

REPUBLIC
OF
SOUTH AFRICA



REPUBLIEK
VAN
SUID-AFRIKA

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GOVERNMENT NOTICES GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF AGRICULTURE DEPARTEMENT VAN LANDBOU

No. R. 232

26 February 1999

ABATTOIR HYGIENE ACT, 1992 (ACT No. 121 OF 1992)

REGULATIONS RELATING TO KINDS OF ANIMAL TO WHICH ACT APPLIES *

The Minister of Agriculture has, under the powers vested in him by section 24, read with section 1, of the Abattoir Hygiene Act, 1992 (Act No. 121 of 1992)—

- (a) made the regulations in the Schedule; and
- (b) repealed the regulations published by Government Notice No. R. 337 of 1 March 1996.

D. A. HANEKOM

Minister of Agriculture

* Regulations to prescribe the kinds of animal to which the Act shall apply.

SCHEDULE**Definition**

1. In this Schedule any word or expression to which a meaning has been assigned in the Act, shall have that meaning and "the Act" means the Abattoir Hygiene Act, 1992 (Act No. 121 of 1992).

Kinds of animal to which the Act shall apply

2. (1) For purposes of the Act, with the exception of section 14 thereof, animal means—
- (a) in respect of the Republic, animals of the kinds referred to in Table 1; and
 - (b) in respect of Kruger National Park, animals of the kinds referred to in Table 2.
- (2) For purposes of section 14 of the Act, animal means animals of the kinds referred to in Table 3.

TABLE 1**KINDS OF ANIMAL**

Bovine
Donkey
Duck
Fowl
Goat
Goose
Guineafowl
Horse
Mule
Ostrich
Partridge
Pheasant
Pig
Pigeon
Quail
Rabbit
Sheep
Turkey

TABLE 2**KINDS OF ANIMAL**

COMMON NAME	SCIENTIFIC NAME
Blue wildebeest	<i>Connochaetes taurinus</i>
Buffalo.....	<i>Syncerus caffer</i>
Burchell's Zebra.....	<i>Equus burchelli</i>
Elephant	<i>Loxodonta Africana</i>
Hippopotamus	<i>Hippopotamus amphibius</i>
Impala	<i>Aepyceros melampus</i>

TABLE 3**KINDS OF ANIMAL**

Bovine
Donkey
Duck
Farmed Deer
Fowl
Goat
Goose
Guineafowl
Horse
Kangaroo
Mule
Ostrich

KINDS OF ANIMAL

Partridge
Pheasant
Pig
Pigeon
Quail
Rabbit
Sheep
Turkey

No. R. 232

26 Februarie 1999

WET OP ABATTOIRHIGIËNE, 1992 (WET No. 121 VAN 1992)

REGULASIES BETREFFENDE DIERSOORTE WAAROP WET VAN TOEPASSING IS *

Die Minister van Landbou het, kragtens die bevoegdheid aan hom verleen by artikel 24, geles met artikel 1, van die Wet op Abattoirhigiëne, 1992 (Wet No. 121 van 1992)—

- (a) die regulasies in die Bylae uitgevaardig; en
- (b) die regulasies gepubliseer by Goewermentskennisgewing No. R. 337 van 1 Maart 1996 herroep.

D. A. HANEKOM

Minister van Landbou

* Regulasies waarby die diersoorte waarop die Wet van toepassing is, voorgeskryf word.

BYLAE

Woordomskrywing

1. In hierdie Bylae het enige woord of uitdrukking waaraan 'n betekenis in die Wet geheg is, daardie betekenis en beteken "die Wet" die Wet op Abattoirhigiëne, 1992 (Wet No. 121 van 1992).

Diersoorte waarop die Wet van toepassing is

- 2. (1) Vir doeleindes van die Wet, met die uitsondering van artikel 14 daarvan, beteken dier—
 - (a) met betrekking tot die Republiek, diere van die soorte in Tabel 1 vermeld; en
 - (b) met betrekking tot die Nasionale Krugerwildtuin, diere van die soorte in Tabel 2 vermeld.
- (2) Vir doeleindes van artikel 14 van die Wet, beteken dier, die diere van die soorte in Tabel 3 vermeld.

TABEL 1

DIERSOORTE

Bees
Bok
Donkie
Duif
Eend
Fisant
Gans
Hoender
Kalkoen
Konyn
Kwartel
Muil
Patrys
Perd
Skaap
Tarentaal
Vark
Volstruis

TABEL 2

DIERSOORTE	
GEWONE NAAM	WETENSKAPLIKE NAAM
Blouwildebees	<i>Connochaetes taurinus</i>
Buffel.....	<i>Syncerus caffer</i>
Bontkwagga.....	<i>Equus burchelli</i>
Olifant	<i>Loxodonta Africana</i>
Rooibok	<i>Hippopotamus amphibius</i>
Seekoei.....	<i>Aepyceros melampus</i>

TABEL 3

DIERSOORTE
Bees
Bok
Donkie
Duif
Eend
Fisant
Gans
Hoender
Kalkoen
Kommersiële takbok
Konyn
Kwartel
Muil
Patrys
Perd
Skaap
Tarentaal
Vark
Volstruis

**DEPARTMENT OF JUSTICE
DEPARTEMENT VAN JUSTISIE**

No. R. 250

26 February 1999

PATENTS ACT, 1978

AMENDMENT OF PATENT REGULATIONS, 1978

1. The Minister of Trade and Industry has, with the concurrence of the Minister of Finance in respect of matters prescribing the payment of fees and the tariff of such fees, under section 91 of the Patents Act, 1978 (Act No. 57 of 1978), further amended the Patent Regulations, 1978, published under Government Notice No. R2470 of 15 December 1978, as set out in the Schedule, with effect from 16 March 1999.
2. The Minister further gives notice that all references to the Patents Act, 1978 (Act No. 57 of 1978) and the entire section entitled "Motivations for the proposed amendments to the Patent Regulations" on pages 2 to 8 inclusive of the General Notice No. 137 of 1999, published in the Government Gazette No. 19739 of 12 February 1999, were published in error and are to be regarded as pro non scripto.

SCHEDULE

1. Regulation 1 is hereby renumbered as 1(1) and the following new regulation 1(2) is inserted:

"(2) These regulations shall apply to all patents and patent applications subject to the modifications set out in Chapter 1A in respect of international applications designating the Republic".

2. Regulation 14 is hereby amended by the substitution of the following:

"14 All documents which are not photocopies of other documents shall be on A4 white bond paper. Each sheet shall be used with its short sides at the top and bottom (except where inappropriate in the case of drawings)".

3. Regulation 21 is hereby amended by the substitution of the following:

"21 Drawings shall be executed without colouring in durable, black sufficiently dense and dark, uniformly thick and well defined lines and strokes to permit satisfactory reproduction and shall be on white bond paper".

4. Regulation 22(2) is hereby deleted.

5. The following regulation 46A is hereby inserted after regulation 46:

"Particulars of Search Reports"

46A(1) An application in terms of section 43(4)(a) for the patentee to supply the applicant with the prescribed particulars of any search report issued in another country shall be made on form P4 in triplicate.

(2) The Registrar shall forward one copy of form P4 to the patentee at the patentee's address for service and shall return a further copy to the applicant as receipt of the application.

(3) The prescribed particulars referred to in section 43(4)(a) shall be the full details required to identify all documents cited in a search report in respect of a patent application relating to the

same subject matter lodged in another country.

- (4) An application in terms of section 43(4)(c) shall be initiated by way of a notice of motion."

6. The following is hereby inserted after Chapter I:

"CHAPTER 1A

PROCEDURE IN THE PATENT OFFICE IN RELATION TO INTERNATIONAL APPLICATIONS

International application lodged with the patent office as receiving office

67A For the purposes of section 43C(a), and subject to the provisions of rule 16*bis* of the regulations under the Patent Cooperation Treaty, the applicant shall pay to the patent office -

- (a) the transmittal fee specified in Schedule 1 to these regulations within one month of the date on which the international application was lodged; and
- (b) the international fee and the search fee specified in rules 15 and 16, respectively, of the regulations under the Patent Cooperation Treaty within the time limits specified therein.

National phase entry form

67B(1) The national fee prescribed in section 43E(1)(a) shall be paid by the applicant on form P25, in duplicate, one copy of which shall be returned by the Registrar to the applicant as proof of payment.

- (2) Within one month of complying with section 43E(1) the applicant shall lodge a form P2
- (3) Within six months of complying with section 43E(1), or within such further time as the Registrar may on request allow, the applicant shall lodge a form P3.

