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AIDS HELPLINE: 0800-0123-22 Prevention is the cure



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GOVERNMENT NOTICES GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF AGRICULTURE DEPARTEMENT VAN LANDBOU

No. R. 1234

5 September 2003

MARKETING OF AGRICULTURAL PRODUCTS ACT, 1996 (ACT No. 47 OF 1996), AS AMENDED

AMENDMENTS OF STATUTORY MEASURES FOR MAIZE, OILSEEDS, SORGHUM AND WINTER CEREAL

I, Angela Thokozile Didiza, Minister of Agriculture, acting in terms of sections 13, 18 and 19 of the Marketing of Agricultural Products Act, 1996 (Act No. 47 of 1996) as amended, hereby -

- (a) publish the amendments as set out in the Schedule hereunder of the Statutory Measures as were respectively published by Government Notices Nos.:
 - (i) R.1044 and R.1047 of 27 October 2000 – Statutory Measures for Maize;
 - (ii) R.1045 and R.1049 of 27 October 2000, as amended by Government Notice R.522 of 15 June 2001 – Statutory Measures for Oilseeds;
 - (iii) R.1042 and R.1046 of 27 October 2000 – Statutory Measures for Sorghum;
 - (iv) R.1048 and R.1043 of 27 October 2000, as amended by Government Gazette Notice R.523 of 15 June 2001 – Statutory Measures for Winter Cereal; and
- (b) declare that the said amendments will commence on the date of publication hereof.


A.T. DIDIZA,

Minister of Agriculture.

SCHEDULE

Definitions

1. In this Schedule any word or expression to which a meaning has been assigned in the respective Statutory Measures, as were published by the Government Notices as set out in paragraph (a) above, will have that meaning.

Amendment of the Definitions in clause 1 of the Statutory Measures for Maize

2. The Statutory Measures for Maize as published by Government Notices Nos. R.1044 and R.1047 of 27 October 2000 are amended as follows:

- 2.1 The definition of "storer" is replaced by the following definition:

"storer" – means a person with storage facilities of 500 tons or more, where maize is handled for commercial purposes.

- 2.2 The following definition is inserted before the definition of "end-consumer":

"commercial purposes" – means where an income, remuneration or benefit is obtained.

Amendment of the Statutory Measures for Oilseeds

3. The definitions in clause 1 of the Statutory Measures for Oilseeds as published by Government Notices Nos. R.1045 and R.1049 of 27 October 2000 are amended as follows:

- 3.1 The definition of "storer" is replaced by the following definition:

"storer" – means a person with storage facilities of 500 tons or more, where oilseeds are handled for commercial purposes.

- 3.2 The following definition is inserted after the definition of "canola":

"commercial purposes" – means where an income, remuneration or benefit is obtained.

4. The Statutory Measures for Oilseeds as published by Government Notice No. R.1049 of 27 October 2000 are amended as follows:

- 4.1 Section 5(2)(e)(i) is amended by inserting the following paragraph after section 5(2)(e)(i)(ff):

"(gg) groundnut pods"

- 4.2 Section 5(3)(a) is amended by replacing the words "edible market and crush grade groundnuts" by the words "choice, sundries and crushing groundnuts".

Amendment of the Definitions in clause 1 of the Statutory Measures for Sorghum

5. The Statutory Measures for Sorghum as published by Government Notices Nos. R.1042 and R.1046 of 27 October 2000 are amended as follows:

- 5.1 The definition of "storer" is replaced by the following definition:

"storer" – means a person with storage facilities of 500 tons or more, where sorghum is handled for commercial purposes.

- 5.2 The following definition is inserted before the definition of "end-consumer":

"commercial purposes" – means where an income, remuneration or benefit is obtained.

Amendment of the Definitions in clause 1 of the Statutory Measures for Winter Cereal

6. The Statutory Measures for Winter Cereal as published by Government Notices Nos. R.1043 and R.1048 of 27 October 2000 are amended as follows:

- 6.1 The definition of "storer" is replaced by the following definition:

"storer" – means a person with storage facilities of 500 tons or more, where winter cereal is handled for commercial purposes.

- 6.2 The following definition is inserted before the definition of "end-consumer":

"commercial purposes" – means where an income, remuneration or benefit is obtained.

- 6.3 The definition of "verwerker" of the Statutory Measures for Winter Cereal as published by Government Notice No. R.1043 of 27 October 2000 is amended by replacing the word "mielieprodukte" with the word "wintergraanprodukte".

- 6.4 The definition of "hanteer" of the Statutory Measures for Winter Cereal as published by Government Notice No. R.1048 of 27 October 2000 is replaced by the following definition:

"hanteer" ook ontvang, opberg, versend of verwerk.

No. R. 1234

5 September 2003

**WET OP DIE BEMARKING VAN LANDBOUPRODUKTE, 1996
(WET No. 47 VAN 1996), SOOS GEWYIG**

**WYSIGING VAN STATUTÊRE MAATREËLS VIR MIELIES, OLIESADE,
SORGHUM EN WINTERGRAAN**

Ek, Angela Thokozile Didiza, Minister van Landbou, handelende kragtens artikels 13, 18 en 19 van die Wet op die Bemarking van Landbouprodukte, 1996 (Wet No. 47 van 1996), soos gewysig -

- (a) publiseer hiermee die wysigings in die Bylae hieronder uiteengesit, van die Statutêre Maatreëls soos onderskeidelik gepubliseer by Goewermentskennisgewings No's.:
 - (i) R.1044 en R.1047 van 27 Oktober 2000 – Statutêre Maatreëls vir Mielies;
 - (ii) R.1045 en R.1049 van 27 Oktober 2000, soos gewysig deur Gowermentskennisgewing R.522 of 15 Junie 2001 – Statutêre Maatreëls vir Oliesade;
 - (iii) R.1042 en R.1046 van 27 Oktober 2000 – Statutêre Maatreëls vir Sorghum;
 - (iv) R.1048 en R.1043 van 27 Oktober 2000, soos gewysig deur Gowermentskennisgewing R.523 of 15 Junie 2001 – Statutêre Maatreëls vir Wintergraan; en
- (b) verklaar hiermee dat die genoemde wysigings op die datum van publikasie hiervan in werking tree.


A.T. DIDIZA,

Minister van Landbou.

BYLAE**Woordomskrywing**

1. In hierdie Bylae het enige woord of uitdrukking waaraan 'n betekenis geheg is in die onderskeie Statutêre Maatreëls, soos gepubliseer by die Goewermentskennisgewings uiteengesit in paragraaf (a) hierbo, daardie betekenis.

Wysiging van Woordomskrywings in klousule 1 van die Statutêre Maatreëls vir Mielies

2. Die Statutêre Maatreëls vir Mielies soos gepubliseer by Goewermentskennisgewings No's. R.1044 en R.1047 van 27 Oktober 2000 word soos volg gewysig:

- 2.1 Die woordomskrywing van "opberger" word deur die volgende woordomskrywing vervang:

"opberger" – 'n persoon met opbergingsfasiliteite van 500 ton en meer, waar mielies vir kommersiële doeleindes hanteer word.

- 2.2 Die volgende woordomskrywing word na die woordomskrywing van "invoerder" ingevoeg:

"kommersiële doeleindes" – waar 'n inkomste, vergoeding of voordeel verkry word.

Wysiging vand Statutêre Maatreëls vir Oliesade

3. Die woordskrywing in klousule 1 van die Statutêre Maatreëls vir Oliesade soos gepubliseer by Goewermenskennisgewings No's. R.1045 en R.1049 van 27 Oktober 2000 word soos volg gewysig:

- 3.1 Die woordskrywing van "opberger" word deur die volgende woordskrywing vervang:

"opberger" – 'n persoon met opbergingsfasiliteite van 500 ton en meer, waar oliesade vir kommersiële doeleindes hanteer word.

- 3.2 Die volgende woordskrywing word na die woordskrywing van "invoerder" ingevoeg:

"kommersiële doeleindes" – waar 'n inkomste, vergoeding of voordeel verkry word.

4. Die Statutêre Maatreëls vir Oliesade soos gepubliseer by Goewermenskennisgewing No. R.1049 van 27 Oktober 2000 word soos volg gewysig:

- 4.1 Artikel 5(2)(e)(i) word gewysig deur die volgende paragraaf na artikel 5(2)(e)(i)(ff) in te voeg:

"(gg) grondboonpeule"

- 4.2 Artikel 5(3)(a) word gewysig deur die woorde "eetmark- en persgraadgrondbone" te vervang met die woorde "keur-, diverse- en persgondbone".

