) applying wax;
- (8) painting and/or filling edges;
- (9) removing doors and fittings prior to preparation for polishing;
- (10) filling in with plaster of paris or any other filling material;
- (11) bleaching furniture with acids or any other bleaching agent;
- (12) stippling polished surface;
- (13) staining, oiling, filling and/or reviving by hand only;
- (14) fixing of webbing and/or substitutes, but excluding the lashing of coil springs;
- (15) tacking of plywood or hardboard onto loose seats for upholstery purposes;
- (16) spraying of metal;
- (17) riempies work;
- (18) hooking on of a helical spring and/or chain and/or zig-zag or no-sag type of springing;
- (19) teasing coir or other materials by machine;
- (20) stippling and punching the background of carving;
- (21) knocking on of T and G edge strips by hand, excluding mitred corner sections;
- (22) tacking on of bottoms to upholstered articles;
- (23) work in connection with any of the processes in the construction of springs interior and/or springs units and the manufacture of their component parts;
- (24) punching away protruding panel pins and/or nails and/or staples in the hand-sanding section;
- (25) breaking up and/or cutting from selfedge to selfedge by hand of rolls of upholstery material, hessian, calico, crownflex and similar materials, but expressly excluding the cutting to size of pattern and/or shape ready for upholstery;
- (26) fixing of handles by screws, bolts and nuts, and screwbolts through prebored holes;
- (27) affixing of mirrors by the use of adhesive tape;
- (28) touching up at the point of loading and/or offloading;

*Cents per
hour*

During the period ending 20 March 1998 519

13. Employees engaged in—

- (1) bolting by hand of bed mattress frames, studio coach frames and cots;
- (2) preparing spools for a border quilting machine;
- (3) cutting quilted borders to length;
- (4) punching holes in mattress borders;
- (5) fitting ventilators and handles to mattress borders;
- (6) feeding the interlacing machine;
- (7) cutting and making of pads, irrespective of materials used;
- (8) positioning of laths and crossbars, or fixing webbing to mattress or bed frames;
- (9) staining mattress frames;
- (10) affixing lugs to mattress frames;
- (11) positioning and securing mesh to a mattress frame;
- (12) handling loops on needles in compression tufting;
- (13) loading, wheeling and operating a cloth-spreading machine;
- (14) operating a teasing machine;
- (15) attending a loop machine;
- (16) attaching loops or buttons or tufts;
- (17) staining and/or varnishing frames for bedding by hand;
- (18) assembling, knocking or hooking on woven wire mesh and chain springs meshes to frames for bedding, irrespective of the materials of which such frames are made;
- (19) fixing bed irons;
- (20) attaching spring units to bed frames:

Cents per
hour

During the period ending 20 March 1998.....

519

14. Employees engaged in—

- (1) cleaning and sweeping of premises;
- (2) cleaning machinery, plant, tools, spray-guns and utensils;
- (3) oiling and greasing machines and/or vehicles;
- (4) lime-washing;
- (5) loading and/or unloading vehicles;
- (6) handling materials;
- (7) pushing or pulling a vehicle or handcart;
- (8) delivery by manually propelled vehicles;
- (9) unpacking, baling and unbalancing raw materials;
- (10) cleaning and blowing down of equipment;
- (11) attending boiler, incinerator and/or oven;
- (12) loading and unloading kilns;
- (13) making tea or other similar beverages;
- (14) treating timber for preservation;
- (15) packing articles into cartons and/or cardboard containers;
- (16) packing articles into cartons and/or cardboard containers and thereafter filling and closing such cartons and containers;
- (17) washing and/or wiping off glue;
- (18) stripping second-hand upholstery and bedding;
- (19) assisting a furniture machinist in handling materials before and after machining;
- (20) cutting metal rods, hinges, metal tubes, metal strips, chain, wire, hoop-iron and similar materials;
- (21) riveting or making threads on iron bolts and rods;
- (22) operating presses of any type;
- (23) baling and dipping of upholstery springs;
- (24) attending to dust bags and/or cyclones of sanding machines;
- (25) glueing sandpaper discs;
- (26) wrapping in paper or cardboard;

- (27) inserting rubber units into mattress cases;
- (28) cutting and glueing together of rubber or substitute materials;
- (29) taping of veneers and attending veneers press;
- (30) removing, washing and/or cleaning of glue and paper from pressed veneers;
- (31) straightening and/or cutting hoop-iron used for webbing;
- (32) filling of pillows, cushions and bolsters with substances or materials other than spring interiors and/or spring units;
- (33) beating and/or teasing coir by hand;
- (34) cleaning metal rods;
- (35) mass-measuring pillows, bolsters, quilts and cushions;
- (36) teasing coir or any other materials by hand;
- (37) stripping bedding;
- (38) removing glue from furniture;
- (39) bending, punching, riveting, drilling and/or assembling metal parts;
- (40) mixing, mass-measuring and preparing glue;
- (41) applying and/or spreading glue and glue hardeners by hand, brush or machine, but expressly excluding the putting together or assembling of furniture parts except in the case of the employees referred to in subclause (45) hereunder;
- (42) operating tenon squashing machine;
- (43) marking off by template, patterns and/or jig in preparation for machining;
- (44) marking of pattern, template and/or jig;
- (45) putting together or assembling furniture parts which are to be cramped, clamped or pressed: Provided that the ratio of employees performing this operation to employees in receipt of the wage prescribed in clause 1 of this Part who are engaged in cramping, clamping or pressing shall not exceed two to one;
- (46) making and jointing sandpaper of discs and belts for open-belt sanders;
- (47) straining of materials;
- (48) taping, stapling and/or tacking veneers, plywood and hardboard onto frames or core material for pressing;
- (49) tapeless jointing by machine;
- (50) loading and unloading vacuum bag and press of any kind;
- (51) washing off gum or other tapes;
- (52) stacking parts after pressing;
- (53) assisting upholsterer in holding cover;
- (54) rubbing on glue blocks;
- (55) inserting corrugated fasteners in the process of assembling frames;
- (56) trimming away by hand or hand tool of excess veneer after affixing of veneer;
- (57) inserting screws into prebored holes preparatory to screwing;
- (58) affixing nuts and/or nut covers to bolts;
- (59) bolting handles;
- (60) dropping glass into premade grooves or rebates, but excluding the affixing of glass in position with the beading and/or securing glass in any other manner;
- (61) edge-veneering by hand;
- (62) cutting foam rubber and/or similar substances to shape and/or size;
- (63) operating a foam-mincing machine;
- (64) cutting cardboard in the upholstery section by hand and/or guillotine, but excluding the use of any other machine or the cutting of cardboard in any other department;
- (65) filling loose cushion cases with filling material;
- (66) knocking in wooden dowels by hand;
- (67) glueing foam rubber and/or similar substances to cover material for quilting only:

*Cents per
hour*

During the period ending 20 March 1998..... 519

15. (a) Employees employed as caretakers or watchmen:

*Rand per
week*

During the period ending 20 March 1998..... 247,24

- (b) (i) Employees employed as packers;
- (ii) employees employed as office messengers;
- (iii) casual employees:

Cents per
hour

During the period ending 20 March 1998 519".

