



UNION OF SOUTH AFRICA
UNIE VAN SUID-AFRIKA

EXTRAORDINARY BUITENGEWONE Government Gazette Staatskoerant

(Registered at the Post Office as a Newspaper)

(As 'n Nuusblad by die Poëskantoor Geregistreer)

VOL. CLXXXII.] PRICE 6d. PRETORIA, 7 OCTOBER 1955. PRYS 6d. [No. 5560.
7 OKTOBER

All Proclamations, Government and General Notices published for the first time, are indicated by a * in the left-hand upper corner.

Alle Proklamasies, Goewerments- en Algemene Kennisgewings, wat vir die eerste maal gepubliseer word, is in die linker-bohoek met 'n * gemerk.

GOVERNMENT NOTICES

The following Government Notices are published for general information:—

DEPARTMENT OF LABOUR.

* No. 2038.] [7 October 1955.
INDUSTRIAL CONCILIATION ACT, 1937.

ROAD PASSENGER TRANSPORT INDUSTRY, KIMBERLEY.

I, JOHANNES DE KLERK, Minister of Labour, do hereby—

- (a) in terms of sub-section (1) of section *forty-eight* of the Industrial Conciliation Act, 1937, declare that all the provisions of the Agreement which appears in the Schedule hereto and which relates to the Road Passenger Transport Industry, shall be binding from the second Monday after the date of publication of this notice and for the period ending one year from the said second Monday, upon the employer who and the trade union which entered into the said Agreement and upon the employees who are members of that trade union;
- (b) in terms of sub-section (2) of section *forty-eight* of the said Act, declare that the provisions contained in clauses 3 to 6 (inclusive), 7 (c) to 13 (inclusive), 15, 16 and 19 of the said Agreement shall be binding from the second Monday after the date of publication of this notice, and for the period ending one year from the said second Monday, upon the other employers and employees engaged or employed in the said Industry in the municipal area of Kimberley; and
- (c) in terms of sub-section (4) of section *forty-eight* of the said Act, declare that in the municipal area of Kimberley, and from the second Monday after the date of publication of this notice and for the period ending one year from the said second Monday, the provisions contained in clauses 3 to 6 (inclusive), 7 (c) to 13 (inclusive), 15, 16 and 19 of the said Agreement shall *mutatis mutandis* apply in respect of such persons in the said Industry as are not included in the definition of the expression "employee" contained in section *one* of the said Act.

J. DE KLERK,
Minister of Labour.

GOEWERMENTSKENNISGEWINGS

Onderstaande Goewermentskennisgewings word vir algemene inligting gepubliseer:—

DEPARTEMENT VAN ARBEID

* No. 2038.] [7 Oktober 1955.
NYWERHEID-VERSOENINGSWET, 1937.

PADPASSASIEVSVERVOERNYWERHEID, KIMBERLEY.

Ek, JOHANNES DE KLERK, Minister van Arbeid, verklaar hierby—

- (a) kragtens subartikel (1) van artikel *agt-en-veertig* van die Nywerheid-versoeningswet, 1937, dat al die bepalings van die Ooreenkoms wat in die Bylae hierby verskyn en op die Padpassasievsvervoernywerheid betrekking het, van die tweede Maandag na die datum van publikasie van hierdie kennisgewing af en vir die tydperk wat een jaar van genoemde tweede Maandag af eindig, bindend is vir die werkgewer en die vakvereniging wat genoemde Ooreenkoms aangegaan het en vir die werknemers wat lede van daardie vereniging is;
- (b) kragtens subartikel (2) van artikel *agt-en-veertig* van genoemde Wet, dat die bepalings in klousules 3 tot en met 6, 7 (c) tot en met 13, 15, 16 en 19 van genoemde Ooreenkoms vervat, van die tweede Maandag na die datum van publikasie van hierdie kennisgewing af en vir die tydperk wat een jaar van genoemde tweede Maandag af eindig, bindend is vir die ander werkgewers en werknemers betrokke by of in diens in genoemde Nywerheid in die munisipale gebied Kimberley; en
- (c) kragtens subartikel (4) van artikel *agt-en-veertig* van genoemde Wet, dat die bepalings in klousules 3 tot en met 6, 7 (c) tot en met 13, 15, 16 en 19 van genoemde Ooreenkoms vervat, van die tweede Maandag na die datum van publikasie van hierdie kennisgewing af en vir die tydperk wat een jaar van genoemde tweede Maandag af eindig, in die munisipale gebied Kimberley *mutatis mutandis* van toepassing is ten opsigte van persone in genoemde Nywerheid, wat nie by die woordskrywing van die uitdrukking „werknemer”, vervat in artikel *een* van genoemde Wet, ingesluit is nie.