Entering national phase under chapter I of the Patent Cooperation Treaty

67C Where the Republic has not, before the expiration of 19 months from the priority date referred to in article 2(xi) of the Patent Cooperation Treaty, been elected for the purposes of international preliminary examination -

- (a) the time limit applicable under article 22 of the Patent Cooperation Treaty, as referred to in section 43E(1), shall be 21 months from the priority date;
- (b) the contents of the translation referred to in section 43E(1)(b) shall include -
 - (i) the description;
 - (ii) the claims (if amended under article 19 of the Patent Cooperation Treaty, as so amended); and
 - (iii) any textual matter on the drawings, if any.

Entering national phase under chapter II of the Patent Cooperation Treaty

67D Where the Republic has, before the expiration of 19 months from the priority date referred to in article 2(xi) of the Patent Cooperation Treaty, been elected for the purposes of international preliminary examination -

- (a) the time limit applicable under article 39 of the Patent Cooperation Treaty, as referred to in section 43E(1), shall be 31 months from the priority date;
- (b) the contents of the translation referred to in section 43E(1)(a) shall include -
 - (i) the description (if amended by any amendments annexed to the international preliminary examination report, as so amended);
 - (ii) the claims (if amended by any amendments annexed to that report, as so amended);
 - (iii) any textual matter on the drawings (if any and if amended by any amendments annexed to that report, as so amended).

Missing translation of an amendment

- 67E (1) Where the applicant fails to file a translation of an amendment referred to in regulation 67C or 67D, the registrar shall request the applicant to furnish the missing translation within a time limit which shall be reasonable in the circumstances and which shall be fixed in the request.
- (2) If the missing translation is not furnished within that time limit, the amendment shall be deemed not to have been made.

Appointment of agent

- 67F Regulations 9 and 10 shall apply to section 43F(3)(a)(ii) and the prescribed time referred to in section 43F(3)(a)(ii) shall be two months calculated from the date on which the applicant complies with the requirements of section 43E(1).

Convention application

- 67G (1) Where the applicant has failed to comply with rule 17.1 of the regulations under the Patent Cooperation Treaty, the applicant shall lodge with the patent office a copy, certified to the satisfaction of the registrar, of the priority document within six months of the applicant complying with section 43E(1) or within such further period as the registrar may on request allow.
- (2) If the priority document is in a language other than English, a translation thereof into one of the official languages, verified to the satisfaction of the registrar, shall be lodged with the patent office within six months of the applicant complying with section 43E(1) or within such further period as the registrar may on request allow.

Acceptance, publication and sealing

- 67H Subject to the provisions of section 40, when read with section 43F(h), sections 42 and 44 and regulations 44 to 47 shall apply *mutatis mutandis* to an international application.

67I Renewals

- (1) If a patent issues on an application filed in terms of section 43 before the expiration of 36 months from the international filing date, regulation 48 shall apply.
- (2) If a patent issues on an application after the expiration of 36 months from the international filing date, the patentee shall pay any renewal fees outstanding in terms of regulation 48 within six months of the date of publication in terms of section 42 or such further period as the registrar

may, in terms of the proviso to section 43(2) and on compliance with regulation 48(3), allow. Thereafter regulation 48 shall apply."

7. Regulations 72, 73, 74 and 75 are hereby amended by the substitution for the expression "South African Institute of Patent Agents" wherever it occurs, of the expression "South African Institute of Intellectual Property Law".

8. Regulation 77 is hereby amended by the substitution of the following:

"77 When any proceeding referred to in regulation 76 is initiated the registrar shall act as the registrar of the court of the commissioner of patents and shall open a separate file for that proceeding."

9. Regulation 98(1) is hereby amended by the substitution of the following:

"98(1) In any proceedings for infringement in which the plaintiff claims relief by way of damages or payment of an amount in lieu of damages, it shall be permissible for him to claim an enquiry as to the damages suffered by him as a result of the infringement and/or as to what is a reasonable royalty and payment of the amount found to be due to him."

10. Regulation 103 is hereby amended by substitution for the expression "letters patent" of the expression "a certificate".

11. Schedule 1 is hereby amended as follows:

11.1 Item 4(k): by the deletion of the expression "(not exceeding two months)".

11.2 Item 6: by the deletion of the item.

11.3 Item 7(b): by the substitution for the numeral "10" in the column "Corresponding Forms" of the expression "Notice of Motion".

11.4 By the insertion of the following new items:

<u>Item No.</u>	<u>Description</u>	<u>Corresponding Forms</u>	<u>Fees R</u>
24	Transmittal fee in terms of section 43D [regulation 67A(a)]		220
25	International fee in terms of section 43D [regulation 67A(b)]		(the equivalent of section 43D (in rand of the [regulation 67A(b)] applicable amounts under rules 15 and 16 of the 26 Search fee in terms of regulationssection 43D under the [regulation 67A(b)] Patent Cooperation Treaty)
26	Search fee in terms of section 43D [regulation 67A(b)]		
27	National fee in terms of section 43E(1)(a) [regulation 67B]	P25	220

12. Schedule 2 is hereby amended as follows:

12.1 Form P1 is amended by the deletion of the item number 12 "Request for classification on form P9" and by the renumbering of item number 13 to become number 12.

- 12.2 Form P5 is amended by the deletion of the item number 12 "Request for classification on form P9" and by the renumbering of item number 13 to become number 12.
 - 12.3 Form P8 is amended by the deletion of the expression "If no classification is furnished, form P9 should accompany this form" at the foot of the form.
 - 12.4 Form P9 is deleted.
 - 12.5 Form P17 is amended by the substitution for the expression "South African Institute of Patent Agents" of the expression "South African Institute of Intellectual Property Law".
 - 12.6 Form P18 is hereby amended by the substitution for the expression "South African Institute of Patent Agents" of the expression "South African Institute of Intellectual Property Law".
 - 12.7 By the addition of the form, numbered P25, set out in annexure 1.
13. Schedule 4 is hereby amended as follows:
 - 13.1 Parts I and II are amended as set out in annexures 2 and 3.
 - 13.2 A new part III is added to provide recognised abbreviations of regional receiving offices, as set out in annexure 4.
 14. Schedule 5 is hereby amended by the substitution of the form as set out in annexure 5.

ANNEXURE 1

(i)

FORM P.25

REPUBLIC OF SOUTH AFRICA

PATENTS ACT, 1978

**ENTRY OF INTERNATIONAL APPLICATION UNDER THE
PATENT COOPERATION TREATY INTO SOUTH AFRICAN
NATIONAL PHASE AND ACKNOWLEDGMENT OF RECEIPT**

(Section 42E(1) - Regulation 67B)

(See notes overleaf)

The processing under the Patents Act, 1978 of the undermentioned international application designating South Africa is hereby requested on the basis of this form filed in duplicate

(ii)

Official Application No.		
21	01	

(iii)

Applicant's or Agent's Reference

International Application No.	International Filing Date	Priority Date
PCT/ /		

(iv)

71	Full Name(s) of Applicant(s)	
(v)	Address(es) of Applicant(s)	

54	Title of invention
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The applicant has claimed priority (if any) as set out in the abovementioned international application
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(vi)

This application is for a patent of addition to patent application No.		
21	01	

(vii)

The abovementioned international application was filed in English or has been published under the Patent Cooperation Treaty in English
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(viii)

This application is accompanied by:	
1.	Translation of the international application
2.	Certified priority document(s) (state number) (ix)
3.	Translation(s) of the priority document(s)
4.	A copy of the Form P2 (particulars for the register)
5.	A declaration and power of attorney on Form P3
6.	

21	01	
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74	Address of Service:
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Dated this day of

.....
Signature of Applicant(s) or Agent

The duplicate will be returned to the applicant's address for service as proof of lodging but is not valid unless endorsed with official stamp.

RECEIVED
Official Date Stamp
..... Registrar of Patents

NOTES: (refer to Form P.25)

- (i) Use of this form is recommended but is not mandatory for an international application to enter the national phase in South Africa. For the mandatory steps to be taken, see section 43E(1) of the Patents Act.
- (ii) For official use only.
- (iii) The reference should be given, if available.
- (iv) Furnish the applicant's name in full.
- (v) Where possible, the street address of a natural person and the street address of the principal place of business of a corporation should be given.
- (vi) Delete if not applicable.
- (vii) Delete if not applicable. If the international application was not filed in English or published under the Patent Cooperation Treaty in English, a translation must be filed.
- (viii) Mark with a cross in the appropriate check-box(es). If a specified document is required but does not accompany this form, the applicant will be requested to furnish it.
- (ix) A copy of the priority document need not be furnished if the applicant has complied with the requirements of Rule 17.1 of the Regulations under the Patent Cooperation Treaty.