Wysiging van Woordomsrywings in klousule 1 van die Statutêre Maatreëls vir Sorghum

5. Die Statutêre Maatreëls vir Sorghum soos gepubliseer by Goewermentskennisgewings No's. R.1042 en R.1046 van 27 Oktober 2000 word soos volg gewysig:

- 5.1 Die woordomskrywing van "opberger" word deur die volgende woordomskrywing vervang:

"opberger" – 'n persoon met opbergingsfasiliteite van 500 ton en meer, waar sorghum vir kommersiële doeleindes hanteer word.

- 5.2 Die volgende woordomskrywing word na die woordomskrywing van "invoerder" ingevoeg:

"kommersiële doeleindes" – waar 'n inkomste, vergoeding of voordeel verkry word.

Wysiging van Woordomsrywings in klousule 1 van die Statutêre Maatreëls vir Wintergraan

6. Die Statutêre Maatreëls vir Wintergraan soos gepubliseer by Goewermentskennisgewings No's. R.1043 en R.1048 van 27 Oktober 2000 word soos volg gewysig:

- 6.1 Die woordomskrywing van "opberger" word deur die volgende woordomskrywing vervang:

"opberger" – 'n persoon met opbergingsfasiliteite van 500 ton en meer, waar wintergraan vir kommersiële doeleindes hanteer word.

- 6.2 Die volgende woordskrywing word na die woordskrywing van "invoerder" ingevoeg:

"kommersiële doeleindes" – waar 'n inkomste, vergoeding of voordeel verkry word.

- 6.3 Die woordskrywing van "verwerker" van die Statutêre Maatreëls vir Wintergraan soos gepubliseer by Goewermentskennisgewing No. R.1043 van 27 Oktober 2000 word gewysig deur die woord "mielieprodukte" te vervang met die woord "wintergraanprodukte".

- 6.4 Die woordskrywing van "hanteer" van die Statutêre Maatreël vir Wintergraan soos gepubliseer by Goewermentskennisgewing No. R.1048 van 27 Oktober 2000 word deur die volgende woordskrywing vervang:

"hanteer" ook ontvang, opberg, versend of verwerk.

**DEPARTMENT OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT
DEPARTEMENT VAN JUSTISIE EN STAATKUNDIGE ONTWIKKELING**

No. R. 1233

5 September 2003

**DESIGNATION OF COMMISSIONERS OF OATHS IN TERMS OF SECTION 6 OF
THE JUSTICES OF THE PEACE AND COMMISSIONERS OF OATHS ACT, 1963
(ACT NO. 16 OF 1963)**

I, Penuell Mpapa Maduna, Minister for Justice and Constitutional Development, under section 6 of the Justices of the Peace and Commissioners of Oaths Act, 1963 (Act No. 16 of 1963), hereby amend Government Notice No. 903 of 10 July 1998 as set out in the Schedule.

SCHEDULE

Definition

1. In this Government Notice, "the Notice" means Government Notice No. R. 903 of 10 July 1998, as amended by Government Notice Nos. R. 1687 of 24 December 1998, R. 950 of 6 August 1999, R. 1317 of 12 November 1999, R. 1510 of 24 December 1999, R. 1511 of 24 December 1999, R. 847 of 14 September 2001, R. 515 of 22 April 2002, R. 211 of 14 February 2003, R. 401 of 28 March 2003, R. 402 of 28 March 2003, R. 623 of 16 May 2003 and R. 624 of 16 May 2003.

Insertion of item after item 29 in the Schedule to the Notice

2. The following item is hereby inserted after item 29 in the Schedule to the Notice:

"29A. The Institute of Administration and Commerce:

Accounting Officers."



P. M. MADUNA,

Minister for Justice and Constitutional Development

No. R. 1233

5 September 2003

**AANWYSING VAN KOMMISSARISSE VAN EDE KRAGTENS ARTIKEL 6 VAN
DIE WET OP VREDEREGTERS EN KOMMISSARISSE VAN EDE, 1963 (WET
NO. 16 VAN 1963)**

Ek, Penuell Mpapa Maduna, Minister vir Justisie en Staatkundige Ontwikkeling, kragtens artikel 6 van die Wet op Vrederegters en Kommissaris van Ede, 1963 (Wet No. 15 van 1963), wysig hierby Goewermenskennisgewing No. R.903 van 10 Julie 1998, soos in die Bylae uiteengesit.

BYLAE**Woordomskrywings**

1. In hierdie Goewermenskennisgewing beteken "die Kennisgewing" Goewermenskennisgewing No. R.903 van 10 Julie 1998, soos gewysig deur Goewermenskennisgewings Nos. R.1687 van 24 Desember 1998, R.950 van 6 Augustus 1999, R.1317 van 12 November 1999, R.1510 van 25 Desember 1999, R.1511 van 24 Desember 1999, R.847 van 14 September 2001, R.515 van 22 April 2002, R.211 van 14 Februarie 2003, R.401 van 28 Maart 2003, R.402 van 28 Maart 2003, R.623 van 16 Mei 2003 van R.624 van 16 Mei 2003.

Invoeging van item na item 29 in die Bylae van die Kennisgewing

2. Die volgende item word hierby na item 29 van die Bylae tot die Kennisgewing ingevoeg:

"29A. Instituut vir Administrasie en Handel:
Rekeningkundige Beampies."



**DR P M MADUNA, MP
MINISTER VIR JUSTISIE EN
STAATKUNDIGE ONTWIKKELING**

SOUTH AFRICAN REVENUE SERVICE **SUID-AFRIKAANSE INKOMSTEDIENS**

No. R. 1235

5 September 2003

CUSTOMS AND EXCISE ACT, 1964.- **AMENDMENT OF SCHEDULE NO. 1 (NO. 1/1/1218)**

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.

M MPAHLWA
DEPUTY MINISTER OF FINANCE

SCHEDULE

| Head= ing | Subheading | C D | Article Description | Statistical Unit | Rate of Duty | | |
|--------------|------------|--------|---|---------------------|--------------|------|------|
| | | | | | General | EU | SADC |
| 48.02 | | | By the substitution for heading 48.02 of the following: | | | | |
| "48.02 | | | Uncoated paper and paperboard, of a kind used for writing, printing or other graphic purposes, and non perforated punch cards and punch tape paper, in rolls or rectangular (including square) sheets, of any size (excluding paper of heading 48.01 or 48.03); hand-made paper and paperboard: | | | | |
| | 4802.10 | 0 | - Hand-made paper and paperboard | kg | free | free | free |
| | 4802.20 | | - Paper and paperboard of a kind used as a base for photo-sensitive, heat sensitive or electro-sensitive paper or paperboard: | | | | |
| | | .20 9 | - - In strips or rolls of a width exceeding 150 mm; in rectangular (including square) sheets with one side exceeding 360 mm and the other side exceeding 150 mm in the unfolded state | kg | free | free | free |
| | | .90 7 | - - Other | kg | 15% | 15% | free |
| | 4802.30 | | - Carbonising base paper: | | | | |

| Head= ing | Subheading | C D | Article Description | Statistical Unit | Rate of Duty | | |
|--------------|------------|--------|--|---------------------|--------------|------|------|
| | | | | | General | EU | SADC |
| | .20 | 3 | - - In strips or rolls of a width exceeding 150 mm; in rectangular (including square) sheets with one side exceeding 360 mm and the other side exceeding 150 mm in the unfolded state | kg | free | free | free |
| | .90 | 4 | - - Other | kg | 15% | 15% | free |
| | 4802.40 | | - Wallpaper base: | | | | |
| | .20 | 8 | - - In strips or rolls of a width exceeding 150 mm; in rectangular (including square) sheets with one side exceeding 360 mm and the other side exceeding 150 mm in the unfolded state | kg | free | free | free |
| | .90 | 9 | - - Other | kg | 15% | 15% | free |
| | 4802.5 | | - Other paper and paperboard, not containing fibres obtained by a mechanical or chemi-mechanical process or of which not more than 10 per cent by mass of the total fibre content consists of such fibres: | | | | |
| | 4802.54 | | - - Of a mass of less than 40 g/m ² : | | | | |
| | .20 | 8 | - - In strips or rolls of a width exceeding 150 mm; in rectangular (including square) sheets with one side exceeding 360 mm and the other side exceeding 150 mm in the unfolded state | kg | 6% | 6% | free |
| | .90 | 9 | - - - Other | kg | 15% | 15% | free |
| | 4802.55 | | - - Of a mass of 40 g/m ² or more but not more than 150 g/m ² , in rolls: | | | | |
| | .20 | 4 | - - - Of a width exceeding 150 mm | kg | 6% | 6% | free |
| | .90 | 5 | - - - Other | kg | 15% | 15% | free |