PART III**9. CLAUSE 2: WAGES**

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

"(a) *Employees, other than casual employees:* An employee who drives a vehicle, other than a steam wagon, the unladen mass of which, together with the unladen mass of a trailer drawn by such vehicle—

Cents per
hour

- (i) does not exceed 2 722 kg:

During the period ending 20 March 1998 566

- (ii) exceed 2 722 kg but does not exceed 4 536 kg:

During the period ending 20 March 1998 633

- (iii) exceed 4 536 kg:

During the period ending 20 March 1998 622".

2. Substitute the following for subclause 4 (a) and (b):

"(a) Occasional meals: R20,00;

(b) evening meal and bed: R80,00."

3. Delete subclause 4 (c).

10. CLAUSE 4: HOURS OF WORK, ORDINARY AND OVERTIME AND PAYMENT FOR OVERTIME

In subclause (1) (a) (i), (b) (i) and (b) (ii), substitute the expression "43" for the expression "44".

Signed at East London, on behalf of the parties, this 19th day of June 1997.

W. J. CHERRY

Chairman of the Council

M. V. MBIZA

Vice-Chairman of the Council

W. J. CHERRY

Secretary of the Council

No. R. 1196

12 September 1997

WET OP ARBEIDSVERHOUDINGE, 1956

MEUBELNYWERHEID, GRENS: WYSIGING VAN HOOFOOREENKOMS

Ek, Tito Titus Mboweni, Minister van Arbeid, verklaar hierby—

- (a) kragtens artikel 48 (1) (a) van die Wet op Arbeidsverhoudinge, 1956, dat die bepalings van die Ooreenkoms (hierna die Wysigingsooreenkoms genoem) wat in die Bylae hiervan verskyn en betrekking het op die Onderneming, Nywerheid, Bedryf of Beroep in die opskrif by hierdie kennisgewing vermeld, met ingang van die tweede Maandag na die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 20 Maart 1998 eindig, bindend is vir die werkgewersorganisasie en die vakvereniging wat die Wysigingsooreenkoms aangegaan het en vir die werkgewers en werknemers wat lede van genoemde organisasie of vereniging is; en
- (b) kragtens artikel 48 (1) (b) van genoemde Wet, dat die bepalings van die Wysigingsooreenkoms, uitgesonderd dié vervat in klousule 1 (1) (a) van Deel I, met ingang van die tweede Maandag na die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 20 Maart 1998 eindig, bindend is vir alle ander werkgewers en werknemers as dié genoem in paragraaf (a) van hierdie kennisgewing wat betrokke is by of in diens is in genoemde Onderneming, Nywerheid, Bedryf of Beroep in die gebiede in klousule 1 van die Wysigingsooreenkoms gespesifiseer.

T. T. MBOWENI, Minister van Arbeid

BYLAE**NYWERHEIDSRAAD VIR DIE MEUBELNYWERHEID, GRENS****OOREENKOMS**

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

Border Furniture Manufacturers' Association

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

National Union of Furniture and Allied Workers of South Africa

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

wat die partye is by die Nywerheidsraad vir die Meubelnywerheid, Grens,

tot wysiging van die Ooreenkoms gepubliseer by Goewermmentskennisgewing R. 1227 van 22 Junie 1984 (hierna die Herbekragtigingsooreenkoms genoem), soos verleng, gewysig en hernieu by Goewermmentskennisgewings Nos. R. 523 van 15 Maart 1985, R. 859 van 19 April 1985, R. 991 van 23 Mei 1986, R. 1454 van 11 Julie 1986, R. 433 van 27 Februarie 1987, R. 847 van 16 April 1987, R. 340 van 4 Maart 1988, R. 787 van 22 April 1988, R. 614 van 31 Maart 1989, R. 1242 van 16 Junie 1989, R. 778 van 5 April 1990, R. 2082 van 31 Augustus 1990, R. 2078 van 23 Augustus 1991, R. 924 van 27 Maart 1992, R. 2117 van 24 Julie 1992, R. 352 van 5 Maart 1993, R. 1180 van 2 Julie 1993, R. 475 van 11 Maart 1994, R. 1428 van 19 Augustus 1994, R. 139 van 3 Februarie 1995, R. 1432 van 29 September 1995, R. 274 van 16 Februarie 1996 en R. 1172 van 19 Julie 1996.

DEEL I

**BEPALINGS VAN TOEPASSING OP DIE NYWERHEID ORAL IN DIE GEBIEDE WAT DEUR DIE OOREENKOMS
GEDEK WORD, TENSY DIE TEENOORGESTELDE GEMELD WORD**

1. TOEPASSINGSBESTEK VAN OOREENKOMS

- (1) Hierdie Ooreenkoms moet nagekom word in die Meubelnywerheid, Grens—
 - (a) deur alle werkgewers wat lede is van die werkgewersorganisasie en deur alle werknemers wat lede is van die vakvereniging, en wat onderskeidelik betrokke is by en werksaam is in genoemde Nywerheid;
 - (b) in die landdrosdistrikte Albert, Aliwal-Noord, Fort Beaufort (uitgesonderd die gedeelte wat voor die publikasie van Goewermmentskennisgewing No. R. 1904 van 30 Augustus 1985 in die landdrosdistrik Stockenström geval het), Oos-Londen (uitgesonderd die gedeeltes wat voor die publikasie van Goewermmentskennisgewings Nos. R. 1877 van 4 September 1981, R. 1079 van 10 Junie 1988, en R. 2354 van 5 Oktober 1990 in die Ciskei geval het), Queenstown (uitgesonderd die gedeelte wat voor die publikasie van Goewermmentskennisgewing No. R. 1904 van 30 Augustus 1985 in die landdrosdistrik Stockenström geval het), en Stutterheim (insluitende die gedeelte wat voor die publikasie van Goewermmentskennisgewing No. R. 2354 van 5 Oktober 1990 in die landdrosdistrik Stutterheim geval het).
- (2) Ondanks subklousule (1) is hierdie Ooreenkoms van toepassing—
 - (a) slegs op werknemers vir wie minimum lone in hierdie Ooreenkoms voorgeskryf word;
 - (b) op vakleerlinge slegs in die mate waarin dit nie onbestaanbaar is nie met die Wet op Mannekragopleiding, 1981, of met 'n kontrak daarkragtens aangegaan of 'n voorwaarde daarkragtens gestel.