ANNEXURE 2**SCHEDULE 4****PART I****INTERNATIONAL ABBREVIATIONS OF CONVENTION COUNTRIES**

Albania	AL	Estonia	EE
Algeria	DZ	Finland	FI
Argentina	AR	France	FR
Armenia	AM	Gabon	GA
Australia	AU	Gambia	GM
Austria	AT	Georgia	GE
Azerbaijan	AZ	Germany	DE
Bahamas	BS	Ghana	GH
Bahrain	BH	Greece	GR
Bangladesh	BD	Grenada	GD
Barbados	BB	Guatemala	GT
Belarus	BY	Guinea	GN
Belgium	BE	Guinea-Bissau	GW
Benin	BJ	Guyana	GY
Bolivia	BO	Haiti	HT
Bosnia and Herzegovina	BA	Holy See	VA
Botswana	BW	Honduras	HN
Brazil	BR	Hungary	HU
Bulgaria	BG	Iceland	IS
Burkina Faso	BF	Indonesia	ID
Burundi	BI	Iran (Islamic Republic of)	IR
Cambodia	KH	Iraq	IQ
Cameroon	CM	Ireland	IE
Canada	CA	Israel	IL
Central African Republic	CF	Italy	IT
Chad	TD	Japan	JP
Chile	CL	Jordan	JO
China	CN	Kazakhstan	KZ
Colombia	CO	Kenya	KE
Congo	CG	Korea (Democratic People's	
Congo (Democratic Republic of)	CD	Republic of)	KP
Costa Rica	CR	Korea (Republic of)	KR
Côte d'Ivoire	CI	Kyrgyzstan	KG
Croatia	HR	Laos	LA
Cuba	CU	Latvia	LV
Cyprus	CY	Lebanon	LB
Czech Republic	CZ	Lesotho	LS
Denmark	DK	Liberia	LR
Dominican Republic	DO	Libya	LY
Egypt	EG	Liechtenstein	LI
El Salvador	SV	Lithuania	LT
Equatorial Guinea	GQ	Luxembourg	LU

Macedonia (former Yugoslav Republic of)	MK	Sao Tome and Principe	ST
Madagascar	MG	Senegal	SN
Malawi	MW	Sierra Leone	SL
Malaysia	MY	Singapore	SG
Mali	ML	Slovakia	SK
Malta	MT	Slovenia	SI
Mauritania	MR	South Africa	ZA
Mauritius	MU	Spain	ES
Mexico	MX	Sri Lanka	LK
Moldova (Republic of)	MD	Sudan	SD
Monaco	MC	Suriname	SR
Mongolia	MN	Swaziland	SZ
Morocco	MA	Sweden	SE
Mozambique	MZ	Switzerland	CH
Netherlands	NL	Syria	SY
New Zealand	NZ	Tajikistan	TJ
Nicaragua	NI	Tanzania (United Republic of)	TZ
Niger	NE	Togo	TG
Nigeria	NG	Trinidad and Tobago	TT
Norway	NO	Tunisia	TN
Panama	PA	Turkey	TR
Paraguay	PY	Turkmenistan	TM
Peru	PE	Uganda	UG
Philippines	PH	Ukraine	UA
Poland	PL	United Arab Emirates	AE
Portugal	PT	United Kingdom	GB
Romania	RO	United States of America	US
Russian Federation	RU	Uruguay	UY
Rwanda	RW	Uzbekistan	UZ
Saint Kitts and Nevis	KN	Venezuela	VE
Saint Lucia	LC	Vietnam	VN
Saint Vincent & the Grenadines	VC	Yugoslavia	YU
San Marino	SM	Zambia	ZM
		Zimbabwe	ZW

ANNEXURE 3**SCHEDULE 4****PART II****INTERNATIONAL ABBREVIATIONS OF CONVENTION COUNTRIES**

AL	Albania	EE	Estonia
DZ	Algeria	FI	Finland
AR	Argentina	FR	France
AM	Armenia	GA	Gabon
AU	Australia	GM	Gambia
AT	Austria	GE	Georgia
AZ	Azerbaijan	DE	Germany
BS	Bahamas	GH	Ghana
BH	Bahrain	GR	Greece
BD	Bangladesh	GD	Grenada
BB	Barbados	GT	Guatemala
BY	Belarus	GN	Guinea
BE	Belgium	GW	Guinea-Bissau
BJ	Benin	GY	Guyana
BO	Bolivia	HT	Haiti
BA	Bosnia and Herzegovina	VA	Holy See
BW	Botswana	HN	Honduras
BR	Brazil	HU	Hungary
BG	Bulgaria	IS	Iceland
BF	Burkina Faso	ID	Indonesia
BI	Burundi	IR	Iran (Islamic Republic of)
KH	Cambodia	IQ	Iraq
CM	Cameroon	IE	Ireland
CA	Canada	IL	Israel
CF	Central African Republic	IT	Italy
TD	Chad	JP	Japan
CL	Chile	JO	Jordan
CN	China	KZ	Kazakhstan
CO	Colombia	KE	Kenya
CG	Congo		Korea (Democractic People's
CD	Congo (Democratic Republic of)	KP	Republic of)
CR	Costa Rica	KR	Korea (Republic of)
CI	Côte d'Ivoire	KG	Kyrgyzstan
HR	Croatia	LA	Laos
CU	Cuba	LV	Latvia
CY	Cyprus	LB	Lebanon
CZ	Czech Republic	LS	Lesotho
DK	Denmark	LR	Liberia
DO	Dominican Republic	LY	Libya
EG	Egypt	LI	Liechtenstein
SV	El Salvador	LT	Lithuania
GQ	Equatorial Guinea	LU	Luxembourg

Macedonia (former Yugoslav Republic of)	ST Sao Tome and Principe
MK Republic of)	SN Senegal
MG Madagascar	SL Sierra Leone
MW Malawi	SG Singapore
MY Malaysia	SK Slovakia
ML Mali	SI Slovenia
MT Malta	ZA South Africa
MR Mauritania	ES Spain
MU Mauritius	LK Sri Lanka
MX Mexico	SD Sudan
MD Moldova (Republic of)	SR Suriname
MC Monaco	SZ Swaziland
MN Mongolia	SE Sweden
MA Morocco	CH Switzerland
MZ Mozambique	SY Syria
NL Netherlands	TJ Tajikistan
NZ New Zealand	TZ Tanzania
NI Nicaragua	TG Togo
NE Niger	TT Trinidad and Tobago
NG Nigeria	TN Tunisia
NO Norway	TR Turkey
PA Panama	TM Turkmenistan
PY Paraguay	UG Uganda
PE Peru	UA Ukraine
PH Philippines	AE United Arab Emirates
PL Poland	GB United Kingdom
PT Portugal	US United States of America
RO Romania	UY Uruguay
RU Russian Federation	UZ Uzbekistan
RW Rwanda	VE Venezuela
KN Saint Kitts and Nevis	VN Vietnam
LC Saint Lucia	YU Yugoslavia
VC Saint Vincent & the Grenadines	ZM Zambia
SM San Marino	ZW Zimbabwe

ANNEXURE 4**SCHEDULE 4****PART III****INTERNATIONAL ABBREVIATIONS OF REGIONAL RECEIVING OFFICES**

AP	ARIPO Patent	(African Regional Industrial Property Organisation)
EA	Eurasian Patent	(Eurasian Patent Convention)
EP	European Patent	(European Patent Organisation)
OA	OAPI Patent	(African Intellectual Property Organisation)

ANNEXURE 5**SCHEDULE 5****REPUBLIC COAT OF ARMS****REPUBLIC OF SOUTH AFRICA
PATENT ACT, 1978****CERTIFICATE**

In accordance with section 44(1) of the Patents Act 57 of 1978, it is hereby certified that has been granted a patent in respect of an invention described and claimed in the complete specification deposited at the Patent Office under the number A copy of the complete specification is annexed, together with the relevant Form P2.

In testimony thereof, the seal of the Patent Office has been affixed at Pretoria with effect from the day of 19.... .

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REGISTRAR OF PATENTS

**DEPARTMENT OF LABOUR
DEPARTEMENT VAN ARBEID****No. R. 240****26 February 1999**

LABOUR RELATIONS ACT, 1995

CORRECTION NOTICE

**HAIRDRESSING AND COSMETOLOGY TRADE (PRETORIA): EXTENSION OF COLLECTIVE AGREEMENT TO
NON-PARTIES**

The following correction to Government Notice No. R. 1035 appearing in *Government Gazette* No. 19139 of 21 August 1998, is hereby published for general information:

1. In the English text to the Schedule:

"3. DEFINITIONS"

Substitute the expression "toilet services" for the expression "salon services" where it appears on the second line of the definition of "qualified hairdresser".