| Head= ing | Subheading | C D | Article Description | Statistical Unit | Rate of Duty | | |
|--------------|------------|--------|---|---------------------|--------------|-----|------|
| | | | | | General | EU | SADC |
| | 4802.56 | | - - Of a mass of 40 g/m ² or more but not more than 150 g/m ² , in sheets with one side not exceeding 435 mm and the other side not exceeding 297 mm in the unfolded state: | | | | |
| | .20 | 0 | - - - In rectangular (including square) sheets with one side exceeding 360 mm and the other side exceeding 150 mm in the unfolded state | kg | 6% | 6% | free |
| | .90 | 1 | - - - Other | kg | 15% | 15% | free |
| | 4802.57 | | - - Other, of a mass of 40 g/m ² or more but not more than 150 g/m ² : | | | | |
| | .20 | 7 | - - - In strips or rolls of a width exceeding 150 mm; in rectangular (including square) sheets with one side exceeding 360 mm and the other side exceeding 150 mm in the unfolded state | kg | 6% | 6% | free |
| | .90 | 8 | - - - Other | kg | 15% | 15% | free |
| | 4802.58 | | - - Of a mass of more than 150 g/m ² : | | | | |
| | .20 | 3 | - - - In strips or rolls of a width exceeding 150 mm; in rectangular (including square) sheets with one side exceeding 360 mm and the other side exceeding 150 mm in the unfolded state | kg | 6% | 6% | free |
| | .90 | 4 | - - - Other | kg | 15% | 15% | free |

| Head= ing | Subheading | C D | Article Description | Statistical Unit | Rate of Duty | | |
|--------------|------------|--------|---|---------------------|--------------|-----|-------|
| | | | | | General | EU | SADC |
| | 4802.6 | | - Other paper and paperboard, of which more than 10 per cent by mass of the total fibre content consists of fibres obtained by a mechanical or chemical-mechanical process: | | | | |
| | 4802.61 | | - - In rolls: | | | | |
| | .20 | 3 | - - - Of a width exceeding 150 mm | kg | 6% | 6% | free |
| | .90 | 4 | - - - Other | kg | 15% | 15% | free |
| | 4802.62 | | - - In sheets with one side not exceeding 435 mm and the other side not exceeding 297 mm in the unfolded state: | | | | |
| | .20 | 6 | - - - In rectangular (including square) sheets with one side exceeding 360 mm and the other side exceeding 150 mm in the unfolded state | kg | 6% | 6% | free |
| | .90 | 0 | - - - Other | kg | 15% | 15% | free |
| | 4802.69 | | - - Other: | | | | |
| | .20 | 4 | - - - In strips or rolls of a width exceeding 150 mm; in rectangular (including square) sheets with one side exceeding 360 mm and the other side exceeding 150 mm in the unfolded state | kg | 6% | 6% | free |
| | .90 | 5 | - - - Other | kg | 15% | 15% | free" |

No. R. 1235

5 September 2003

**DOEANE EN AKSYNSWET, 1964.-
WYSIGING VAN BYLAE NO. 1 (NO. 1/1/1218)**

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.

**M MPAHLWA
ADJUNKMINISTER VAN FINANSIES**

BYLAE

| Pos | Subpos | T S | Artikel Beskrywing | Statis= tiese Eenheid | Skaal van Reg | | |
|--------|---------|-----|---|-----------------------------|---------------|-----|------|
| | | | | | Algemeen | EU | SAOG |
| 48.02 | | | Deur pos 48.02 deur die volgende te vervang: | | | | |
| "48.02 | | | Onbestrykte papier en papierbord, van 'n soort vir skryfwerk, drukwerk of ander grafiese doeleindes gebruik, en nie geperforeerde ponskaartvoorraad en ponsbandpapier, in rolle of reghoekige (met inbegrip van vierkantige) velle, van enige grootte (uitgesonderd papier van pos 48.01 of 48.03); handgemaakte papier en papierbord: | | | | |
| | 4802.10 | 0 | - Handgemaakte papier en papierbord | kg | vry | vry | vry |
| | 4802.20 | | - Papier en papierbord van 'n soort as 'n basis vir fotosensitiewe, hitesensitiewe of elektrosensitiewe papier of papierbord gebruik: | | | | |
| | .20 | 9 | - - In repe of rolle met 'n wydte van meer as 150 mm; in reghoekige (met inbegrip van vierkantige) velle, met een kant van meer as 360 mm en die ander kant van meer as 150 mm in die ongevoude vorm | kg | vry | vry | vry |
| | .90 | 7 | - - Ander | kg | 15% | 15% | vry |
| | 4802.30 | | - Koolpapierbasis: | | | | |
| | .20 | 3 | - - In repe of rolle met 'n wydte van meer as 150 mm; in reghoekige (met inbegrip van vierkantige) velle, met een kant van meer as 360 mm en die ander kant van meer as 150 mm in die ongevoude vorm | kg | vry | vry | vry |
| | .90 | 4 | - - Ander | kg | 15% | 15% | vry |

| Pos | Subpos | T S | Artikel Beskrywing | Statistiese Eenheid | Skaal van Reg | | |
|-----|---------|-----|---|---------------------|---------------|-----|------|
| | | | | | Algemeen | EU | SAOG |
| | 4802.40 | | - Muurpapierbasis: | | | | |
| | .20 | 8 | - - In repe of rolle met 'n wydte van meer as 150 mm; in reghoekige (met inbegrip van vierkantige) velle, met een kant van meer as 360 mm en die ander kant van meer as 150 mm in die ongevoude vorm | kg | vry | vry | vry |
| | .90 | 9 | - - Ander | kg | 15% | 15% | vry |
| | 4802.5 | | - Ander papier en papierbord, wat nie vesels bevat wat deur meganiese of chemi-meganiese proses verkry is nie of waarvan hoogstens 10 persent, volgens massa, van die totale veselinhoud uit sodanige vesels bestaan: | | | | |
| | 4802.54 | | - - Met 'n massa van minder as 40 g/m ² : | | | | |
| | .20 | 8 | - - - In repe of rolle met 'n wydte van meer as 150 mm; in reghoekige (met inbegrip van vierkantige) velle, met een kant van meer as 360 mm en die ander kant van meer as 150 mm in die ongevoude vorm | kg | 6% | 6% | vry |
| | .90 | 9 | - - - Ander | kg | 15% | 15% | vry |
| | 4802.55 | | - - Met 'n massa van minstens 40 g/m ² maar hoogstens 150 g/m ² , in rolle: | | | | |
| | .20 | 4 | - - - Met 'n wydte van meer as 150 mm | kg | 6% | 6% | vry |
| | .90 | 5 | - - - Ander | kg | 15% | 15% | vry |
| | 4802.56 | | - - Met 'n massa van minstens 40 g/m ² maar hoogstens 150 g/m ² in velle, met een kant van hoogstens 435 mm en aan die ander kant van hoogstens 297 mm in die ongevoude vorm: | | | | |
| | .20 | 0 | - - - In reghoekige (met inbegrip van vierkantige) velle, met een kant van meer as 360 mm en die ander kant van meer as 150 mm in die ongevoude vorm | kg | 6% | 6% | vry |
| | .90 | 1 | - - - Ander | kg | 15% | 15% | vry |