2. KLOUSULE 7: WERKURE

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

- "(a) Om langer as 43 uur van Maandag tot en met Saterdag, uitgesonderd etenspouses, in 'n bepaalde week te werk nie; of".

3. KLOUSULE 8: KORTTYD

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

- "(b) Wanneer korttyd gewerk word, moet die beskikbare werk verdeel word onder die werknemers wat geraak word in 'n seksie, en as daar bevind word dat dit nodig is om werknemers af te dank, moet die werknemers wat afgedank gaan word, 'n uittreeloon van een week se normale loon (43 ure) betaal word: Met dien verstande dat geen werknemer weens korttyd ontslaan mag word voordat die korttydwerkure oor 'n aaneenlopende tydperk van twee weke tot minder as 35 per week daal nie.

'n Uittreeloon van een week se normale loon moet weekliks betaal word totdat sulke aansprake uitgeput is of totdat die ontslane werknemer weer deur die werkgewer in diens geneem word."

4. KLOUSULE 24: LONE

Vervang klousule 24 deur die volgende:

- "(1) Behoudens klousules 8 en 9 van hierdie Deel van die Ooreenkoms mag geen lone wat laer is as dié wat in Deel II van hierdie Ooreenkoms voorgeskryf word, deur 'n werkgewer betaal en deur 'n werknemer aangeneem word nie.

- (2) (a) 'n Werknemer wat op 20 Maart 1997 'n hoër loon ontvang het as die loon wat voorgeskryf is vir die klas werk waarin hy werksaam is, moet 'n verhoging ontvang wat gelyk is aan die verskil tussen die loon soos voorgeskryf vir die tydperk eindigende 20 Maart 1997 en die loon soos voorgeskryf in hierdie Ooreenkoms: Met dien verstande dat die addisionele bedrag wat ingevolge hierdie subklousule aan 'n werknemer betaalbaar is, verminder kan word met die bedrag van enige verhoging wat in die tydperk vanaf 20 Maart 1996 tot die datum van inwerkingtreding van hierdie Ooreenkoms aan so 'n werknemer toegestaan is.
- (b) 'n Werknemer wat op 20 Maart 1997 'n hoër loon ontvang het as die loon wat voorgeskryf is vir die klas werk waarin hy werksaam is, moet 'n verhoging ontvang wat gelyk is aan die verskil tussen die loon soos voorgeskryf vir die tydperk eindigende 20 Maart 1997 en die loon soos daarna voorgeskryf.
- (3) Subklousule (2) is nie op los werknemers van toepassing nie."

5. KLOUSULE 33: NAGSKOFWERK

Vervang subklousules (2) en (3) deur die volgende:

- "(2) Die tyd wat 'n werknemer na die voltooiing van sy gewone 40 uur-skof in die betrokke bedryfinrigting werk, moet as oortydwerk geag word en daarvoor moet betaal word ooreenkomstig die loonskale in klousule 10 voorgeskryf.
- (3) Ondanks andersluidende bepalings in hierdie klousule, moet 'n werkgewer aan alle werknemers wat vir 'n ononderbroke tydperk van vyf werkdae nagskofwerk verrig, 'n loon betaal teen normale weeklikse bedrae."

6. KLOUSULE 34: ONDERHOUDSTOELAE

1. Vervang paragrawe (a) en (b) deur die volgende:

- "(a) toevallige maaltye: R20,00;
(b) aandete en bed: R80,00."

2. Skrap paragraaf (c).

7. KLOUSULE 37: BYWONINGSBONUS

Vervang die uitdrukking "43 3/4" deur die uitdrukking "42 3/4".

8. DEEL II

Vervang Deel II deur die volgende:

"LONE

Graad I

1. Werknemers in diens in enige van of al die werksaamhede wat in die Meubelnywerheid verrig word, uitgesonderd die werknemers in klousules 5 tot 15 van hierdie Deel bedoel, maar met inbegrip van voormanne en/of toesighouers aan wie 'n loon van minstens vyf persent bo die loon wat in hierdie klousule voorgeskryf word, betaal moet word:

	Sent per uur
Gedurende die tydperk eindigende 20 Maart 1998	927

	Sent per uur
2. Leerlinge in diens om die werksaamhede te leer wat deur klousule 1 gedek word:	
Graad 1L1: Vir die eerste jaar diens:	
Gedurende die tydperk eindigende 20 Maart 1998	744
Graad 1L2: Vir die tweede jaar diens:	
Gedurende die tydperk eindigende 20 Maart 1998	789
Graad 1L3: Vir die derde jaar diens:	
Gedurende die tydperk eindigende 20 Maart 1998	835
Graad 1L4: Vir die vierde jaar diens:	
Gedurende die tydperk eindigende 20 Maart 1998	875

Daarna, die loon voorgeskryf vir 'n werknemer in diens in werk bedoel in klousule 1.

3. (a) Jeugdige manlike werknemers in diens in 'n ambag of tak van 'n ambag aangewys kragtens die Wet op Mannekragopleiding, 1981, moet die loon betaal word wat ingevolge daardie Wet vir die toepaslike leerjaar voorgeskryf word.

- (b) Alle ander jeugdige: Die minimum loon voorgeskryf vir volwasse werknemers werksaam in dieselfde klas werk.