2. In the Afrikaans text to the Schedule:

"3. WOORDOMSKRYWING"

Substitute the expression "toiletdienste" for the expression "salondienste" where it appears on the second line of the definition of "gekwalfiseerde haarkapper".

No. R. 240**26 Februarie 1999**

WET OP ARBEIDSVERHOUDINGE, 1995

VERBETERINGSKENNISGEWING

**HAARKAPPERS- EN KOSMETOLOGIEBEDRYF (PRETORIA): UITBREIDING VAN KOLLEKTIEWE OOREENKOMS NA
NIE-PARTYE**

Onderstaande verbetering aan Goewermentskennisgewing No. R. 1035 wat in *Staatskoerant* No. 19139 van 21 Augustus 1998 verskyn, word hierby vir algemene inligting gepubliseer.

1. In die Engelse teks van die Bylae:

"3. DEFINITIONS"

Vervang die uitdrukking "salon services" met die uitdrukking "toilet services" waar dit in die tweede reël van die definisie van "qualified hairdresser" voorkom.

2. In die Afrikaanse teks van die Bylae:

"3. WOORDOMSKRYWING"

Vervang die uitdrukking "salondienste" met die uitdrukking "toiletdienste" waar dit in die tweede reël van die definisie van "gekwalfiseerde haarkapper" voorkom.

**DEPARTMENT OF SAFETY AND SECURITY
DEPARTEMENT VAN VEILIGHEID EN SEKURITEIT****No. R. 248****26 February 1999****NOTICE IN TERMS OF SECTION 29 (1) OF THE SOUTH AFRICAN POLICE SERVICE ACT, 1995 (ACT No. 68 OF 1995)**

By virtue of the powers vested in me in terms of section 29 (1) of the South African Police Service Act, 1995 (Act No. 68 of 1995), I hereby designate the category of personnel, mentioned in the Schedule hereto, as members of the Service with effect from 1 March 1999.

F. S. MUFAMADI**Minister for Safety and Security**

SCHEDULE

Communication Officer
Training Officer
Survey Statistician
Librarian
Aircraft Maintenance Engineer
Fingerprint Comparer/Expert
Food Service Manager

No. R. 248**26 Februarie 1999****KENNISGEWING KRAGTENS ARTIKEL 29 (1) VAN DIE WET OP DIE SUID-AFRIKAANSE POLISIEDIENS, 1995
(WET No. 68 VAN 1995)**

Kragtens die bevoegdheid aan my verleen by artikel 29 (1) van die Wet op die Suid-Afrikaanse Polisie, 1995 (Wet No. 68 van 1995), wys ek hiermee die kategorieë personeel, soos vermeld in die Aanhangsel, met ingang van 1 Maart 1999 as lede van die Diens aan.

F. S. MUFAMADI**Minister vir Veiligheid en Sekuriteit****AANHANGSEL**

Kommunikasiebeampte
Opleidingsbeampte
Opnamestatistikus
Bibliotekaris
Vliegtuigonderhouingenieur
Vingerafdruk Vergelyker/Deskundige
Voedseldiens Bestuurder

**SOUTH AFRICAN REVENUE SERVICE
SUID-AFRIKAANSE INKOMSTEDIENS****No. R. 233****26 February 1999****CUSTOMS AND EXCISE ACT, 1964****AMENDMENT OF SCHEDULE No. 1 (No. 1/1/969)**

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

G. MARCUS**Deputy Minister of Finance**

SCHEDULE

Head=ing	Subheading	C. D.	Article Description	Statistical Unit	Rate of Duty	Anno=tations
27.10			By the deletion of subheading No. 2710.00.15.			
			By the insertion after subheading No. 2710.00.25 of the following:			
	“.80	0	Other mixtures containing lubricity agents	kg	0,183c/l ”	
38.24			By the insertion before subheading No. 3824.90.25 of the following:			
	“.01	9	Mixtures of hydrocarbons and lubricity agents	kg	0,183c/l ”	

No. R. 233

26 Februarie 1999

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE No. 1 (No. 1/1/969)

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

G. MARCUS

Adjunkminister van Finansies

BYLAE

Pos	Subpos	T. S.	Artikel Beskrywing	Statistiese Eenheid	Skaal van Reg	Anno=tasies
27.10			Deur subpos No. 2710.00.15 te skrap.			
			Deur na subpos No. 2710.00.25 die volgende in te voeg:			
	“.80	0	Ander mengsels wat smeerperepare bevat	kg	0.183c/l ”	
38.24			Deur voor subpos No. 3824.90.25 die volgende in te voeg:			
	“.01	9	Mengsels van koolwaterstowwe en smeerperepare	kg	0,183c/l ”	

No. R. 234

26 February 1999

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE No. 3 (No. 3/420)

Under section 48 of the Customs and Excise Act, 1964, Schedule No. 3 to the said Act is hereby amended, with retrospective effect to 1 July 1998, to the extent set out in the Schedule hereto.

G. MARCUS

Deputy Minister of Finance

SCHEDULE

Rebate Item	Tariff Heading	Rebate Code	C D	Description	Extent of Rebate	Anno=tations
316.01	"7604.21	01.06	62	By the substitution for tariff heading No. 7604.21 of the following: Hollow profiles, of aluminium alloys, of an inside diameter exceeding 12,5 mm and containing, by mass, not more than - 6 per cent of copper; 6 per cent of magnesium; 2 per cent of silicon; 8,5 per cent of zinc; 2 per cent of manganese; 2 per cent of lead; 4 per cent of titanium; or 0,5 per cent of boron; entered for home consumption on or before 30 June 1999, for the manufacture of condensers and evaporators for motor vehicle air conditioner equipment, in such quantities as the Director-General: Trade and Industry may allow by specific permit after he has been satisfied that the quality of such locally manufactured hollow profiles of aluminium alloys is not acceptable to the motor industry	Full duty"	
	"7608.20	01.06	69	By the substitution for tariff heading No. 7608.20 of the following: Tubes and pipes, of aluminium alloys, of an inside diameter exceeding 12,5 mm and containing, by mass, not more than - 6 per cent of copper; 6 per cent of magnesium; 2 per cent of silicon; 8,5 per cent of zinc; 2 per cent of manganese; 2 per cent of lead; 4 per cent of titanium; or 0,5 per cent of boron; entered for home consumption on or before 30 June 1999, for the manufacture of condensers and evaporators for motor vehicle air conditioner equipment, in such quantities as the Director-General: Trade and Industry may allow by specific permit after he has been satisfied that the quality of such locally manufactured tubes and pipes of aluminium alloys is not acceptable to the motor industry	Full duty"	

No. R. 234

26 Februarie 1999

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE No. 3 (No. 3/420)

Kragtens artikel 48 van die Doeane- en Aksynswet, 1964, word Bylae No. 3 by genoemde Wet hiermee gewysig, met terugwerkende krag tot 1 Julie 1998, in die mate in die Bylae hierby aangetoon.

G. MARCUS

Adjunkminister van Finansies

BYLAE

Korting= Item	Tarief= pos	Kor= ting= kode	T. S.	Beskrywing	Mate van Korting	Anno= tasies
316.01	"7604.21	01.06	62	Deur tariefpos No. 7604.21 deur die volgende te vervang: Hol profiele, van aluminiumlegerings, met 'n binnedeursnee van minstens 12,5 mm en wat, volgens massa, hoogstens - 6 persent koper; of 6 persent magnesium; of 2 persent silikon; of 8,5 persent sink; of 2 persent mangaan; of 2 persent lood; of 4 persent titaan; of 0,5 persent boor bevat, geklaar voor of op 30 Junie 1999, vir die vervaardiging van kondensators en verdampers vir motorvoertuiglugversorgingstoerusting, in die hoeveelhede wat die Direkteur-generaal: Handel en Nywerheid by bepaalde permit toelaat nadat hy tevrede gestel is dat die kwaliteit van sodanige plaaslik vervaardigde hol profiele, van aluminiumlegerings, nie aanvaarbaar is vir die motornywerheid nie	Volle reg	
	"7608.20	01.06	69	Deur tariefpos No. 7608.20 deur die volgende te vervang: Buise en pype van aluminiumlegerings, met 'n binnedeursnee van minstens 12,5 mm en wat, volgens massa, hoogstens - 6 persent koper; of 6 persent magnesium; of 2 persent silikon; of 8,5 persent sink; of 2 persent mangaan; of 2 persent lood; of 4 persent titaan; of 0,5 persent boor bevat, geklaar voor of op 30 Junie 1999, vir die vervaardiging van kondensators en verdampers vir motorvoertuiglugversorgingstoerusting, in die hoeveelhede wat die Direkteur-generaal: Handel en Nywerheid by bepaalde permit toelaat nadat hy tevrede gestel is dat die kwaliteit van sodanige plaaslik vervaardigde buise en pype, van aluminiumlegerings, nie aanvaarbaar is vir die motornywerheid nie	Volle reg	

No. R. 235

26 February 1999

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE No. 1 (No. 1/1/970)

Under section 48 of the Customs and Excise Act, 1964, Part 1 of Schedule No. 1 to the said Act is hereby amended, with retrospective effect to 27 January 1995, to the extent set out in the Schedule hereto.