| Pos | Subpos | T S | Artikel Beskrywing | Statistiese Eenheid | Skaal van Reg | | |
|-----|---------|-----|--|---------------------|---------------|-----|------|
| | | | | | Algemeen | EU | SAOG |
| | 4802.57 | | - - Ander, met 'n massa van minstens 40 g/m ² maar hoogstens 150 g/m ² : | | | | |
| | .20 | 7 | - - - In repe of rolle met 'n wydte van meer as 150 mm; in reghoekige (met inbegrip van vierkantige) velle, met een kant van meer as 360 mm en die ander kant van meer as 150 mm in die ongevoude vorm | kg | 6% | 6% | vry |
| | .90 | 8 | - - - Ander | kg | 15% | 15% | vry |
| | 4802.58 | | - - Met 'n massa van meer as 150 g/m ² : | | | | |
| | .20 | 3 | - - - In repe of rolle met 'n wydte van meer as 150 mm; in reghoekige (met inbegrip van vierkantige) velle, met een kant van meer as 360 mm en die ander kant van meer as 150 mm in die ongevoude vorm | kg | 6% | 6% | vry |
| | .90 | 4 | - - - Ander | kg | 15% | 15% | vry |
| | 4802.6 | | - Ander papier en papierbord, waarvan, volgens massa, meer as 10 persent van die totale veselinhoud uit vesels bestaan wat deur 'n meganiese of chemi-meganiese proses verkry is: | | | | |
| | 4802.61 | | - - In rolle: | | | | |
| | .20 | 3 | - - - Met 'n wydte van meer as 150 mm | kg | 6% | 6% | vry |
| | .90 | 4 | - - - Ander | kg | 15% | 15% | vry |
| | 4802.62 | | - - In velle met een kant van hoogstens 435 mm en die ander kant van hoogstens 297 mm in die ongevoude vorm: | | | | |
| | .20 | 6 | - - - In reghoekige (met inbegrip van vierkantige) velle, met een kant van meer as 360 mm en die ander kant van meer as 150 mm in die ongevoude vorm | kg | 6% | 6% | vry |
| | .90 | 0 | - - - Ander | kg | 15% | 15% | vry |
| | 4802.69 | | - - Ander: | | | | |
| | .20 | 4 | - - - In repe of rolle met 'n wydte van meer as 150 mm; in reghoekige (met inbegrip van vierkantige) velle, met een kant van meer as 360 mm en die ander kant van meer as 150 mm in die ongevoude vorm | kg | 6% | 6% | vry |
| | .90 | 5 | - - - Ander | kg | 15% | 15% | vry" |

**DEPARTMENT OF TRADE AND INDUSTRY
DEPARTEMENT VAN HANDEL EN NYWERHEID****No. R. 1236****5 September 2003****STANDARDS ACT, 1993****PROPOSED WITHDRAWAL OF COMPULSORY SPECIFICATION FOR SLOW
SPEED VEHICLES AND REPLACEMENT WITH THE COMPULSORY
SPECIFICATION FOR AGRICULTURAL TRACTORS**

It is hereby made known under Section 22 (3) of the Standards Act, 1993 (Act 29 of 1993), that the Minister of Trade and Industry intends to withdraw the Compulsory Specification for Slow Speed Vehicles as published by Government Notice No. 617 in Government Gazette No. 18858 of 15 May 1998, and replace it with the proposed Compulsory Specification as set out in the schedule.

Any person who wishes to object to the intention of the Minister to thus withdraw the Compulsory Specification for Slow Speed Vehicles and replace with the proposed Compulsory Specification for Agricultural Tractors, shall lodge their objection, in writing with the President of the South African Bureau of Standards, Private Bag X191, Pretoria, 0001, on or before two (2) months after publication of this notice.

A Erwin
Minister of Trade and Industry

SCHEDULE

PROPOSED COMPULSORY SPECIFICATION FOR AGRICULTURAL TRACTORS

1 Scope

1.1 This specification covers the requirements for agricultural tractors that have a maximum design speed not exceeding 40 km/h, and that have not previously been registered in South Africa.

1.2 This specification does not apply to:

- a) experimental or prototype agricultural tractors that have been constructed or imported for the purpose of testing, assessment or development; and
- b) industrial tractors, earthmoving tractors and purpose-built forestry tractors.

1.3 The relevant requirements of the specification that take effect on any specified date do not apply to agricultural tractors manufactured or imported before the operative date given in schedule 1 of this specification.

1.4 Where a South African national standard, including an international standard or an ECE regulation adopted by Standards South Africa as a national standard, is incorporated by reference into this specification, only technical requirements or specifications (or both) and the tests to verify compliance, apply.

2 Definitions

For the purposes of this specification, the following definitions apply:

2.1

agricultural tractor

power-driven vehicle, either wheeled or track laying, which has at least two axles, and whose function depends essentially on its tractive power, and that is specially designed to pull, push, carry or actuate certain implements, machines or trailers intended for use in agriculture

2.2

importer

person who, for the purpose of selling agricultural tractors, imports new or used agricultural tractors into South Africa

2.3

manufacturer

person who makes, produces, assembles, alters, modifies or converts an agricultural tractor, and "manufacture" has a corresponding meaning

2.4

maximum design speed

average speed measured in accordance with annex A

2.5

model

manufacturer's description for a series of agricultural tractor designs that do not differ in respect of body, chassis structure or the number of axles

NOTE The Regulatory Authority reserves the right to decide which variations or combinations of variations constitute a different model, and may also take cognizance of the classification system applied in the country of origin of the design.

The following variations do not necessarily constitute a new model:

- a) a variant in relation to trim or optional features for which compliance has been fully demonstrated;
- b) different engine capacity and transmission combinations, including petrol and diesel engines, and manual and automatic transmissions;
- c) wheelbase variations; and
- d) a number of configurations such as cab enclosures, roll-over protection, open-station operator's platforms, two-wheel drive and mechanical front-wheel drive

2.6

regulatory authority

organization appointed by the Minister of the Department of Trade and Industry to implement this specification on behalf of the South African Government

3 General requirements

3.1 Requirements for lights and lighting equipment

3.1.1 Lights

Lights fitted to an agricultural tractor shall comply with the relevant requirements of the following standards:

SANS 20001/ECE R1 (SABS ECE R1), *Uniform provisions concerning the approval of motor vehicle headlamps emitting an asymmetrical passing beam and/or a driving beam and equipped with filament lamps of categories R2 and/or HS1.*

SANS 20003/ECE R3 (SABS ECE R3), *Uniform provisions concerning the approval of retroreflecting devices for power-driven vehicles and their trailers.*

SANS 20004/ECE R4 (SABS ECE R4), *Uniform provisions for the approval of devices for the illumination of rear registration plates of motor vehicles (except motor cycles) and their trailers.*

SANS 20005/ECE R5 (SABS ECE R5), *Uniform provisions for the approval of motor vehicle "sealed beam" headlamps (SB) emitting a European asymmetrical passing beam or a driving beam or both.*

SANS 20006/ECE R6 (SABS ECE R6), *Uniform provisions concerning the approval of direction indicators for motor vehicles and their trailers.*

SANS 20007/ECE R7, *Uniform provisions concerning the approval of front and rear position (side) lamps, stop-lamps and end-outline marker lamps for motor vehicles (except motor cycles) and their trailers.*

SANS 20008/ECE R8 (SABS ECE R8), *Uniform provisions concerning the approval of motor vehicle headlamps emitting an asymmetrical passing beam or a driving beam or both and equipped with halogen filament lamps (H1, H2, H3, HB3, HB4, H7, H8, H9, HIR1 and/or HIR2).*

SANS 20020/ECE R20 (SABS ECE R20), *Uniform provisions concerning the approval of motor vehicle headlamps emitting an asymmetrical passing beam or a driving beam or both and equipped with halogen filament lamps (H4 lamps).*

SANS 20023/ECE R23 (SABS ECE R23), *Uniform provisions concerning the approval of reversing lamps for power-driven vehicles and their trailers.*

SANS 20031/ECE R31 (SABS ECE R31), *Uniform provisions concerning the approval of halogen sealed-beam unit (HSB unit) motor vehicle headlamps emitting an asymmetrical passing beam or a driving beam or both.*

SANS 20037/ECE R37, *Uniform provisions concerning the approval of filament lamps for use in approved lamp units of power-driven vehicles and of their trailers.*

SANS 20091/ECE R91 (SABS ECE R91), *Uniform provisions concerning the approval of side-marker lamps for motor vehicles and their trailers.*

3.1.2 Lighting

3.1.2.1 An agricultural tractor shall be fitted with

- a) dipped-beam headlights,
- b) direction indicators,
- c) hazard warning lights,
- d) rear position lights, and
- e) rear retroreflectors.

3.1.2.2 The lights and retroreflectors listed in 3.1.2.1 shall be so fitted to an agricultural tractor that they comply with the relevant requirements given in SANS 20086/ECE R86 (SABS ECE R86), *Uniform provisions concerning the approval of agricultural or forestry tractors with regard to the installation of lighting and light-signalling devices*, provided that:

- a) the dipped-beam headlamps shall have sufficient inclination to comply with the relevant regulations of the National Road Traffic Act, 1996 (Act 93 of 1996);
- b) the height of rear retroreflectors shall not exceed 2 100 mm; and
- c) the height of the lamps shall not exceed 3 500 mm.

3.1.2.3 Where an agricultural tractor is fitted with lights that are not listed in 3.1.2.1, their installation shall comply with the relevant requirements given in the said SANS 20086/ECE R86 (SABS ECE R86), provided that the maximum height for all lamps other than

- a) end-outline marker lamps,
- b) rear registration plate lamps,
- c) reversing lamps, and
- d) main-beam headlamps,

shall be increased to 3 500 mm.