J. DE KLERK,
Minister van Arbeid.

SCHEDULE.

INDUSTRIAL COUNCIL FOR THE ROAD PASSENGER
TRANSPORT INDUSTRY, KIMBERLEY.

AGREEMENT

in accordance with the provisions of the Industrial Conciliation Act, 1937, made and entered into by and between the

Kimberley Bus Services (Pty.), Ltd.

(hereinafter referred to as "the employer"), of the one part and the

Kimberley Transport Workers' Union

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

being the parties to the Industrial Council for the Road Passenger Transport Industry, Kimberley.

1. SCOPE OF APPLICATION OF AGREEMENT.

The terms of this Agreement shall be observed by the employer and members of the trade union engaged in the Road Passenger Transport Industry in the municipal area of Kimberley, and for whom wages are prescribed in this Agreement.

2. PERIOD OF OPERATION OF AGREEMENT.

This Agreement shall come into operation on a date to be fixed by the Minister of Labour in terms of sub-section (1) of section forty-eight of the Act, and shall continue in force for a period of one year or such period as may be determined by him.

3. DEFINITIONS.

Any terms used in this Agreement which are defined in the Act shall have the same meanings as in that Act, any reference to the Act shall include an amendment of such Act, and unless the contrary intention appears, words importing the masculine gender shall include females, further, unless inconsistent with the context—

"Act" means the Industrial Conciliation Act, 1937;

"conductor" means any person responsible to the employer for the collection of fares, safety of passengers and proper, timely running of passenger vehicles in service;

"Council" means the Industrial Council for the Road Passengers Transport Industry, Kimberley, registered in terms of section nineteen of the Act;

"clerical employee" means an employee who wholly or mainly performs writing and/or typing, shorthand and/or any other form of clerical work, and includes a cashier and book-keeper;

"clerical employee, qualified," means a clerical employee who has had not less than three years' experience;

"clerical employee, unqualified," means a clerical employee who has had less than three years' experience;

"day" means, when used in connection with the working time of a driver or conductor, the period of 24 hours between 4 a.m. on any one day and 4 a.m. on the next succeeding day, except in the case of duty schedules relating to special buses, when the day shall be specially defined in such schedules;

"driver" means any person responsible to the employer for the driving of passenger vehicles in service;

"driver/conductor" means a driver who is temporarily employed in the dual capacity of a driver and conductor as specified in this Agreement;

"duty schedule" means a schedule detailing the routes upon which, and the time during which, drivers and conductors shall work in rotation over a period covering one or more weeks;

"inspector" means an official appointed by the employer to supervise the operation of the buses and the work of the drivers and conductors;

"labourer" means an employee who wholly, mainly or exclusively performs any one or more of the following operations or duties:—

(a) Petrol filling, draining oil sumps and/or oil filling, removing, filling and/or replacing batteries, washing and/or polishing and/or cleaning of motor vehicles, cleaning parts of motor vehicles, pumping of air, changing wheels, removing and replacing wheels, bonnets, tyre covers or otherwise any obstruction necessary for finishing operations, removing wheels or rims, tyres and/or tubes for the repair of punctures or painting and replacing them, repairs tubes, performs the work of a vulcanizer's labourer, fitting and/or changing tyres and/or tubes on rims or wheels and assisting in stripping vehicles for repair or scrap, under supervision;

(b) cleaning premises, vehicles, animals, utensils, machinery, implements, tools or other articles, loading and unloading vehicles, carrying, moving, stacking and unpacking goods, sorting packages and parcels, filling bottles or other containers, opening or closing doors and windows, opening or closing boxes, bales or other packages, making or maintaining fires or removing refuse or ashes, delivering or conveying letters or messages or goods, on foot or by means of a bicycle, tricycle, or hand-propelled vehicle, driving and assisting with animal-drawn and hand-propelled vehicles, making tea or similar beverages;

BYLAE.