4. (a) Werknemers wat metaalsweiswerk verrig, uitgesonderd puntsweiswerk; en

- (b) werknemers wat masjinerie onderhou:

	Sent per uur
Gedurende die tydperk eindigende 20 Maart 1998	927

Graad II**5. (a) Werknemers wat die volgende werk verrig—**

- (1) Beddegoedmakery, d.w.s. die vervaardiging met die hand of 'n meganiese toestel, hetsy in die geheel of gedeeltelik, van alle soorte matrasse gevul met klapperhaar, haarlok, vlokieskapok, katoenwatte, hare, vesel, wol, vere, gras, kaf, strooi, rubber of 'n ander soortgelyke stof; of 'n kombinasie van veerbinnewerk, alle soorte draad-vere, ketting- en/of spiraalvere, volspiraalvere, maasvere, heliese vere, alle soorte vere en/of veereenhede; kopkussings, stoelkussings, peule, bomatrasse, kwilte; die vasslaan en/of vashaak van veermatrasdrade, kettingveermatrasse, spiraalvere en heliese vere aan rame vir beddegoed, maar uitgesonderd die diverse werksaamhede in subklousules (b) en (c) bedoel;
- (2) veermaaswerk vleg;
- (3) vulsel in matrasslope instop, hetsy met die hand of 'n masjien;
- (4) sye stik;
- (5) kwassiesmaak, hetsy met die hand of 'n masjien;
- (6) 'n randkwiltmasjien bedien;
- (7) 'n bo-kwiltmasjien bedien;
- (8) rame en rollers vir die bo-kwiltmasjien gereed maak;
- (9) vervlegte kussinkies aan veereenhede vassit, -stik of -kram, hetsy met die hand of 'n masjien;
- (10) stoelkussings met veerbinnewerk en/of veereenhede vul;
- (11) vulsel op 'n veereenheid uitsprei;
- (12) matrasbostukke, hetsy gekwilt of nie, in 'n posisie vassit om 'n vooraf geboude binnewerk of veermatras te bou;
- (13) bande aan die kante van 'n binneveermatras stik;
- (14) rolomrandwerk met die hand of 'n masjien;

Sent per
uur

Gedurende die tydperk eindigende 20 Maart 1998

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(b) Werknemers wat puntsweiswerk verrig:Sent per
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Gedurende die tydperk eindigende 20 Maart 1998

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(c) Werknemers in diens as versendingsklerke of magasynmanne:Sent per
uur

Gedurende die tydperk eindigende 20 Maart 1998

712

(d) Leerlinge in diens om die klasse werk bedoel in klousule 5 (a) te leer:

Gedurende die eerste jaar waarin hierdie Ooreenkoms in werking tree:

Per week

Sent per
uur

Graad 2L1: Vir die eerste ses maande diens:

Gedurende die tydperk eindigende 20 Maart 1998

585

Graad 2L2: Vir die tweede ses maande diens:

Gedurende die tydperk eindigende 20 Maart 1998

638

Daarna, die loon voorgeskryf vir 'n werknemer in diens in werk bedoel in klousule 5 (a).

6. Werknemers wat die volgende werk verrig:

Alle masjiene bedien waar sodanige masjiene deur 'n masjiensteller of 'n toesighouer ingestel is, alle herhalingstof-feerwerk (maar nie herstoffeerwerk, prototipe en enkeltipe nie), sproeispuite bedien, gordynrolletjies en rolwielletjies aanbring en alle herhalingsmonteerwerksaamhede:

Sent per
uur

Gedurende die tydperk eindigende 20 Maart 1998

712

7. Leerlinge in diens om die werksaamhede bedoel in klousule 6 te leer:

Gedurende die eerste jaar waarin hierdie Ooreenkoms in werking tree:

Per week

Sent per
uur

Graad 2L1: Vir die eerste ses maande diens:

Gedurende die tydperk eindigende 20 Maart 1998

585

Graad 2L2: Vir die tweede ses maande diens:

Gedurende die tydperk eindigende 20 Maart 1998

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Daarna, die loon voorgeskryf vir 'n werknemer in diens in werk bedoel in klousule 6.

Graad III

8. Werknemers wat die volgende werk verrig—

- (1) 'n werksaamheid of proses, hetsy in die geheel of gedeeltelik, met die hand of 'n meganiese toestel, in glipsteek; stik en/of aanmekaarwerk van oortreksels, teenstroke, stoelkussings, koorde, gordynkappe of peule, maar nie die sny van oortreksels nie;
- (2) knope aan verwyderbare en/of los stoelkussings vaswerk;
- (3) gimp en/of galon en/of stolpplooiel vassit, maar nie vaskram en/of met hegspykers vasslaan nie:

Sent per
uur

Gedurende die tydperk eindigende 20 Maart 1998 563

9. Werknemers wat die volgende werk verrig—

- (1) alle stikwerk nodig by die vervaardiging van bostukke, rande, matrasslope, ateljeerusbankoortreksels en -komponente;
- (2) matrashandvatsels aan rande stik;
- (3) gekwilde rande aan matraseenhede stik vóór die vasstik van kantbande;
- (4) die bek van 'n matras met die hand of 'n masjien toewerk;
- (5) randlengtes aanmekaarwerk;
- (6) kopkussings, stoelkussings en peule toewerk;
- (7) bostukke, rande en slope uitsny:

Sent per
uur

Gedurende die tydperk eindigende 20 Maart 1998 563

10. Leerlinge in diens om die klasse werk bedoel in klousules 8 en 9 te leer:

Per week

Sent per
uur

Graad 3L1: Vir die eerste ses maande diens:

Gedurende die tydperk eindigende 20 Maart 1998 532

Graad 3L2: Vir die tweede ses maande diens:

Gedurende die tydperk eindigende 20 Maart 1998 545

Daarna, die loon voorgeskryf vir 'n werknemer in diens in werk bedoel in klousules 8 en 9.