3.2 Requirements for rear-view mirrors (if fitted)

3.2.1 General requirements for rear-view mirrors

3.2.1.1 Where an agricultural tractor is equipped with one exterior rear-view mirror, the mirror shall be fitted to the right-hand side of the tractor.

3.2.1.2 The exterior rear-view mirror shall be placed so that the driver, when sitting on the driver's seat in the normal driving position, has a clear view of that part of the road as defined under the field of vision (3.2.1.6).

3.2.1.3 Exterior rear-view mirrors shall not protrude more than 0,20 m on either side of the longitudinal plane of the agricultural tractor, beyond the overall width of the tractor, measured without the rear-view mirrors.

3.2.1.4 Subject to 3.2.1.3, exterior rear-view mirrors may protrude beyond the permissible maximum width of 2,5 m.

3.2.1.5 Rear-view mirrors shall be adjustable.

3.2.1.6 The field of vision of the right-hand exterior rear-view mirror shall be such that the driver can see, at least as far as the horizon, that part of the road to the rear.

3.2.1.7 Rear-view mirrors shall be fitted in such a way that they remain steady during normal driving conditions.

3.2.2 Specific requirements for rear-view mirrors

Rear-view mirrors shall comply with the relevant requirements for class I and class II mirrors given in SANS 20046/ECE R46 (SABS ECE R46), *Uniform provisions concerning the approval of rear-view mirrors, and of motor vehicles with regard to the installation of rear-view mirrors*.

3.3 Requirements for windscreens, windows and partitions (where fitted)

3.3.1 Windscreens

3.3.1.1 If a windscreen is fitted to an agricultural tractor, it shall be of safety glass that complies with the relevant requirements given in SANS 1191 (SABS 1191), *Safety glass for vehicles - High penetration-resistant laminated safety glass for vehicles*, or SANS 1193 (SABS 1193), *Toughened safety glass for vehicles*.

3.3.1.2 For the purposes of this specification, the marking requirements shall be as follows:

- a) the windscreen shall bear the glass manufacturer's registered trade mark; and
- b) the glass fitted shall comply with an approved national standard, recognized by the Regulatory Authority, which shall provide a method of identifying the glass type.

3.3.2 Windows and partitions

3.3.2.1 Glass partitions and glass windows fitted to an agricultural tractor shall comply with the relevant requirements given in the said SANS 1191 (SABS 1191) or SANS 1193 (SABS 1193).

3.3.2.2 For the purposes of this specification, the marking requirements shall be as follows:

- a) the glass shall bear the glass manufacturer's registered trade mark; and
- b) the glass fitted shall comply with an approved national standard, recognized by the Regulatory Authority, which shall provide a method of identifying the glass type.

3.3.2.3 Excluding those windows to the immediate right and to the immediate left of the driver, which shall be as in 3.3.2.1 and 3.3.2.2, windows and partitions of plastics material may be fitted and shall comply with SANS 1472 (SABS 1472), *Plastics safety glazing materials for motor vehicles*.

3.4 Requirements for windscreen wipers

Windscreens shall be fitted with at least one windscreen wiper that is capable of operation by means other than manual operation, and the windscreen wiper blade, when in operation, shall effectively wipe the outside of the windscreen directly in front of the driver.

3.5 Requirements for brakes and braking equipment

An agricultural tractor shall be fitted with braking equipment that complies with SANS 1447-1 (SABS 1447-1), *Braking (motor and towed vehicles, designed for low speed or for use off public roads) – Part 1: Low speed vehicles*.

3.6 Requirements for controls

3.6.1 All controls that are fitted to an agricultural tractor, and that are required for the operation of the vehicle on a public road, shall be so located that the driver can reach and operate them when he is in the normal driving position, with the seat belt fastened (if a seat belt is fitted).

3.6.2 An agricultural tractor shall be of a right-hand drive configuration, except as in 3.6.3.

3.6.3 An agricultural tractor may have a central steering configuration.

3.7 Requirements for emergency exits

If an agricultural tractor is fitted with a canopy or a roll-over protection structure (ROPS), there shall be a means of exit (either a door or a window) such that the driver and passenger(s) (if any) can escape when the tractor is lying on either of its two sides.

3.8 Requirements for roll-over protection structures

If an agricultural tractor is fitted with a roll-over protection structure, such structure shall comply with the relevant requirements given in SANS 1468 (SABS 1468), *Roll-over protection structures for wheeled agricultural or forestry tractors (static testing)*, and shall be indelibly and visibly marked as such by the letters ROPS.

4 Requirements for the control of environmental interference and pollution

4.1 Suppression of radio and television interference

An agricultural tractor and its components, accessories or equipment shall comply with the current applicable regulations relating to interference with communications, promulgated under the Telecommunications Act, 1996 (Act 103 of 1996).

4.2 Suppression of atmospheric pollution

4.2.1 The exhaust emission from the engine of an agricultural tractor shall be such as to comply with the current applicable regulations promulgated under the Atmospheric Pollution Prevention Act, 1965 (Act 45 of 1965).

4.2.2 The exhaust emission from the engine of an agricultural tractor shall comply with SANS 20096/ECE R96, *Uniform provisions concerning the approval of compression ignition (C.I.) engines to be installed in agricultural and forestry tractors and in non-road mobile machinery with regard to the emissions of pollutants by the engine*, equivalent to ECE R96 up to and inclusive of the 01 series of amendments that came into force on 16 September 2001.

4.3 Suppression of noise emission

With the exception of noise emission originating from audible warning devices, any noise emitted by an agricultural tractor, when measured in accordance with SANS 10205 (SABS 0205), *The measurement of noise emitted by motor vehicles in motion*, shall not exceed the following levels:

- a) for tractors having an unladen mass exceeding 1,75 tons: 89 dB; and
- b) for tractors having an unladen mass not exceeding 1,75 tons: 85 dB.

5 Requirements concerning metrological data

5.1 Dimensions

The dimensions of an agricultural tractor shall comply with the requirements of the applicable regulations promulgated under the National Road Traffic Act, 1996 (Act 93 of 1996).

5.2 Information plates

5.2.1 Data plates

5.2.1.1 An agricultural tractor shall have a metal data plate or plates affixed by rivets or by welding or by any other method that will achieve similar permanency of attachment during the life of the tractor. The data plate(s) shall be affixed in a conspicuous position, to a door or post, to a panel in the engine compartment, to the dash panel or in the tractor cab.

5.2.1.2 As an alternative to 5.2.1.1, a data plate may be a self-adhesive, tamper-proof label which

- a) is clearly legible,
- b) is not transferable from one tractor to another, and
- c) undergoes permanent and obvious damage on removal.

The self-adhesive, tamper-proof label shall be resistant to engine oils, engine coolants, normal engine temperatures and humidity. In addition, it shall have permanency characteristics similar to those of a metal plate.

5.2.1.3 The data plates required in terms of 5.2.1.1 and 5.2.1.2 shall be legibly and permanently imprinted or stamped with the following information:

- a) the gross vehicle mass, in kilograms, for the model type, denoted and prefixed by the letters GVM/BVM;
- b) the gross combination mass, in kilograms, for the model type, denoted and prefixed by the letters GCM/BKM;
- c) the type of brakes:
 - 1) unbraked;
 - 2) inertia brakes;
 - 3) independent brakes; or
 - 4) hydraulic/pneumatic brakes;

- d) the gross axle mass-load of each axle, or gross axle unit mass-load of each axle unit, in kilograms, for the model type, denoted and prefixed by the letters GA/BA or GAU/BAE, as applicable;
- e) the net power, in kilowatts, prefixed by the letters P/D, determined in accordance with SANS 10013-3 (SABS 013-3), *The determination of performance (at net power) of internal combustion engines – Part 3: Agricultural vehicle internal combustion engines at sea level*;
- f) the manufacturer's design intent, denoted by the wording "For public road operation" or "Not for public road operation"; and
- g) the manufacturer's design speed, in kilometres per hour.

5.2.1.4 The abbreviations given in 5.2.1.3(a), 5.2.1.3(b) and 5.2.1.3(c) are not required if the information is supplied in the following order:

- a) gross vehicle mass;
- b) gross combination mass;
- c) the type of brakes:
 - 1) unbraked;
 - 2) inertia brakes;
 - 3) independent brakes; or
 - 4) hydraulic/pneumatic brakes; and
- d) gross axle masses, in the order front to rear.