NYWERHEIDSRAAD VIR DIE PADPASSASIEVERVOER-
NYWERHEID, KIMBERLEY.

OOREENKOMS.

ingevolge die Nywerheid-versoeningswet, 1937, gesluit en aange-
gaan tussen die

Kimberley Bus Services (Pty.), Ltd.

(hieronder die „werkgever” genoem), aan die een kant, en die

Kimberley Transport Workers' Union

(hieronder die „werknemers” of die „vakvereniging” genoem),
aan die ander kant,

wat die partye is by die Nywerheidsraad vir die Padpassasiers-
vervoernywerheid, Kimberley.

1. BESTEK EN TOEPASSING VAN OOREENKOMS.

Die bepalings van hierdie Ooreenkoms moet in die munisipale gebied Kimberley nagekom word deur die werkgever asook lede van die vakvereniging wat by die Padpassasiersvervoernywerheid in die munisipale gebied Kimberley in diens is en vir wie lone in hierdie Ooreenkoms voorgeskryf word.

2. GELDIGHEIDSDUUR VAN OOREENKOMS.

Hierdie Ooreenkoms tree in werking op 'n datum wat die Minister van Arbeid kragtens subartikel (1) van artikel agt-en-veertig van die Wet vasstel en bly vir 'n tydperk van een jaar van krag of vir sodanige tydperk as wat hy kan bepaal.

3. WOORDOMSKRYWINGS.

Enige uitdrukkings wat in hierdie Ooreenkoms gebesig en in die Wet omskryf word, het dieselfde betekenis as in daardie Wet; enige verwysing na die Wet omvat 'n wysiging van sodanige Wet, en tensy die teenoorgestelde bedoeling blyk, omvat woorde wat die manlike geslag aandui ook vrouens; voorts, tensy dit strydig met die samehang is, beteken—

„Wet”, die Nywerheid-versoeningswet, 1937;

„kondukteur”, 'n persoon wat aan die werkgever verant-
woordelik is vir die invordering van passasiersgelde, veilig-
heid van passasiers en die stiptheid van 'n passasiersvoertuig
wat in diens is;

„Raad”, die Nywerheidsraad vir die Padpassasiersvervoer-
nywerheid, Kimberley, wat kragtens artikel negentien van
die Wet geregistreer is;

„klerklike werknemer”, 'n werknemer wat uitsluitlik of hoof-
saaklik skryfwerk en/of tikwerk, snelskrif, en/of ander
klerklike werk verrig en omvat 'n kassier en boekhouer;

„klerklike werknemer, gekwalifiseer”, 'n klerklike werknemer
met minstens drie jaar ondervinding;

„klerklike werknemer, ongekwalifiseer”, 'n klerklike werknemer
met minder as drie jaar ondervinding;

„dag”, as dit in verband met 'n drywer of kondukteur gebesig
word, die tydperk van 24 uur tussen 4 vm. op een dag en
4 vm. op die volgende dag, uitgesonderd in die geval van
diensroosters wat op spesiale busse betrekking het, in welke
geval die dag uitdruklik in sulke roosters omskryf moet
word;

„drywer”, enige persoon verantwoordelik teenoor die werk-
gever vir die dryf van passasiersvoertuie wat in diens is;

„drywer/kondukteur”, 'n drywer wat tydelik in die tweeledige
hoedanigheid van drywer en kondukteur, soos uiteengesit in
hierdie Ooreenkoms, in diens is;

„diensrooster”, 'n rooster wat in besonderhede die roetes en tye
aangee wat deur drywers en kondukteurs om die beurt oor 'n
tydperk van een of meer weke gewerk moet word;

„inspekteur”, 'n beampde wat deur die werkgever aangestel is
om toesig te hou oor die diens van die busse en die werk
van die drywers en kondukteurs;