11. Werknemers wat die volgende werk verrig:

- (1) Klaargemaakte rottangmatte vassit;
- (2) 'n enkelrolskuurder, oopskyfskuurder, tolskuurder en lugge vulde skuurder opstel en bedien;
- (3) gate boor;
- (4) slegs met die tapmasjien tapgate sny;
- (5) die skarnieruitholmasjien bedien om uithollings vir slotte en skarniere te sny;
- (6) stoelkussings met veerbinnewerk en/of veereenhede vul;
- (7) 'n tappeninvoegmasjien bedien;
- (8) hangerbout insteek en 'n poot vasbout of inskroef, maar nie die vassit van die plaat en/of hegstuk aan die raamwerk waaraan die hangerbout moet kom nie;
- (9) 'n kantfineermasjien bedien, maar nie kantlyste aansit nie;
- (10) met 'n masjien skuur, maar nie met 'n twee- en drierol- en kombinasierol-en-band-skuurder nie;
- (11) hout- en metaallatte en dwarsstawe aan rame vir stoffeerwerk in posisie plaas:

Sent per
uur

Gedurende die tydperk eindigende 20 Maart 1998 563

Graad IV

12. Werknemers wat die volgende werk verrig:

- (1) Vasbout;
- (2) houttappen en penne met die hand en/of masjien maak en/of spits maak;
- (3) met die hand en/of 'n draagbare skuurder skuur, ongeag of die artikels wat geskuur word, stilstaan of draai;
- (4) soliede hout met die hand of d.m.v. 'n meganiese proses buig;

- (5) gate of barste in meubels met houtvulsel of soortgelyke stowwe vul;
- (6) bedysters, koepels en sokke vir rolwieleltjies vassit;
- (7) was aanwend;
- (8) rande verf en/of vul;
- (9) deure en toebehore afhaal voordat dit vir poleerwerk gereedgemaak word;
- (10) met gips of 'n ander vulstof vul;
- (11) meubels met sùre of 'n ander bleikmiddel bleik;
- (12) 'n gepoleerde oppervlak stippel;
- (13) slegs met die hand beits, olie, vul en/of vernuwe;
- (14) webband en/of plaasvervangers aansit, maar nie spiraalvere vaswoel nie;
- (15) laaghout of hardhout aan los sitplekke vir stoffeerwerk vasspyker;
- (16) metaal bespuit;
- (17) riempieswerk;
- (18) heliese vere en/of ketting- en/of sigsag- of nie-deursaktipe veerwerk aanhak;
- (19) klapperhaar of ander materiaal met 'n masjien pluus;
- (20) die agtergrond van houtsnijwerk stippel en pons;
- (21) T- en G-randstroke met die hand vasslaan, maar nie verstekhoekprofiel nie;
- (22) bome aan gestoffeerde artikels vasspyker;
- (23) werk in verband met enige van die prosesse by die vervaardiging van veerbinnewerk en/of veereenhede en die vervaardiging van hul onderdele;
- (24) paneelpenne en/of -spykers en/of -kramme wat uitsteek, met 'n pons wegkap in die handskuurseksie;
- (25) rolle stoffeermateriaal, goiing, kaliko, crownflex en dergelyke stowwe met die hand oopmaak en/of van selfkant tot selfkant sny, maar uitdruklik nie 'n patroon en/of fatsoen, gereed vir stoffeerwerk, na grootte sny nie;
- (26) handvatsels met skroewe, boute en moere, en skroefboute deur voorafgeboorde gate vasheg;
- (27) spieëls deur middel van kleefband vassit;
- (28) opknappwerk by die -op en/of aflaaiplek;

Sent per
uur

Gedurende die tydperk eindigende 20 Maart 1998.....

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13. Werknemers wat die volgende werk verrig—

- (1) bedmatrasrame, ateljeerusbankrame en bababeddens met die hand vassit;
- (2) spoel vir 'n randkwiltmasjien gereedmaak;
- (3) gekwiltte rande volgens lengte sny;
- (4) gate in matrasrande pons;
- (5) ventileerders en handvatsels aan matrasrande aanbring;
- (6) die vervlegmasjien voer;
- (7) kussinkies uitsny en maak, ongeag die materiaal wat gebruik word;
- (8) latte en dwarsstawe in posisie plaas of webband aan matras- of bedrame heg;
- (9) matrasrame beits;
- (10) ore aan matrasrame vasheg;
- (11) maas aan 'n matrasraam in posisie plaas en vasheg;
- (12) lusse aan naalde hang by drukdeursteekwerk;
- (13) 'n materiaalpreimasjien laai, stoot en bedien;
- (14) 'n pluimasjien bedien;
- (15) 'n lusmaakmasjien bedien;
- (16) lusse, knope of kwassies vasheg;
- (17) rame vir beddegoed met die hand beits en/of vernis;
- (18) geweefde draadmaas en kettingveermasse aan rame vir beddegoed monteer, vasslaan of vashaak, ongeag die materiale waarvan die rame gemaak is;
- (19) bedysters aanbring;
- (20) veereenhede aan bedrame vasheg;

Sent per
uur

Gedurende die tydperk 20 Maart 1998.....

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14. Werknemers wat die volgende werk verrig—

- (1) Persele skoonmaak en vee;
- (2) masjinerie, uitrusting, gereedskap, sproeispuite en werktuie skoonmaak;
- (3) masjiene en/of voertuie olie smeer;
- (4) afwit;
- (5) voertuie laai en/of aflaa;
- (6) materiaal hanteer;
- (7) 'n voertuig of handekar stoot of trek;
- (8) met handvoertuie aflewer;
- (9) grondstowwe uitpak, baal en ontbaal;
- (10) uitrusting skoonmaak en skoonblaas;
- (11) 'n stoomketel, verbrander en/of oond bedien;
- (12) droogoonde laai en ontlaai;
- (13) tee of ander dergelike drank maak;
- (14) hout vir preserving behandel;
- (15) artikels in kartonne en/of kartonhouers verpak;
- (16) artikels in kartonne en/of kartonhouers verpak en daarna die kartonne en kartonhouers vul en toemaak;
- (17) lym afwas en/of afvee;
- (18) gebruikte stoffeerwerk en beddegoed uitmekaarhaal;
- (19) 'n meubelmasjienwerker help om materiale voor en na masjienbewerking te hanteer;
- (20) metaalstawe, skarniere, metaalbuise, metaalstroke, ketting, draad, hoepelyster en dergelike materiale sny;
- (21) ysterboute en- stawe vasklink of skroefdraad daarin sny;
- (22) enige soorte pers bedien;
- (23) stoffeervere bal en indompel;
- (24) stofsakke en/of siklone van skuurmasjiene versorg;
- (25) skuurpapierskywe vaslym;
- (26) in papier in karton toedraai;
- (27) rubbereenhede in matrasslope insit;
- (28) rubber of plaasvervangers daarvan uitsny en aan mekaar vaslym;
- (29) finere met kleefband vassit en 'n fineerpers bedien;
- (30) lym en papier van geperste finere verwyder, afwas en afvee;
- (31) hoepelyster wat vir webband gebruik word, reguit maak en/of sny;
- (32) kopkussings, stoelkussings en peule met stowwe of materiaal vul, maar nie met veerbinnewerk en/of veereenhede nie;
- (33) klapperhaar met die hand uitklop en/of plu;
- (34) metaalstawe skoonmaak;
- (35) die masse van kopkussings, peule, kwilte en stoelkussings bepaal;
- (36) klapperhaar of ander materiaal met die hand plu;
- (37) beddegoed uitmekaarhaal;
- (38) lym van meubels verwyder;
- (39) metaaldele buig, pons, vasklink, boor en/of inmeekaarsit;
- (40) lym meng, massameet en voorberei;
- (41) lym en lymverharders met die hand, 'n kwas of masjien aanwend en/of spre, maar uitdruklik nie meubelonderdele inmeekaarsit of monteer nie behalwe in die geval van die werknemers in subklousule (45) hieronder bedoel;
- (42) 'n tapplaatdrukmasjien bedien;
- (43) met 'n patroonplaat, patrone en/of 'n setmaat afmerk ter voorbereiding vir masjinerie;
- (44) 'n patroon, patroonplaat en/of setmaat afmerk;
- (45) meubelonderdele wat geklem, geklamp of gepers moet word, inmeekaarsit of monteer: Met dien verstande dat die getalsverhoudinge van werknemers wat hierdie werksaamheid verrig tot werknemers wat die loon ontvang wat by klousule 1 van hierdie Deel voorgekryf word en wat klem-, klamp of perswerk verrig, hoogstens twee tot een mag wees;
- (46) skuurpapier of -skywe en -bande vir oopbandskuurders maak en las;