G. MARCUS

Deputy Minister of Finance

SCHEDULE

Head=ing	Subheading	C. D.	Article Description	Statistical Unit	Rate of Duty	Anno=tations
39.20			By the substitution for subheading No. 3920.30 of the following:			
	"3920.30	0	- Of polymers of styrene	kg	free	

No. R. 235

26 Februarie 1999

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE No. 1 (No. 1/1/970)

Kragtens artikel 48 van die Doeane- en Aksynswet, 1964, word Deel 1 van Bylae No. 1 by genoemde Wet hiermee gewysig, met terugwerkende krag tot 27 Januarie 1995, in die mate in die Bylae hierby aangetoon.

G. MARCUS

Adjunkminister van Finansies

BYLAE

Pos	Subpos	T. S.	Artikel Beskrywing	Statistiese Eenheid	Skaal van Reg	Anno=tasies
39.20			Deur subpos No. 3920.30 deur die volgende te vervang:			
	"3920.30	0	- Van polimere van stireen	kg	vry	

No. R. 236

26 February 1999

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE No. 1 (No. 1/1/971)

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

G. MARCUS

Deputy Minister of Finance

SCHEDULE

Head= ing	Subheading	C. D.	Article Description	Statistical Unit	Rate of Duty	Anno= tations
85.17			By the substitution for subheadings Nos. 8517.1 of the following:			
	"8517.1		- Telephone sets; videophones:			
	8517.11	4	- - Line telephone sets with cordless handsets	u	12,5%	
	8517.19		- - Other:			
	.10	2	- - - Telephone sets	u	12,5%	
	.20	4	- - - Videophones	u	5%"	
			By the substitution for subheading No. 8517.90 of the following:			
	"8517.90		- Parts:			
	.10	1	- - For telephone sets	kg	12,5%	
	.90	1	- - Other	kg	free"	

No. R. 236

26 Februarie 1999

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE No. 1 (No. 1/1/971)

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

G. MARCUS

Adjunkminister van Finansies

BYLAE

Pos	Subpos	T. S.	Artikel Beskrywing	Statistiese Eenheid	Skaal van Reg	Anno- tasies
85.17			Deur subpos No. 8517.1 deur die volgende te vervang:			
	"8517.1		- Telefoonstelle; videofone:			
	8517.11	4	- - Lyn telefoonstelle met koordlose handstelle	u	12,5%	
	8517.19		- - Ander:			
	.10	2	- - - Telefoonstelle	u	12,5%	
	.20	4	- - - Videofone	u	5%"	
			Deur subpos No. 8517.90 deur die volgende te vervang:			
	"8517.90		- Onderdele:			
	.10	1	- - Vir telefoonstelle	kg	12,5%	
	.90	1	- - Ander	kg	vry"	

No. R. 237

26 February 1999

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE No. 1 (No. 1/2/116)

Under section 48 of the Customs and Excise Act, 1964, Part 2A of Schedule No. 1 to the said Act is hereby amended to the extent set out in the Schedule hereto.

G. MARCUS

Deputy Minister of Finance

SCHEDULE

Tariff Item	Tariff Heading	Description	Rate of Duty		Annotations
			Excise	Customs	
105.00		By the substitution for tariff items 105.00 and 105.10 of the following:			
"105.00		MINERAL PRODUCTS			
105.10	27.10	Petroleum oils and oils obtained from bituminous minerals, other than crude; preparations not elsewhere specified or included, containing by mass 70 per cent or more of petroleum oils or of oils obtained from bituminous minerals, these oils being the basic constituents of the preparations:			
.05		Petrol manufactured from coal	3,909c/ℓ	3,909c/ℓ	
.10		Other petrol	3,909c/ℓ	3,909c/ℓ	
.15		Distillate fuels (for example, gas oil and diesel oil)	3,817c/ℓ	3,817c/ℓ	
.20		Mixtures of kerosene or of any other product falling within heading No. 27.10 of Part 1 of this Schedule, containing lubricity agents	3,909c/ℓ	3,909c/ℓ	
.50		Base oils for prepared lubricating oils and base oils in prepared lubricating oils manufactured in the Republic (excluding such oils obtained from refining of used lubricating oil or other used oil in the Republic)	20c/100 ℓ	20c/100 ℓ "	
106.20		By the insertion after item 106.20.30 of the following:			
".40		Mixtures of hydrocarbons and lubricity agents	3,909c/ℓ	3,909c/ℓ "	

No. R. 237

26 Februarie 1999

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE No. 1 (No. 1/2/116)

Kragtens artikel 48 van die Doeane- en Aksynswet, 1964, word Deel 2A van Bylae No. 1 by genoemde Wet hiermee gewysig in die mate in die Bylae hierby aangetoon.

G. MARCUS

Adjunkminister van Finansies

BYLAE

Tarief= item	Tarief= pos	Beskrywing	Skaal van Reg		Anno= tasies
			Aksyns	Doeane	
105.00		Deur tariefitems 105.00 en 105.10 deur die volgende te vervang:			
"105.00		MINERAALPRODUKTE			
105.10	27.10	Petroleumolies en olies van bitumineuse minerale verkry, ander dan ru-olie; preparate nie elders vermeld of ingesluit nie, wat minstens 70 persent petroleumolies of olies van bitumineuse minerale verkry volgens massa bevat, indien hierdie olies die basiese bestanddele van die preparate bevat:			
.05		Petrol van steenkool vervaardig	3,909c/ℓ	3,909c/ℓ	
.10		Ander petrol	3,909c/ℓ	3,909c/ℓ	
.15		Distillaatbrandstowwe (byvoorbeeld, gasolie en dieselolie)	3,817c/ℓ	3,817c/ℓ	
.20		Mengsels van kerosen of van enige ander produk indeelbaar by pos No 27.10 van Deel 1 van hierdie Bylae, wat smeerpreatate bevat	3,909c/ℓ	3,909c/ℓ	
.50		Basisolies vir bereide smeerolie en basisolie in bereide smeerolie in die Republiek vervaardig (uitgesonderd sodanige olies in die Republiek verkry deur herraffinering van gebruikte smeerolie of ander gebruikte olie)	20c/100 ℓ	20c/100 ℓ"	
106.20		Deur na item 106.20 die volgende in te voeg:			
"40		Mengsels van koolwaterstowwe en smeerpreatate	3,909c/ℓ	3,909c/ℓ"	

No. R. 238

26 February 1999

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE No. 1 (No. 1/5/24)

Under section 48 of the Customs and Excise Act, 1964, Part 5 of Schedule No. 1 to the said Act is hereby amended to the extent set out in the Schedule hereto.

G. MARCUS

Deputy Minister of Finance

SCHEDULE

I Fuel Levy Item	II		III Rate of Fuel Levy	Anno- tations
	Tariff Heading	Description		
195.00		By the substitution for fuel levy items 195.00 and 195.10 of the following:		
*195.00		FUELS		
195.10	27.10	Petroleum oils and oils obtained from bituminous minerals:		
.03		Petrol, leaded	86,6c/l	
.07		Petrol, unleaded	80,4c/l	
.15		Distillate fuels (for example, gas oil and diesel oil)	76,1c/l	
.20		Mixtures of kerosene or of any other product falling within heading No. 27.10 of Part 1 of this Schedule, containing lubricity agents	86,6c/l	
195.20	38.24	Products of the chemical or allied industries:		
.20		Mixtures of hydrocarbons and lubricity agents	86,6c/l"	

No. R. 238

26 Februarie 1999

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE No. 1 (No. 1/5/24)

Kragtens artikel 48 van die Doeane- en Aksynswet, 1964, word Deel 5 van Bylae No. 1 by genoemde Wet hiermee gewysig in die mate in die Bylae hierby aangetoon.