„arbeider”, 'n werknemer wat hoofsaaklik of uitsluitlik een of
meer van die volgende werksaamhede verrig:—

(a) Petrol ingooi, oliebakke leegtap en/of volmaak, batterye
uithaal, volmaak en/of weer insit, motorvoertuie was
en/of poleer, en/of skoonmaak, onderdele van motor-
voertuie skoonmaak, lug inspomp, wiele omruil, wiele,
motorkappe, bandoortreksels of ander hindernisse vir
afwerking afhaal en weer aansit, wiele of yellings,
buite- en/of binnebande vir die heelmaak van lekke
of vir skilderwerk afhaal en weer aansit, binnebande
heelmaak, werk van 'n vulkaniseerder se arbeider,
verrig, binne- en/of buitebande aan vellings of wiele
aansit en/of omruil en help met sloping van voertuie
vir herstelwerk of vir rommel, onder toesig;

(b) persele, voertuie, diere, gerei, masjinerie, werktuie,
gereedskap of ander artikels skoonmaak, voertuie laai
en aflaai, goedere dra, verskuif, opstapel en uitpak,
pakkette en pakkies sorteer, bottels of ander houers
volmaak, deure en vensters oopmaak en toemaak, kiste,
bale of ander pakkette oopmaak en toemaak, vuur-
maak of vure aan die brand hou, afval of as verwyder,
briewe, boodskappe of goedere te voet of met 'n fiets,
driewiel of handvoertuig aflewer of vervoer, diere-
voertuie of handvoertuie dryf of daarmee help, tee of
dergelike drankte maak;

13. EXEMPTIONS.

(1) The Council may on application by any person affected by this Agreement grant exemptions from any of its provisions in respect of—

- (a) the employer;
- (b) any employee.

(2) The Council shall have the power to fix—

- (a) the conditions; and
- (b) the period;

under and during which such exemptions may be granted.

(3) A licence of exemption over the signature of the Secretary of the Council shall be issued to every such person, and a copy thereof sent to the Divisional Inspector, Department of Labour, Kimberley.

(4) A licence of exemption may be amended or withdrawn at any time by the Council during the period for which it was granted.

14. TRADE UNION MEMBERSHIP.

(a) The employer shall not employ any person for a period of longer than one month who is not a member of the trade union; provided that this clause shall not apply when in the opinion of the Council, membership of the union has been refused without good and sufficient cause and the applicant for membership to the union has notified the Council within 30 days of such refusal.

(b) This section shall not apply in respect of inspectors, foremen, storemen, clerical employees, labourers, location drivers, location conductors and location driver/conductors or in respect of any immigrant during the first year after the date of his entry into the Union of South Africa.

15. ADMINISTRATION OF THE AGREEMENT.

The Council shall be the body responsible for the administration of the Agreement and may issue expressions of opinion not inconsistent with its provisions for the guidance of the employer and employees.

16. PERSONS UNDER 15 YEARS OF AGE.

No person under the age of 15 years shall be employed in the industry.

17. TRADE UNION REPRESENTATIVES ON THE COUNCIL.

The employer shall give to any of his employees who are representatives on the Council every reasonable facility to attend to their duties in connection with the work of the Council.

18. AGENTS.

The Council shall appoint one or more specified persons as agents to assist in giving effect to the terms of this Agreement.

An agent may enter any establishment and may question the employer or any employee and inspect the record of wages paid, time worked and payments made for piece-work and overtime for the purpose of ascertaining whether the terms of this Agreement are being observed.

19. COUNCIL FUNDS.

(1) For the purpose of meeting the expenses of the Council, the employer shall deduct 6d. per week from the wages of each of his employees earning £5 or more per week and 3d. per week from the wages of each of his employees earning less than £5 per week and to the amount so deducted shall add an equal amount.

(2) All amounts collected in accordance with the provisions of sub-section (1) of this clause shall together with a statement showing the number of employees employed and the class in which they are employed, be forwarded to the Secretary of the Council on or before the 15th day of each month.

Signed at Kimberley, on behalf of the parties, this eighth day of August, 1955.

R. C. ELLIOT,
Chairman of the Council.
D. J. PRETORIUS,
Vice-Chairman of the Council.
W. S. DICKERSON,
Secretary of the Council.