- (47) materiale deursy;
 - (48) finere, laaghout en hardbord met kleefband, kramme en/of hegspykers aan rame of kernmateriaal vassit vir perswerk;
 - (49) bandlose laswerk met 'n masjien;
 - (50) enige soort vakuumsak en -pers laai en ontlai;
 - (51) gom- of ander bande afwas;
 - (52) onderdele na perswerk opstapel;
 - (53) 'n stoffeerder help deur die oortreksel vas te hou;
 - (54) lymblokke aanvryf;
 - (55) kartelkramme insit in die proses van rame inmeekaarsit;
 - (56) oortollige fineer met die hand of 'n handwerktuig wegwerk nadat fineer aangesit is;
 - (57) skroewe in vooraf geboorde gate insit voordat vasgeskroef word;
 - (58) moer en/of moerdoppies aan boutte vassit;
 - (59) handvatsels vasbout;
 - (60) glas in vooraf gemaakte groewe of sponnings laat sak, maar nie glas by kraallyswerk in posisie vassit en/of glas op 'n ander manier vassit nie;
 - (61) randfineerwerk met die hand;
 - (62) skuimrubber en/of dergelike stowwe na fatsoen en/of grootte sny;
 - (63) 'n skuimmaalmasjien bedien;
 - (64) karton in die stoffeerseksie met die hand en/of 'n valmes sny, maar nie 'n ander masjien gebruik of karton in 'n ander afdeling sny nie;
 - (65) los stoelkussingslope met vulmateriaal vul;
 - (66) houttappen met die hand inslaan;
 - (67) skuimrubber en/of dergelike stowwe aan oortrekmateriaal vaslym slegs vir deurstikwerk:

Sent per
uur

Gedurende die tydperk eindigende 20 Maart 1998 519

15. (a) Werknemers in diens as opsigters of wagle:

Rand per
week

Gedurende die tydperk eindigende 20 Maart 1998 247,24

(b) (i) Werknemers in diens as verpakkers;

(ii) werknemers in diens as kantoorbodes;

(iii) los werknemers:

Sent per
uur

Gedurende die tydperk eindigende 20 Maart 1998 519".

DEEL III

9. KLOUSULE 2: LONE

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

"(1) *Werknemers, uitgesonderd los werknemers:* 'n Werknemer wat 'n voertuig, uitgesonderd 'n stoomwa, dryf waarvan die onbelaste massa, tesame met die onbelaste massa van 'n sleepwa wat deur sodanige voertuig getrek word—

Sent per
uur

(i) hoogstens 2 722 kg is:

Gedurende die tydperk eindigende 20 Maart 1998 566

(ii) meer as 2 722 kg maar hoogstens 4 536 kg:

Gedurende die tydperk eindigende 20 Maart 1998 633

(iii) meer as 4 536 kg is:

Gedurende die tydperk eindigende 20 Maart 1998 622".

2. Vervang subklousule 4 (a) en (b) deur die volgende:

(a) Toevallige maaltye: R20,00;

(b) aandete en bed: R80,00."

3. Skrap subklousule 4 (c).

10. KLOUSULE 4: WERKURE, GEWONE EN OORTYD EN BESOLDIGING VIR OORTYDWERK

Vervang die uitdrukking "44" in subklousule (1) (a) (i), (b) (i) en (b) (ii), deur die uitdrukking "43".

Namens die partye op hede die 19de dag van Junie 1997 te Oos-Londen onderteken.

W. J. CHERRY

Voorsitter van die Raad

M. V. MBIZA

Ondervoorsitter van die Raad

W. J. CHERRY

Sekretaris van die Raad

No. R. 1200

12 September 1997

BASIC CONDITIONS OF EMPLOYMENT ACT, 1983

CONTINUOUS WORKING

I, Jeremy Michael Baskin, Chief Director: Labour Relations, duly authorised thereto by the Minister of Labour, hereby in terms of section 33 (1) of the Basic Conditions of Employment Act, 1983, declare the manufacture of Polypropylene Material as carried out by Cordustex (Pty) Ltd at Port Elizabeth, to be an activity with respect to which work may be performed continuously in three shifts per 24 hours, seven days a week: Provided that the conditions of employment, as published under Government Notice No. R. 2167 of 28 September 1984, or any Government Notice published in substitution thereof, are adhered to.

J. M. BASKIN, Chief Director: Labour Relations

No. R. 1200

12 September 1997

WET OP BASIESE DIENSVOORWAARDES, 1983

AANEENLOPENDE WERK

Ek, Jeremy Michael Baskin, Hoofdirekteur: Arbeidsverhoudinge, behoorlik daartoe gemagtig deur die Minister van Arbeid, verklaar hierby kragtens artikel 33 (1) van die Wet op Basiese Diensvoorwaardes, 1983, dat die vervaardiging van Polypropileen Materiaal, soos uitgevoer deur Cordustex (Pty) Ltd te Port Elizabeth, 'n bedrywigheid is met betrekking waartoe daar aaneenlopend in drie skofte per 24 uur, sewe dae per week, gewerk kan word: Met dien verstande dat die diensvoorwaardes, soos gepubliseer by Goewermentskennisgewing No. R. 2167 van 28 September 1984, of enige Goewermentskennisgewing gepubliseer ter vervanging daarvan, nagekom word.