G. MARCUS

Adjunkminister van Finansies

BYLAE

I Brandstof= heffingitem	II		III Skaal van Brandstofheffing	Anno= tasies
	Tariefpos	Beskrywing		
195.00		Deur brandstofheffingitems 195.00 en 195.10 deur die volgende te vervang:		
"195.00		BRANDSTOWWE		
195.10	27.10	Petroleumolies en olies van bitumineuse minerale verkry:		
.03		Petrol, gelood	86,6c/l	
.07		Petrol, ongelood	80,4c/l	
.15		Distillaatbrandstowwe (byvoorbeeld, gasolie en dieselolie)	76,1c/l	
.20		Mengsels van kerosen of van enige ander produk indeelbaar by pos No. 27.10 van Deel 1 van hierdie Bylae, wat smeerpereparate bevat	86,6c/l	
195.20	38.24	Produkte van die chemiese of verwante nywerhede:		
.20		Mengsels van koolwaterstowwe en smeerpereparate	86,6c/l"	

No. R. 239

26 February 1999

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE No. 3 (No. 3/419)

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.

G. MARCUS

Deputy Minister of Finance

SCHEDULE

I	II				III	
Rebate item	Tariff heading	Rebate code	C D	Description	Extent of Rebate	Annotations
306.04				By the deletion of rebate code 01.00 to tariff heading No. 15.16.		
308.02				By the deletion of rebate code 02.00 to tariff heading No. 39.06.		
				By the deletion of tariff heading No. 4203.10.		
				By the deletion of tariff heading No. 5204.11.		
				By the deletion of tariff heading No. 55.14.		
				By the deletion of tariff heading No. 59.07.		
				By the deletion of tariff heading No. 44.13.		
309.01						

No. R. 239

26 Februarie 1999

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE No. 3 (No. 3/419)

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

G. MARCUS

Adjunkminister van Finansies

BYLAE

I	II				III	
Korting= item	Tarief= pos	Korting= code	C D	Beskrywing	Mate van Korting	Annota= sies
306.04				Deur kortingkode 01.00 by tariefpos No. 15.16 te skrap.		
				Deur kortingkode 02.00 by tariefpos No. 39.06 te skrap.		
				Deur tariefpos No. 4203.10 te skrap.		
				Deur tariefpos No. 5204.11 te skrap.		
				Deur tariefpos No. 55.14 te skrap.		
308.02				Deur tariefpos No. 59.07 te skrap.		
309.01				Deur tariefpos No. 44.13 te skrap.		

**DEPARTMENT OF TRADE AND INDUSTRY
DEPARTEMENT VAN HANDEL EN NYWERHEID****No. R. 252****26 February 1999****PATENTS ACT, 1978 (ACT No. 57 OF 1978)**

I, Alexander Erwin, Minister of Trade and Industry, do hereby publish amendments to the Regulations of the Patents Act, Act No. 57 of 1978, which I intend making in terms of section 91 of the Patents Act.

The Registrar: South African Patents and Trade Marks Office
Private Bag X400
PRETORIA
0001.

Tel: (012) 310-8722.

Fax: (012) 323-4257.

**DEPARTMENT OF TRANSPORT
DEPARTEMENT VAN VERVOER****No. 241****26 February 1999****MERCHANT SHIPPING ACT, 1951 (ACT No. 57 OF 1951)****AMENDMENT OF COURTS OF MARINE ENQUIRY REGULATIONS, 1961**

The Minister of Transport has, under section 356 of the Merchant Shipping Act, 1951 (Act No. 57 of 1951), made the regulations in the Schedule.

SCHEDULE**Interpretation**

1. In this Schedule "the Regulations" means the Courts of Marine Enquiry Regulations, 1961, published by Government Notice No. R. 1067 of 24 November 1961, as amended by Government Notices Nos. R. 1419 of 11 September 1964, R. 3055 of 8 August 1969, R. 215 of 16 February 1973, R. 1287 of 20 June 1980, R. 2584 of 23 December 1988 and R. 1713 of 19 December 1997.

Amendment of regulation 4 of Regulations

2. Regulation 4 of the Regulations is amended by the substitution for paragraph (1) of the following paragraph:

"(1) Whenever the Minister has decided that a Court of Marine Enquiry be convened, he shall appoint a person contemplated in section 267(1) of the Act to be the presiding officer thereof and two or four other persons to be members thereof."

Substitution of regulation 6 of Regulations

3. The following regulation is substituted for regulation 6 of the Regulations:

"ALLOWANCES PAYABLE TO MEMBERS.

6. Every member of the Court shall, if he is in the employ of the Government of the Republic, be paid such allowances towards subsistence and transport as may be prescribed (otherwise than under the Act) for Government employees of his class, and if he is not in the employ of the Government of the Republic, or if no such allowances have been prescribed for Government employees of his class, he shall be paid the allowances towards subsistence and travel set forth in Annex A."

Substitution of regulation 13 of Regulations

4. The following regulation is substituted for regulation 13 of the Regulations:

"FORMULATION OF QUESTIONS FOR DECISION BY COURT.

13. (1) After the Court has been opened, and before any evidence is given, the Authority shall state in open court the questions in reference to the allegation or event upon which the finding of the Court is required. In formulating the questions for the finding of the Court the Authority may make such modifications in, additions to or omissions from the questions set forth in the letter referred to in regulation 5, as amended in terms of that regulation, as, having regard to the information then known to it, it may think fit.

(2) The Authority may at any stage of the investigation, with the approval of the presiding officer, make such further modifications in, additions to or omissions from any of the questions so formulated as, having regard to any evidence which may have been given, it may think fit."

Amendment of regulation 22 of Regulations

5. Regulation 22 of the Regulations is amended—

(a) by the substitution for paragraph (1) of the following paragraph:

"(1) Any person aggrieved by a decision of a Court of Marine Enquiry who contemplates appealing to a Superior Court under section 292 of the Act may apply to the Authority for a copy of the

report transmitted to it in terms of section 286. Such application shall be made in writing, shall state an address to which the report may be posted or the name of the person to whom it may be delivered and shall be delivered at the offices of the Authority or posted so as to reach the Authority not later than fourteen days after the delivery of the decision of the Court at the conclusion of the investigation. The Authority shall cause a copy of the report to be posted to the applicant at the address stated or to be delivered to the person named, upon payment by the applicant of a fee calculated at R1,50 per A4 page, but subject to a minimum fee of R15.”;

- (b) by the substitution for paragraph (2) of the following paragraph:

“(2) An appeal may be noted by any person other than the Authority within thirty days after the posting to him or the delivery to the person named of the copy of the report, and by the Authority within thirty days after the receipt by it of the report from the presiding officer.”;

- (c) by the substitution for paragraph (3) of the following paragraph:

“(3) An appeal shall be noted by the service upon the Authority and every other person who was a party to the proceedings of a notice of appeal and, unless the Superior Court to which appeal is made otherwise directs, by giving security to the satisfaction of the Registrar of that Court for the respondent's costs of appeal to the amount of R2 500: Provided that no security shall be required from the State or the Authority.”;

- (d) by the substitution for paragraph (6) of the following paragraph:

“(6) Any party may apply to the Authority for a copy of the statement referred to in paragraph (5). The application shall be made in writing, shall state an address to which the statement may be posted or the name of the person to whom it may be delivered, and shall be accompanied by a fee of R15. The Authority shall cause a copy of the statement to be posted to the applicant at the address stated or to be delivered to the person named.”; and

- (e) by the substitution in paragraph (7) for the expressions “Secretary” and “he”, wherever they occur, of the expressions “Authority” and “it”, respectively.

Amendment of Annex B to Regulations

6. Annex B to the Regulations is amended by the substitution for the note appearing at the foot of the form of subpoena of the following note:

“Attention is invited to section 9, read with section 313 of Act 57/1951, which provides that any person who fails to attend at the time and place specified in a subpoena and remain in attendance, or to answer fully and satisfactorily, to the best of his ability, all questions lawfully put to him, or, upon his being required to do so, to produce any document in his possession or control shall be liable to a penalty of a fine, or imprisonment for a period not exceeding six months, or both.”.

Substitution of certain expression in Regulations

7. The Regulations are amended by the substitution for the expression “Secretary”, wherever it occurs, of the expression “Authority”.

HANDELSKEEPVAARTWET, 1951 (WET No. 57 VAN 1951)

WYSIGING VAN REGULASIES BETREFFENDE HOWE VAN MARINE-ONDERSOEK, 1961

Die Minister van Vervoer het kragtens artikel 356 van die Handelskeepvaartwet, 1951 (Wet No. 57 van 1951), die regulasies in die Bylae uitgevaardig.