5.2.3 Engine number

The requirements for the engine number of an agricultural tractor shall comply with the relevant regulations of the National Road Traffic Act, 1996 (Act 93 of 1996).

5.2.4 Provision for registration

Suitable space shall be provided on the data plate(s) for the following:

- a) T . . . kg (for the tare);
- b) V . . . kg (for the permissible maximum vehicle mass);
- c) A . . . kg or AU/AE . . . kg, as applicable (for the permissible axle mass-load of each axle or the permissible axle unit mass-load of each axle unit); and
- d) D/T . . . kg (for the permissible drawing vehicle mass).

NOTE The responsibility for marking this information on the data plate(s) rests with the final MIB.

5.2.5 Identification number (VIN)

5.2.5.1 The identification number of an agricultural tractor shall comply with the relevant requirements given in SANS 3779/ISO 3779 (SABS ISO 3779), *Road vehicles – Vehicle identification number (VIN) – Content and structure*. However, the requirements for marking the VIN, as given in clause 5 of SANS 4030:1983/ISO 4030 (SABS ISO 4030), *Road vehicles – Vehicle identification number (VIN) – Location and attachment*, shall, for the purposes of this specification, be taken to read as set out in 5.2.5.2 to 5.2.5.4.

5.2.5.2 The VIN shall be marked directly on the tractor platform or on a data plate permanently fixed to the platform or on a part of the tractor that is not easily removed or replaced.

5.2.5.3 The VIN shall also be marked on the data plate.

5.2.5.4 The height of the roman letters and the arabic numerals of the VIN shall be as follows:

- at least 7 mm, if marked in accordance with 5.2.5.2 (frame, body, etc.) on motor vehicles and trailers; and
- at least 3 mm, if marked in accordance with 5.2.5.3 (data plate).

5.3 Measuring units

All gauges, indicators or instruments that are fitted to an agricultural tractor and are calibrated in physical units, shall be calibrated in units as prescribed by the current applicable regulations promulgated under the Measuring Units and National Measuring Standards Act, 1973 (Act 76 of 1973).

6 Requirements for equipment, components and systems

6.1 Speedometers

Where a speedometer is fitted to an agricultural tractor, it shall have an accuracy of 15 % of the speed measured. If a speedometer is not fitted to an agricultural tractor that is capable of exceeding a speed of 25 km/h, a notice, in indelible form, that gives the maximum speed of the tractor in the highest gear, shall be affixed in a position where it is easily visible to the driver when he is in the normal driving position.

6.2 Engine

The engine of an agricultural tractor shall be provided with a cover such that any part that constitutes a source of danger is out of the normal reach of a person.

6.3 Transmission

An agricultural tractor, the tare of which exceeds 570 kg, shall be equipped with a transmission that enables it to be controlled and driven in both a forward and a reverse direction.

6.4 Tyres

The tyres fitted to the wheels of an agricultural tractor shall comply with SANS 1550-6 (SABS 1550-6), *Motor vehicle tyres and rims – Dimensions and loads – Part 6: Agricultural vehicle tyres*, and shall conform to the required dimensions and loads compatible with the specified or permitted rims in the case of pneumatic tyres for agricultural tractors. Where non-pneumatic tyres are used, these shall comply with the relevant regulations of the National Road Traffic Act, 1996 (Act 93 of 1996).

7 Proof of compliance

Homologation shall comprise the confirmation by the Regulatory Authority that the manufacturer or importer has provided the following specific evidence in respect of the commodity covered by this specification:

- a) a summary of evidence that shows that all the relevant tests have been conducted with successful results under appropriate controls in respect of the model or the type of commodity;

- b) sufficient data to enable a relevant model or type and its components to be identified and related to (a) above;
- c) relevant samples for the conducting of whatever tests and inspections considered appropriate by the Regulatory Authority, to verify any or all of the evidence provided;
- d) details of the quality management system applied by the manufacturer or importer; and
- e) when relevant, documentation to advise subsequent manufacturers or importers of incomplete commodities of their responsibilities.

The Regulatory Authority may issue such confirmation, on application, in respect of new models or types, provided that such confirmation is not used for the purposes of advertising or to imply that all units of the commodity necessarily or consequently comply with all the requirements of this specification.

8 Equivalent requirements

The requirements of the South African National Standards referred to in this specification may be deemed to have been met if compliance with the requirements of the equivalent standards given in table 1 is achieved.

**PROPOSED COMPULSORY SPECIFICATION FOR
AGRICULTURAL TRACTORS****SCHEDULE 1 — Operative dates**

| 1 | 2 | 3 | 4 | 5 |
|-------------|---|---|--|----------------------------------|
| Sub-section | Item | Operative date | Exclusions | Exclusion expiry date |
| | All subsections/items not referred to below | 2 months after final gazetting | Nil | |
| 4.2 | Emission to SANS 20096 | 2 years after final gazetting of this specification | Agricultural tractor models registered prior to the operative date | 3 years after the operative date |

PROPOSED COMPULSORY SPECIFICATION FOR AGRICULTURAL TRACTORS

Table 1 — Equivalent standards

| 1 | 2 | 3 | 4 | 5 | 6 | 7 |
|-------------|-------------------------------------|--|--|---|---|----------------------|
| Sub-section | Item | SANS No. | Equivalent standards | | | |
| | | | EU (EEC) directive (Base doc) | EU (EEC) directive amdts (up to and including) | ECE | Others |
| 3.1.1 | Lights | 20001 20003 20004 20005 20006 20007 20008 20020 20023 20031 20037 20091 | 76/761 76/757 76/760 76/759 76/758 76/761 77/539 76/761 76/758 | 99/17 97/29 97/31 99/15 97/30 99/17 97/32 99/17 97/30 | R1 R3 R4 R5 R6 R7 R8 R20 R23 R31 R37 R91 | |
| 3.1.2 | Lighting | 20086 | 78/933 | 99/56 | R86 | |
| 3.2.2 | Rear-view mirrors | 20046 | 71/127 | 88/321 | R46 | |
| 3.3 | Windscreens, windows and partitions | 1191 1193 | 92/22 92/22 | | R43 R43 | |
| 3.5 | Braking | 1447-1 | 76/432 74/152 | 397L0054 98/89 | | |
| 3.8 | Roll-over protection | 1468 | 79/622 | 82/953 | | |
| 4.1 | Radio interference | Telecommunications Act | | | R10 01 series | |
| 4.2.2 | Atmospheric pollution | 20096 | | | R96 01 series | |
| 4.3 | Noise when in motion | 10205 | 81/334 | 99/101 | R51 | |
| 5.2.1 | Data plates | | 76/114 | 78/507 | | |
| 5.2.1.3(e) | Engine net power | 10013-3 | 80/1269 | 99/99 | R85 | |
| 5.2.5 | VIN | 3779 4030 | | | | ISO 3779 ISO 4030 |
| 6.4 | Tyres | National Road Traffic Act | | | R106 | |

Annex A

(normative)

Determination of maximum design speed

A.1 Determine the maximum design speed in accordance with annex A of the said SANS 1447-1:2002 (SABS 1447-1).

A.2 In order to take account of various unavoidable errors due, in particular, to the measuring technique and to the increase in running speed of the engine with a partial load, a measured speed exceeding the value for the maximum design speed by 10 % shall be acceptable.

**DEPARTMENT OF LABOUR
DEPARTEMENT VAN ARBEID**

No. R. 1245

5 September 2003

LABOUR RELATIONS ACT, 1995

**NATIONAL BARGAINING COUNCIL FOR THE ELECTRICAL INDUSTRY OF SOUTH AFRICA:
EXTENSION OF AMENDMENT OF THE MAIN COLLECTIVE AGREEMENT TO NON-PARTIES**

I, Membathisi Mphumzi Shepherd Mdladlana, Minister of Labour, hereby in terms of section 32 (2) of the Labour Relations Act, 1995, declare that the Collective Agreement which appears in the Schedule hereto, which was concluded in the National Bargaining Council for the Electrical Industry of South Africa, and is binding in terms of section 31 of the Labour Relations Act, 1995, on the parties which concluded the Agreement, shall be binding on the other employers and employees in that industry with effect from 5 September 2003, and for the period ending 31 January 2004.