J. M. BASKIN, Hoofdirekteur: Arbeidsverhoudinge

No. R. 1201

12 September 1997

LABOUR RELATIONS ACT, 1956

**IRON, STEEL, ENGINEERING AND METALLURGICAL INDUSTRY: AMENDMENT OF
EDUCATION AND TRAINING FUND AGREEMENT**

I, Tito Titus Mboweni, Minister of Labour, hereby—

- (a) in terms of section 48 (1) (a) of the Labour Relations Act, 1956, declare that the provisions of the Agreement (hereinafter referred to as the Amending Agreement) which appears in the Schedule hereto and which relates to the Undertaking, Industry, Trade or Occupation referred to in the heading to this notice, shall be binding, with effect from 1 October 1997 and for the period ending 10 May 1998, upon the employers' organisations and the trade unions which entered into the Amending 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 Amending Agreement, excluding those contained in clauses 1 and 2 (b) of Part 1, shall be binding, with effect from 1 October 1997, 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 2 (a) of Part 1 of the said Agreement.

T. T. MBOWENI

Minister of Labour

SCHEDULE**NATIONAL INDUSTRIAL COUNCIL FOR THE IRON, STEEL, ENGINEERING AND METALLURGICAL INDUSTRY****METAL AND ENGINEERING INDUSTRIES EDUCATION AND TRAINING FUND AGREEMENT**

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

Association of Electric Cable Manufacturers of South Africa
Border Engineering Industries Association
Bright Bar Association
Cape Engineers' and Founders' Association
Constructional Engineering Association (South Africa)
Covered Conductor Manufacturers' Association
Electrical Engineering and Allied Industries Association
Electronics and Telecommunications Industries Association
Ferro Alloy Producers' Association
Gate and Fence Association
Hand Tool Manufacturers' Association (HATMA)
Iron and Steel Producers' Association of South Africa
Lift Engineering Association of South Africa
Light Engineering Industries Association of South Africa
Materials Handling Association
Natal Engineering Industries Association
Non-Ferrous Metal Industries Association of South Africa
Plastics Manufacturers' Association of South Africa
Plumbers and Engineers' Brassware Manufacturers' Association
Port Elizabeth Engineers' Association
Pressure Vessel Manufacturers' Association of South Africa
Radio, Appliance and Television Association of South Africa
Refrigeration and Air Conditioning Manufacturers' and Suppliers' Association
Sheetmetal Industries Association of South Africa
S.A. Association of Shipbuilders and Repairers
S.A. Electro-Plating Industries Association
S.A. Engineers' and Founders' Association
S.A. Fasteners Manufacturers' Association
S.A. Industrial Refrigeration and Air Conditioning Contractors' Association
S.A. Pump Manufacturers' Association
S.A. Reinforced Concrete Engineers' Association
S.A. Tube Makers' Association
S.A. Valve and Actuator Manufacturers' Association
S.A. Wire and Wire Rope Manufacturers' Association

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

Metal and Electrical Workers' Union of South Africa
National Employees' Trade Union
National Union of Metalworkers of South Africa
Radio, Television, Electronics and Allied Workers' Union
S.A. Electrical Workers' Association
S.A. Workers' Union
Steel, Engineering and Allied Workers' Union of South Africa

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

being the parties to the National Industrial Council for the Iron, Steel, Engineering and Metallurgical Industry.

PART I**1. PERIOD OF OPERATION OF AGREEMENT**

This Agreement shall come into operation on such date as may be fixed by the Minister of Labour in terms of section 48 of the Labour Relations Act, 1956, and shall remain in force until 10 May 1998 or for such period as the Minister may determine.

2. SECTION 2: SCOPE OF APPLICATION OF AGREEMENT

Any reference in this Agreement to the Republic of South Africa and/or the Provinces of the Cape of Good Hope, the Transvaal, Natal and the Orange Free State shall be deemed to be a reference to the Magisterial Districts of those areas and/or provinces as they existed immediately prior to the coming into operation of the Constitution of the Republic of South Africa, 1993 (Act No. 200 of 1993), and the terms of this Agreement shall be observed—

- (a) throughout the Republic of South Africa; and
- (b) by all employers in the Iron, Steel, Engineering and Metallurgical Industries who are members of the employers' organisations.

PART II**3. SECTION 2: LEVY**

Substitute the following for the existing section:

- "(1) (a) The monthly levy per employee for the Artisan Training Fund shall be determined in accordance with the undermentioned table, based on the ratio of trainees to employees on the payroll of the employer and/or hired out to him on the last Friday of the calendar month to which payment of the levy refers:

Category	Ratio of trainees to employees	Monthly levy per employee
		R
A	One trainee of five, or fewer, employees	15,58
B	One trainee to more than five and up to 10 employees	23,36
C	One trainee to more than 10 and up to 15 employees	44,13
D	One trainee to more than 15 employees, or no trainees	62,29

- (b) The total amount of the levy payable each month by the employer shall be calculated by multiplying the monthly levy per employee as determined under paragraph (a) by the total number of employees as defined in this Part on the employer's payroll and/or hired out by him on the last Friday of the calendar month to which payment the levy refers.
- (2) The amount payable each month by the employer for the Industry Training Levy shall be determined by the total number of employees on the payroll of the employer and/or hired out by him on the last Friday of the calendar month to which the payment of the levy refers, and shall be 87c per employee."

Signed at Johannesburg, for and on behalf of the parties, this 7th day of July 1997.