BYLAE

Uitleg

1. In hierdie regulasies beteken "die Regulasies" die Regulasies betreffende Howe van Marine-ondersoek, 1961, gepubliseer by Goewermentskennisgewing No. R. 1067 van 24 November 1961, soos gewysig deur Goewermentskennisgewings Nos. R. 1419 van 11 September 1964, R. 3055 van 8 Augustus 1969, R. 215 van 16 Februarie 1973, R. 1287 van 20 Junie 1980, R. 2584 van 23 Desember 1988 en R. 1713 van 19 Desember 1997.

Wysiging van regulasie 4 van Regulasies

2. Regulasie 4 van die Regulasies word gewysig deur paragraaf (1) deur die volgende paragraaf te vervang:

"(1) Wanneer die Minister besluit het dat 'n hof van marine-ondersoek byeengeroep moet word, stel hy 'n persoon beoog in artikel 267(1) van die Wet aan as voorsitter van die hof en twee of vier ander persone as lede van die hof."

Vervanging van regulasie 6 van Regulasies

3. Regulasie 6 van die Regulasies word deur die volgende regulasie vervang:

"TOELAES BETAALBAAR AAN LEDE.

6. Elke lid van 'n hof ontvang, as hy in die diens van die Regering van die Republiek is, sodanige toelaes vir onderhoud en vervoer as wat voorgeskryf is (anders as kragtens die Wet) vir Staatsdienare van sy klas, en as hy nie in die diens van die Regering van die Republiek is nie, of as geen sodanige toelaes vir Staatsdienare van sy klas voorgeskryf is nie, ontvang hy die toelaes vir onderhoud wat in Bylae A uiteengesit word."

Vervanging van regulasie 13 van Engelse teks van Regulasies

4. Regulasie 13 van die Engelse teks van die Regulasies word deur die volgende regulasie vervang:

"FORMULATION OF QUESTIONS FOR DECISION BY COURT.

13. (1) After the Court has been opened, and before any evidence is given, the Authority shall state in open court the questions in reference to the allegation or event upon which the finding of the Court is required. In formulating the questions for the finding of the Court the Authority may make such modifications in, additions to or omissions from the questions set forth in the letter referred to in regulation 5, as amended in terms of that regulation, as, having regard to the information then known to it, it may think fit.

(2) The Authority may at any stage of the investigation, with the approval of the presiding officer, make such further modifications in, additions to or omissions from any of the questions so formulated as, having regard to any evidence which may have been given, it may think fit."

Wysiging van regulasie 22 van Regulasies

5. Regulasie 22 van die Regulasies word gewysig—

(a) deur paragraaf (1) deur die volgende paragraaf te vervang:

"(1) 'n Persoon wat hom veronreg voel deur 'n beslissing van 'n hof van marine-onderzoek en wat voornemens is om kragtens artikel 292 van die Wet na 'n hoër hof te appelleer, kan by die Owerheid aansoek doen om 'n afskrif van die verslag wat kragtens artikel 286 aan hom versend is. So 'n aansoek moet skriftelik gerig word, moet 'n adres bevat waarheen die verslag gepos kan word of die naam van die persoon aan wie dit afgelewer kan word, en moet by die kantore van die Owerheid ingedien word of aan hom gepos word sodat dit hom bereik hoogstens veertien dae nadat die hof aan die einde van die ondersoek sy beslissing gegee het. Die Owerheid sien toe dat, by betaling deur die applikant van 'n bedrag van R1,50 per A4 bladsy, maar minstens R15, 'n afskrif van die verslag aan die applikant gepos word na die adres in die aansoek vermeld of dat dit aan die gemelde persoon afgelewer word.";

- (b) deur paragraaf (2) van die Engelse teks deur die volgende paragraaf te vervang:

"(2) An appeal may be noted by any person other than the Authority within thirty days after the posting to him or the delivery to the person named of the copy of the report, and by the Authority within thirty days after the receipt by it of the report from the presiding officer.";

- (c) deur paragraaf (3) deur die volgende paragraaf te vervang:

"(3) Appèl word aangeteken deur 'n kennisgewing van appèl te dien op die Owerheid en elke ander persoon wat 'n party tot die verrigtinge was, en tensy die hoër hof waarna geappelleer word anders gelas, deur tot bevrediging van die registrateur van daardie hof sekuriteit ten bedrae van R2 500 vir die verweerder se koste van appèl te gee: Met dien verstande dat sekuriteit nie van die Staat of die Owerheid geëis word nie.";

- (d) deur paragraaf (6) deur die volgende paragraaf te vervang:

"(6) Enige party kan by die Owerheid aansoek doen om 'n afskrif van die in paragraaf (5) vermelde verklaring. Die aansoek moet skriftelik gerig word, moet 'n adres bevat waarheen die verklaring gepos kan word of die naam van die persoon aan wie dit afgelewer kan word, en moet vergesel gaan van 'n bedrag van R15. Die Owerheid sien toe dat 'n afskrif van die verklaring gepos word aan die applikant na die adres in die aansoek vermeld of dat dit aan die gemelde persoon afgelewer word.";

- (e) deur in paragraaf (7) van die Engelse teks die uitdrukkings "Secretary" en "he" waar hulle ook al voorkom deur die uitdrukkings "Authority" en "it" onderskeidelik te vervang.

Wysiging van Bylae B by Regulasies

6. Bylae B by die Regulasies word gewysig deur die nota aan die einde van die vorm van dagvaarding deur die volgende nota te vervang:

"Die aandag word gevestig op artikel 9, gelees met artikel 313 van die Wet 57/1951, waarin bepaal word dat enige persoon wat in gebreke bly om op die tyd en plek in 'n dagvaarding bepaal, te verskyn en aanwesig te bly totdat hy deur die hof van verdere aanwesigheid vrygestel word, of om alle vrae wat wettiglik aan hom gestel word volledig en bevredigend, na die beste van sy vermoë, te beantwoord, of om, as hy daartoe gelas word, enige dokument in sy besit of onder sy beheer voor te lê, strafbaar is met 'n boete, of tronkstraf van hoogstens ses maande, of beide.".

Vervanging van sekere uitdrukking in Regulasies

7. Die Regulasies word gewysig deur die uitdrukking "Sekretaris" waar dit ook al voorkom deur die uitdrukking "Owerheid" te vervang.

**DEPARTMENT OF TRANSPORT
DEPARTEMENT VAN VERVOER****No. 242****26 February 1999****SOUTH AFRICAN MARITIME SAFETY AUTHORITY ACT, 1998 (ACT No. 5 OF 1998)****AMENDMENT OF SAMSA REGULATIONS, 1998**

The Minister of Transport has, under section 53 of the South African Maritime Safety Authority Act, 1998 (Act No. 5 of 1998), made the regulations in the Schedule.

SCHEDULE**Interpretation**

1. In this Schedule "the Regulations" means the SAMSA Regulations, 1998, published by Government Notice No. R. 505 of 3 April 1998.

Amendment of regulation 1 of Regulations

2. Regulation 1 of the Regulations is amended by the substitution for the definition of "the Levies Act" of the following definition:

" 'the Levies Act' means the South African Maritime Safety Authority Levies Act, 1998 (Act No. 6 of 1998);".

Substitution of regulation 10 of Regulations

3. The following regulation is substituted for regulation 10 of the Regulations:

"Interpretation of references in certain existing laws

10. In the existing regulations made under the laws referred to in section 2(2) of the Act, references, however expressed, to the Minister of Transport, the Director-General: Transport and the Department of Transport must, in the absence of a contrary intention, be read as references to the Authority; and "the existing regulations" means the regulations so made, and as amended, before the commencement of these regulations."

No. 242

26 Februarie 1999

WET OP DIE SUID-AFRIKAANSE MARITIEME VEILIGHEIDSOWERHEID, 1998 (WET No. 5 VAN 1998)**WYSIGING VAN SAMVO-REGULASIES, 1998**

Die Minister van Vervoer het kragtens artikel 53 van die Wet op die Suid-Afrikaanse Maritieme Veiligheidsowerheid, 1998 (Wet No. 5 van 1998), die regulasies in die Bylae uitgevaardig.

BYLAE**Uitleg**

1. In hierdie Bylae beteken "die Regulasies" die SAMVO-regulasies, 1998, gepubliseer by Goewermentskennisgewing No. R. 505 van 3 April 1998.

Wysiging van regulasie 1 van Regulasies

2. Regulasie 1 van die Regulasies word gewysig deur die omskrywing van "die Heffingswet" deur die volgende omskrywing te vervang.

"'die Heffingswet' die Wet op Heffings van die Suid-Afrikaanse Maritieme Veiligheidsowerheid, 1998 (Wet No. 6 van 1998);".