M. M. S. MDLADLANA
Minister of Labour

No. R. 1245

5 September 2003

WET OP ARBEIDSVERHOUDINGE, 1995

**NASIONALE BEDINGINGSRAAD VIR DIE ELEKTROTEGNIËSE NYWERHEID VAN SUID-AFRIKA:
UITBREIDING VAN WYSIGING VAN HOOF KOLLEKTIEWE OOREENKOMS NA NIE-PARTYE**

Ek, Membathisi Mphumzi Shepherd Mdladlana, Minister van Arbeid, verklaar hierby, kragtens artikel 32 (2) van die Wet op Arbeidsverhoudinge, 1995, dat die Kollektiewe Ooreenkoms wat in die Engelse Bylae hiervan verskyn, en wat in die Nasionale Bedingingsraad vir die Elektrotegniese Nywerheid van Suid-Afrika aangegaan is en kragtens artikel 31 van die Wet op Arbeidsverhoudinge, 1995, bindend is op die partye wat die Ooreenkoms aangegaan het, bindend is vir die ander werkgewers en werknemers in daardie Nywerheid, met ingang van 5 September 2003, en vir die tydperk wat op 31 Januarie 2004 eindig.

M. M. S. MDLADLANA
Minister van Arbeid

SCHEDULE

**NATIONAL BARGAINING COUNCIL FOR THE ELECTRICAL INDUSTRY OF SOUTH AFRICA
MAIN COLLECTIVE AMENDING AGREEMENT**

in accordance with the provisions of the Labour Relations Act, 1995, made and entered into by and between the

Electrical Contractors' Association (South Africa)

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

South African Equity Workers' Association,

Metal and Electrical Workers' Union of South Africa,

*** National Employees' Trade Union**

*** National Union of Metal Workers of South Africa**

(* in Area I only)

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

National Bargaining Council for the Electrical Industry of South Africa

to amend the Agreement published under Government Notice No. R. 795 of 14 June 2002 as renewed by Government Notice No. R. 1050 of 25 July 2003

PART 1

1. SCOPE OF APPLICATION

(1) The terms of this Agreement shall be observed (a) by all employers and employees in the Electrical Industry who are members of the employers' organisation and trade unions, respectively, who are engaged or employed in the industry, and (b) in the following areas:

- (i) In the Province of the Transvaal and the Magisterial Districts of Sasolburg and Bloemfontein as they existed at 19 June 1985;

- (ii) in the Magisterial Districts of Barkly West, Gordonia, Hartswater, Kuruman and Postmasburg as they existed at 18 October 1989;
- (iii) in the Province of the Free State (excluding the Magisterial Districts of Sasolburg and Bloemfontein), as it existed at 19 June 1985;
- (iv) in the Magisterial Districts of Aberdeen, Adelaide, Albert, Aliwal North, Barkly East, Bedford, Britstown, Carnarvon, Cathcart, Colesberg, Cradock, De Aar, Elliot, Fort Beaufort, Fraserburg, Graaff-Reinet, Hankey, Hanover, Hofmeyr, Indwe, Jansenville, King William's Town, Kirkwood, Komga, Lady Grey, Maclear, Middelburg (Eastern Cape), Molteno, Murraysburg, Noupoot, Pearston, Phillipstown, Prince Albert, Richmond (Northern Cape), Somerset East, Sterkstroom, Steynsburg, Steytleville, Stutterheim, Tarkastad, Venterstad, Victoria West, Williston, Willowmore and Wodehouse, as they existed at 13 April 1995;
- (v) in the Magisterial Districts of Albany, Alexandria, Bathurst, Beaufort West, Calitzdorp, George, Humansdorp, Joubertina, Knysna, Ladismith, Mossel Bay, Oudtshoorn, Port Elizabeth, Queenstown, Riversdale, Uitenhage and Uniondale, as they existed at 24 November 1995;
- (vi) in the Magisterial Districts of the Cape, Wynberg (including that portion of the Magisterial District of Somerset West which, prior to 9 March 1973, Government Notice No. 173 of 9 February 1973, fell within the Magisterial District of Wynberg), Simonstown, Goodwood and Bellville; in those portions of the Magisterial Districts of Malmesbury and Stellenbosch which, prior to the publication of Government Notices Nos. 171 of 8 February 1957 and 283 of 2 March 1962, respectively, fell within the Magisterial District of Bellville and in that portion of the Magisterial District of Kuils River which, prior to the publication of Government Notice No. 661 of 19 April 1974, fell within the Magisterial District of Stellenbosch but which, prior to 2 March 1962, fell within the Magisterial District of Bellville and in that portion of the Magisterial District of Kuils River which, prior to the publication of Government Notice No. 1683 of 7 August 1987, fell within the Magisterial District of Bellville;
- (vii) in the Province of KwaZulu-Natal, excluding any portions of that area falling within the former self-governing territory of KwaZulu as it existed prior to the coming into operation of the Constitution of the Republic of South Africa, 1993 (Act No. 200 of 1993);
- (viii) in the Magisterial District of East London.

(2) Notwithstanding the provisions of subclause (1), the terms of this Agreement shall apply to apprentices and learners only in so far as they are not inconsistent with the provisions of the Manpower Training Act, 1981, or the Skills Development Act, 1998, shall be taken to be the weekly wage of such employees, and the "hourly rate" shall be the weekly wage calculated as above, divided by the number of ordinary hours worked in the establishment concerned.

(3) For the purposes of this Agreement the "rate of remuneration" of learners prescribed under the Skills Development Act, 1998, shall be taken to be the weekly wage of such employees, and the "hourly rate" shall be the weekly wage calculated as above, divided by the number of ordinary hours worked in the establishment concerned.

2. PERIOD OF OPERATION

This Agreement shall come into operation on the date fixed by the Minister of Labour in terms of section 32 of the Labour Relations Act, 1995, and shall remain in force until 31 January 2004.

3. EXCLUSIONS

The provisions of this Agreement shall not apply to non-parties in respect of clauses 1 (1), 2, 4, 8, 9 and 11 of Part 1 of this Agreement.

4. SPECIAL PROVISIONS

The provisions of clauses 20, 25 (1) (d), 27 (3), 30, 39 (12), 50 and 51 of Part 1 of the Agreement published under Government Notice No. R. 90 of 26 January 2001, as re-enacted and amended under Government Notice No. R. 795 of 14 June 2002 (hereinafter referred to as the "former agreement") shall apply to employers and employees.

5. GENERAL PROVISIONS

The provisions of clauses 4 to 19, 21 to 25 (1) (c), 25 (1) (e) to 27 (2), 27 (4) to 29, 31 to 39 (11), 40 to 49, 52 to 56 of Part I and Part II of the Former Agreement (as further extended, amended and re-enacted from time to time), shall apply to employers and employees.

6. CLAUSE 5 OF THE FORMER AGREEMENT: DEFINITIONS

Insert the following new definition after the definition "foreman".

" 'Freedom of Association' means the right of an employee to join or not to join a trade union of his choice, and the right of an employer to join or not to join an employers' organisation of his choice".

7. CLAUSE 10 OF THE FORMER AGREEMENT: NIGHT WORK

In subclause (2) (a) substitute the figure "12%" for the figure "10%".

8. CLAUSE 20 OF THE FORMER AGREEMENT: TRADE UNION REPRESENTATIVES LEAVE

Insert the number (1) at the beginning of the wording of the existing clause 20.

9. CLAUSE 20 OF THE FORMER AGREEMENT: TRADE UNION REPRESENTATIVES LEAVE

Insert the following new subclause (2):

- "(2) Subject to the provisions of subclause (1) the trade union representative shall be entitled to take an additional 10 days special leave per year during working hours on full pay to attend meetings of this Bargaining Council, provided—
- (a) the trade union representative is appointed as an official delegate to this Bargaining Council;
 - (b) no more than one such trade union representative shall be appointed from any particular employer for these purposes;
 - (c) that the trade union representative is appointed in terms of the provisions of the Act; and
 - (d) that such leave days may not be accumulated."

10. CLAUSE 27 OF THE FORMER AGREEMENT: TERMINATION OF EMPLOYMENT AND SEVERANCE PAY

Substitute the following for subclause (3):

- (3) Whenever an employee is retrenched he shall be paid, in addition to any other moneys due to him, severance pay of one week's wages for each completed year of service with the same employer: Provided that the following maximum number of weeks severance pay shall apply to an employee's termination during the period stated:
- 1 FEBRUARY 2003 TO 31 JANUARY 2004—25 WEEKS.
 - 1 FEBRUARY 2004—NO LIMIT.

11. CLAUSE 30 OF THE FORMER AGREEMENT: TRADE UNION SUBSCRIPTIONS AND EMPLOYERS ORGANISATION LEVY

Renumber the existing clause 30 to 30 (a).