D. A. CARSON

Member

W. P. COETZEE

Member

D. G. LEVY

General Secretary

No. R. 1201

12 September 1997

WET OP ARBEIDSVERHOUDINGE, 1956

YSTER-, STAAL-, INGENIEURS- EN METALLURGIESE NYWERHEID: WYSIGING VAN OPVOEDKUNDIGE EN OPLEIDINGSFONDSSOORENKOMS

Ek, Tito Titus Mboweni, Minister van Arbeid, verklaar hierby—

- (a) kragtens artikel 48 (1) (a) van die Wet op Arbeidsverhoudinge, 1956, dat die bepalings van die Ooreenkoms (hierna die Wysigingsooreenkoms genoem) wat in die Bylae hiervan verskyn en betrekking het op die Onderneming, Nywerheid, Bedryf of Beroep in die opskrif by hierdie kennisgewing vermeld, met ingang van 1 Oktober 1997 en vir die tydperk wat op 10 Mei 1998 eindig, bindend is vir die werkgewersorganisasies en die vakverenigings wat die Wysigingsooreenkoms 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 Wysigingsooreenkoms, uitgesonderd dié vervat in klousules 1 en 2 (b) van Deel 1, met ingang van 1 Oktober 1997 en vir die tydperk wat op 10 Mei 1998 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 2 (a) van Deel 1 van die Wysigingsooreenkoms gespesifiseer.

T. T. MBOWENI

Minister van Arbeid

BYLAE

NASIONALE NYWERHEIDSRAAD VIR DIE YSTER-, STAAL-, INGENIEURS- EN METALLURGIESE NYWERHEID

OPVOEDKUNDIGE EN OPLEIDINGSFONDSOOREENKOMS VIR DIE METAAL- EN INGENIEURSNYWERHEID

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

Association of Electric Cable Manufacturers of South Africa
Border Engineering Industries Association
Bright Bar Association
Cape Engineers' and Founders' Association
Constructional Engineering Association (South Africa)
Covered Conductor Manufacturers' Association
Electrical Engineering and Allied Industries Association
Electronics and Telecommunications Industries Association
Ferro Alloy Producers' Association
Gate and Fence Association
Hand Tool Manufacturers' Association (HATMA)
Iron and Steel Producers' Association of South Africa
Lift Engineering Association of South Africa
Light Engineering Industries Association of South Africa
Materials Handling Association
Natal Engineering Industries Association
Non-Ferrous Metal Industries Association of South Africa
Plastics Manufacturers' Association of South Africa
Plumbers and Engineers' Brassware Manufacturers' Association
Port Elizabeth Engineers' Association
Pressure Vessel Manufacturers' Association of South Africa
Radio, Appliance and Television Association of South Africa
Refrigeration and Air Conditioning Manufacturers' and Suppliers' Association
Sheetmetal Industries Association of South Africa
S.A. Association of Shipbuilders and Repairers
S.A. Electro-Plating Industries Association
S.A. Engineers' and Founders' Association
S.A. Fasteners Manufacturers' Association
S.A. Industrial Refrigeration and Air Conditioning Contractors' Association
S.A. Pump Manufacturers' Association
S.A. Reinforced Concrete Engineers' Association
S.A. Tube Makers' Association
S.A. Valve and Actuator Manufacturers' Association
S.A. Wire and Wire Rope Manufacturers' Association

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

Metal and Electrical Workers' Union of South Africa
National Employees' Trade Union
National Union of Metalworkers of South Africa
Radio, Television, Electronics and Allied Workers' Union
S.A. Electrical Workers' Association
S.A. Workers' Union
Steel, Engineering and Allied Workers' Union of South Africa

(hierna die "werknemers" of die "vakverenigings" genoem), aan die ander kant, wat die partye is by die Nasionale Nywerheidsraad vir die Yster-, Staal-, Ingenieurs- en Metallurgiese Nywerheid.

DEEL I

1. GELDIGHEIDSDUUR VAN OOREENKOMS

Hierdie Ooreenkoms tree in werking op die datum wat deur die Minister van Arbeid kragtens artikel 48 van die Wet op Arbeidsverhoudinge, 1956, vasgestel word en bly van krag tot 10 Mei 1998 of vir die tydperk wat die Minister bepaal.

2. KLOUSULE 2: TOEPASSINGSBESTEK VAN OOREENKOMS

Enige verwysing in hierdie Ooreenkoms na die Republiek van Suid-Afrika en/of die provinsies die Kaap die Goeie Hoop, Transvaal, Natal, die Oranje-Vrystaat geag word 'n verwysing te wees na die landdrosdistrikte van daardie gebiede en/of provinsies soos hulle bestaan het onmiddellik voor die inwerkingtreding van die Grondwet van die Republiek van Suid-Afrika, 1993 (Wet No. 200 van 1993), en hierdie Ooreenkoms moet nagekom word—

- (a) oral in die Republiek van Suid-Afrika; en
- (b) deur alle werkgewers in die Yster-, Staal-, Ingenieurs- en Metallurgiese Nywerheid wat lede van die werkgewers-organisasies is.

DEEL II

3. KLOUSULE 2: HEFFING

Vervang die bestaande klousule deur die volgende:

- "(1) (a) Die maandelikse heffing per werknemer vir die Ambagsmanopleidingsfonds moet bepaal word ooreenkomstig onderstaande tabel gebaseer op die verhouding van kwekelinge tot werknemers wat op die betaalstaat van die werkgewer verskyn en/of deur hom uitverhuur word op die laaste Vrydag van die kalendermaand waarop die betaling van die heffing betrekking het:

Kategorie	Verhouding van kwekelinge tot werknemers	Maandelikse heffing per werknemer
A	Een kwekeling tot vyf of minder werknemers	R 15,58
B	Een kwekeling tot meer as vyf en tot 10 werknemers	23,36
C	Een kwekeling tot meer as 10 en tot 15 werknemers.....	44,13
D	Een kwekeling tot meer as 15 werknemers, of geen kwekelinge nie	62,29

- (b) Die totale bedrag van die heffing wat elke maand deur die werkgewer betaalbaar is, moet bereken word deur die maandelikse heffing per werknemer soos in paragraaf (a) bepaal, te vermenigvuldig met die totale getal werknemers, soos in hierdie Deel omskryf, wat op die betaalstaat van die werkgewers verskyn en/of deur hom uitverhuur word op die laaste Vrydag van die kalendermaand waarop die betaling van die heffing betrekking het.
- (2) Die maandelikse bedrag betaalbaar elke maand deur die werkgewer ten opsigte van die Nywerheidsopleidingsheffing word bepaal deur die totale getal werknemers op die betaalstaat van die werkgewer en/of wat deur hom uitverhuur word op die laaste Vrydag van die kalendermaand waarna die betaling van die heffing verwys, en is 87c per werknemer."

Namens die partye op hede die 7de dag van Julie 1997 te Johannesburg onderteken.

D. A. CARSON

Lid

W. P. COETZEE

Lid

D. G. LEVY

Hoofsekretaris



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