Vervanging van regulasie 10 van Regulasies

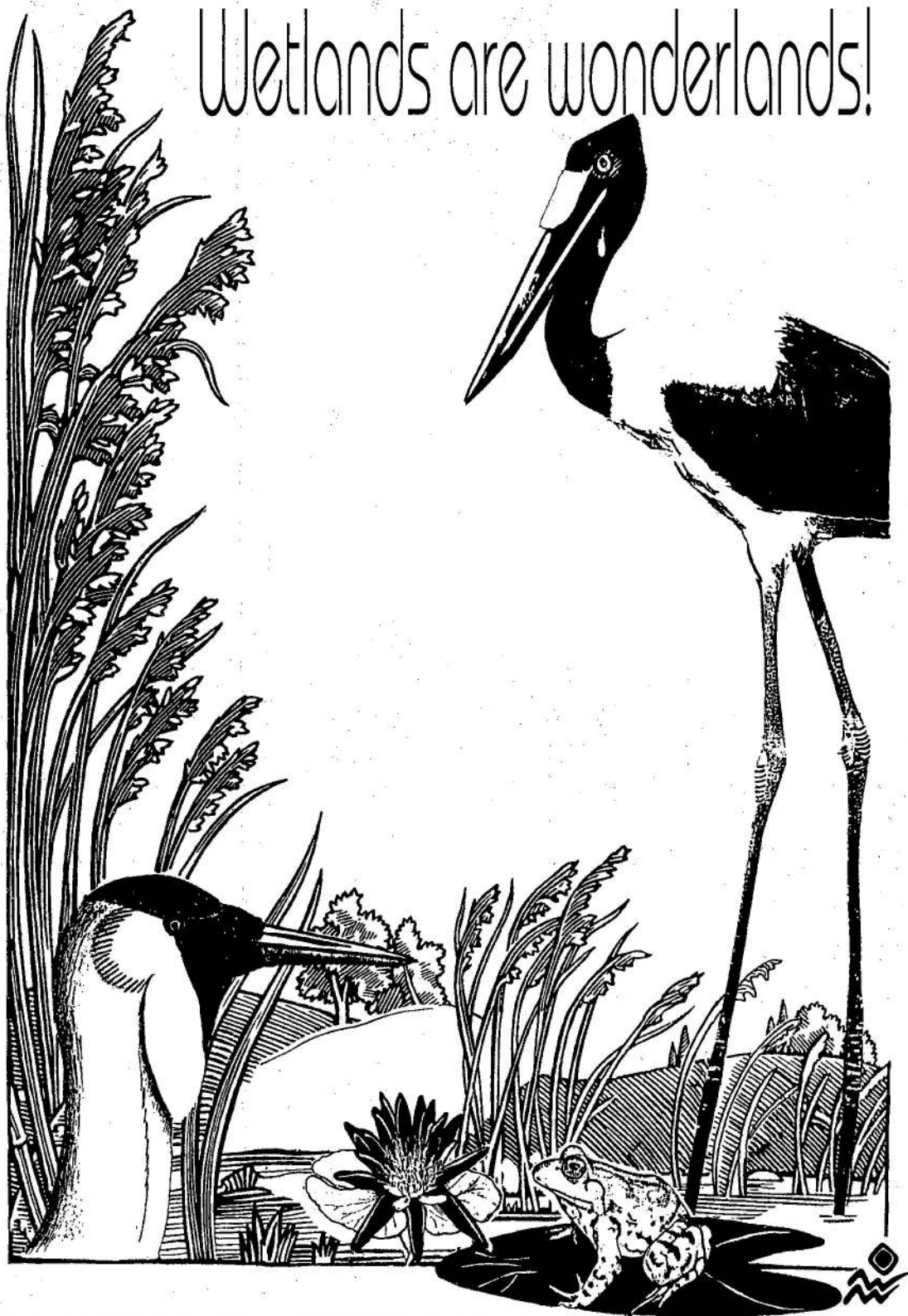
3. Regulasie 10 van die Regulasies word deur die volgende regulasie vervang:

"Uitleg van verwysings in sekere bestaande wette

10. In die bestaande regulasies uitgevaardig kragtens die wette bedoel in artikel 2(2) van die Wet, word by ontstentenis van 'n strydige bedoeling verwysings, hoe ook al verwoord, na die Minister van Vervoer, die Direkteur-generaal: Vervoer en die Departement van Vervoer uitgelê as verwysings na die Owerheid, en beteken "die bestaande regulasies" die regulasies aldus uitgevaardig, en soos gewysig, voor die inwerkingtreding van hierdie regulasies."



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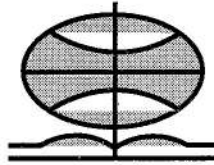
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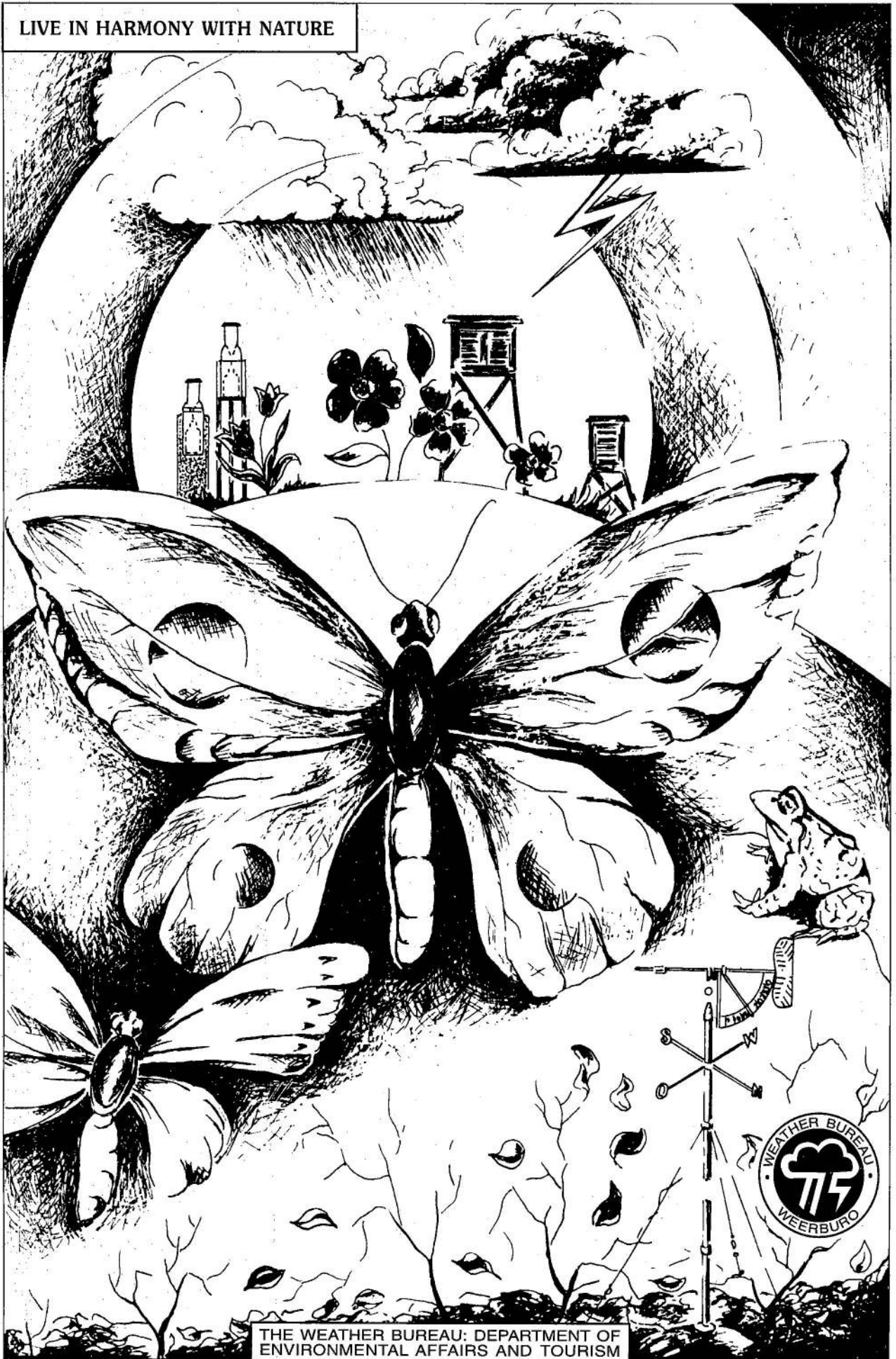
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