12. NEW CLAUSE 30 (B)

Insert the following new clause 30 (B):

"CLAUSE 30 (B) AGENCY SHOP FEE

- (1) Every employer shall deduct an amount payable to the Agency Shop in respect of each week or part of a week of employment, including the period an employee is on leave in terms of clause 16 of this Agreement from the earnings of every employee who is not a member of a party trade union but who is eligible for membership of a party trade union and shall forward the amount thus deducted, together with the form specified by the Council, to the Secretary of the Council, not later than the 15th day of each month following that in respect of which the deductions were made.
- Notwithstanding the provisions of any law or contract, the employer may deduct the Agency fee from the wage/salary of an employee without the employee's authorisation.
- (2) The amount referred to in subclause (1) hereof shall not exceed the current subscription fees of any of the party trade unions and shall be determined at Seven Rand Thirty-nine cents (R7,39) per week for the duration of this agreement.
- (3) It is expressly stated that the parties support the principles of freedom of association and that no employers organisation, employer, trade union, trade union official or trade union representative shall compel or force any employee to become a member of any trade union and every employee shall further have the right to join or not to join any union of his choice.
- (4) The Agency fee collected in respect of this clause shall not be used to support any political party by means of an affiliation fee, contribution in cash or in kind to any political party or person standing for election to any political office or be used for any expenditure that does not advance or protect the socio-economic interest of employees.
- (5) The Secretary of the Council shall after retaining a prescribed collection fee, pay the balance of all amounts collected in terms hereof to the trade unions.
- (6) The trade unions shall administer all amounts received in respect hereof in a separate account in accordance with the provisions of section 25 of the Act.
- (7) The Secretary of the Council shall pay all amounts collected in terms of this clause to the parties as prescribed in subclause 5 supra to the trade unions concerned within 30 days of the month in which the Council received the amounts.
- (8) The Council shall undertake to render all reasonable services to give effect to this clause."

PART 11**1. CLAUSE 1 OF THE FORMER AGREEMENT: ALLOWANCES**

In subclause 1 (e) (ii) substitute the amount "R65" for the amount "R60".

2. CLAUSE 1 OF THE FORMER AGREEMENT: ALLOWANCES

Insert the following new subclause (2).

"(2) Stand-by allowance:

Every employer shall pay every employee who is required to do stand-by duties a minimum amount of R30,00 per stand-by duty shift."

3. CLAUSE 2 OF THE FORMER AGREEMENT: EXPENSES OF THE COUNCIL

Insert the following new subclauses (3) and (4):

- (3) In any instance where no contributions are payable in terms of subclauses (1) and (2) hereof, and the total amount referred to in subclause (2) is less than R55.00 such amount shall be supplemented by the employer by the sum required to make a total of R55.00 in each month in respect of Areas A,B,C,D,E,F,G,H, I and L.
- (4) Regardless of whether any amount is payable to the Council in terms of this clause, every employer shall, by no later than the 15th day of each month, forward to the regional offices of the Council all contributions in respect of the preceding month in the manner prescribed by the Council from time to time.

4. CLAUSE 4 OF THE FORMER AGREEMENT: SCHEDULE OF WAGES AND EARNINGS'

Substitute the following for the categories listed below:

AREAS 'A', 'B', 'C', 'D', 'E'

| Category | AREA A Rand per hour | AREA B Rand per hour | AREA C Rand per hour | AREA D Rand per hour | AREA E Rand per hour |
|--|----------------------------|----------------------------|----------------------------|----------------------------|----------------------------|
| Master Installation electrician | 39,82 | 33,81 | 31,87 | 23,90 | 23,25 |
| Installation electrician | 36,66 | 31,14 | 29,31 | 21,99 | 21,38 |
| Electrical tester for single phase | 33,45 | 28,43 | 27,43 | 20,07 | 19,53 |
| Electrician, artisan and DAM | 31,84 | 27,05 | 25,48 | 19,13 | 18,62 |
| Domestic electrical installer | 26,67 | 22,66 | 21,29 | 15,95 | 15,53 |
| Elconop 3 | 23,19 | 19,69 | 18,51 | 13,88 | 13,51 |
| Elconop 2 | 19,65 | 16,71 | 15,70 | 11,77 | 11,47 |
| Elconop 1 | 12,11 | 10,30 | 9,71 | 7,53 | 7,10 |
| Driver of a vehicle, the unladen Mass of which is— | | | | | |
| (a) Up to 3 500 kg | 13,33 | 11,31 | 10,68 | 8,01 | 7,80 |
| (b) from 3 501 kg to 9 000 kg | 15,77 | 13,38 | 12,59 | 9,46 | 9,19 |
| (c) 9 001 kg and over | 17,52 | 14,87 | 13,98 | 10,50 | 10,20 |
| Electrical assistant | 10,47 | 8,86 | 8,35 | 6,27 | 6,10 |
| General worker | 7,31 | 6,19 | 5,85 | 4,40 | 4,27 |

AREAS 'F', 'G', 'H'.

| Category | AREA F Rand per hour | AREA G Rand per hour | AREA H Rand per hour |
|--|----------------------------|----------------------------|----------------------------|
| Master installation electrician | 27,64 | 23,50 | 22,13 |
| Installation electrician | 25,43 | 21,62 | 20,36 |
| Electrical tester for single phase | 22,52 | 19,74 | 18,59 |
| Electrician, artisan and DAM | 22,52 | 18,80 | 17,70 |
| Domestic electrical installer | 18,82 | 16,01 | 16,01 |
| Elconop 3 | 16,37 | 13,91 | 13,91 |
| Elconop 2 | 14,37 | 12,21 | 11,51 |
| Elconop 1 | 9,22 | 7,73 | 7,24 |
| Driver of a vehicle, the unladen mass of which is— | | | |
| (a) Up to 3 500 kg | 8,93 | 7,60 | 7,16 |
| (b) from 3 501 kg to 9 000 kg | 10,60 | 9,01 | 8,47 |
| (c) 9 001 kg and over | 11,77 | 10,00 | 9,42 |
| Electrical assistant | 9,08 | 7,61 | 7,18 |
| General worker | 6,37 | 5,33 | 5,03 |

AREAS 'I, 'J, 'K, 'L

| Category | AREA I Rand per hour | AREA J Rand per hour | AREA K Rand per hour | AREA L Rand per hour |
|--|----------------------------|----------------------------|----------------------------|----------------------------|
| Master installation electrician | 37,42 | 39,82 | 33,81 | 29,78 |
| Installation electrician | 36,48 | 36,66 | 31,14 | 27,38 |
| Electrical tester for single phase | 31,43 | 33,45 | 28,43 | 25,02 |
| Electrician, artisan and DAM | 29,94 | 31,84 | 27,05 | 23,81 |
| Domestic electrical installer | | 26,67 | 22,77 | |
| Emerging electrical installer | 25,71 | | | |
| Elconop 3 | 22,37 | 23,19 | 19,69 | 17,30 |
| Elconop 2 | 21,17 | 19,65 | 16,71 | 14,68 |
| Elconop 1 | 14,32 | 12,11 | 10,30 | 9,08 |
| Domestic appliance repairer | | 14,95 | 12,72 | |
| Driver of a vehicle, the unladen mass of which is— | | | | |
| (a) Up to 3 500 kg | 12,56 | 13,33 | 11,31 | 7,55 |
| (b) from 3 501 kg to 9 000 kg | 14,17 | 15,76 | 13,38 | 11,77 |
| (c) 9 001 kg and over | 16,16 | 17,52 | 14,87 | 13,08 |
| Electrical assistant | 11,72 | 10,47 | 8,86 | 7,81 |
| General worker | 8,21 | 7,31 | 6,19 | 5,46 |

5. CLAUSE 5 OF THE FORMER AGREEMENT: GUARANTEED MINIMUM INCREASES AND OFF-SET

In subclause (1) insert the words "in areas F, G and H and not less than 6% in areas A, B, C, D, E, I, J, K and L" after the figure "5%" and before the words "of the"

In subclause (2) substitute the date "1 January 2003" for the date "1 January 2002".

6. CLAUSE 6 OF THE FORMER AGREEMENT: LEAVE BONUS

In subclause (4) substitute the figure "195" for the figure "150".

In subclause (5) insert the words "or has failed to complete 235 shifts with the same employer during his first year of service" between the words "... enquiry" and "Provided that .."

Signed at Johannesburg as authorised for and on behalf of the parties to the Council, this 16th day of January 2003.

J. T. SETAI

Chairman

M. MFIKOE

Vice-Chairman

R. McALPINE

Party to the Council

G. G. FISHER

General Secretary

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