* No. 2039.] [7 October 1955.
FACTORIES, MACHINERY AND BUILDING WORK
ACT, 1941.

ROAD PASSENGER TRANSPORT INDUSTRY, KIMBERLEY.

I, JOHANNES DE KLERK, Minister of Labour, hereby, in terms of sub-section (1) of section twenty-two of the Factories, Machinery and Building Work Act, 1941, declare the provisions of the Agreement and notice relating to the Road Passenger Transport Industry, Kimberley, published under Government Notice No. 2038 of the 7th October, 1955, to be not less favourable to the persons whose hours of work are regulated thereby than the relative provisions of the said Act.

J. DE KLERK,
Minister of Labour.

13. VRYSTELLINGS.

(1) Op aansoek van enige persoon wat onder hierdie Ooreenkoms val, kan die Raad vrystelling van enige bepaling daarvan verleen aan—

- (a) die werkgever;
- (b) enige werknemer.

(2) Die Raad het die bevoegdheid om die volgende vas te stel:—

- (a) Die voorwaardes; en
- (b) die tydperk;

waarop en waarvoor vrystelling verleen kan word.

(3) 'n Vrystellingsertifikaat, onderteken deur die Sekretaris van die Raad, moet aan so 'n persoon uitgereik en 'n afskrif daarvan aan die Afdelingsinspekteur van die Departement van Arbeid, Kimberley, gestuur word.

(4) Die Raad kan te eniger tyd gedurende die tydperk waarvoor dit uitgereik is, 'n vrystellingsertifikaat wysig of intrek.

14. LIDMAATSKAP VAN VAKVERENIGING.

(a) Die werkgever kan nie vir 'n tydperk van langer as een maand aan 'n persoon wat nie lid van die vakvereniging is, in diens hê nie; met dien verstande dat as lidmaatskap van die vakvereniging na die mening van die Raad sonder goeie en afdoende rede geweier is en die applikant vir lidmaatskap van die vakvereniging die Raad binne 30 dae van die weiering in kennis gestel het, hierdie klousule nie van toepassing is nie.

(b) Hierdie artikel is nie van toepassing ten opsigte van inspekteurs, voormanne, stoormanne, klerklike werknemers, arbeiders, lokasiedrywers, lokasiekondukteurs en lokasiedrywer/kondukteurs of enige immigrant gedurende die eerste jaar na sy binnekoms in die Unie van Suid-Afrika nie.

15. TOEPASSING VAN DIE OOREENKOMS.

Die Raad is verantwoordelik vir die toepassing van die Ooreenkoms en kan ter voorligting van die werkgever en werknemers menings uitvaardig wat nie met die bepalings daarvan strydig is nie.

16. PERSONE ONDER DIE OUDERDOM VAN 15 JAAR.

Geen persoon onder die ouderdom van 15 jaar mag in die nywerheid in diens wees nie.

17. VAKVERENIGINGVERTEENWOORDIGERS OP DIE RAAD.

Die werkgever moet aan enige van sy werknemers wat 'n verteenwoordiger op die Raad is, alle redelike geleentheid verskaf om sy pligte in verband met die Raad se werk te vervul.

18. AGENTE.

Die Raad moet een of meer aangewese persone aanstel om as agente te help by die toepassing van hierdie Ooreenkoms.

'n Agent kan enige inrigting betree en die werkgever of enige werknemer ondervra en aantekeninge van lône wat betaal, tyd wat gewerk en betalings wat vir stukwerk en oortyd gedoen is, inspekteur om vas te stel of hierdie Ooreenkoms nagekom word.

19. FONDSE VAN DIE RAAD.

(1) Ten einde die uitgawes van die Raad te bestry, moet die werkgever 6d. per week aftrek van die loon van elkeen van sy werknemers wat £5 of meer per week verdien en 3d. per week van die loon van elkeen van sy werknemers wat minder as £5 per week verdien en moet by die totaal wat aldus afgetrek is, 'n gelyke bedrag voeg.

(2) Alle bedrae wat ooreenkomstig die bepalings van subartikel (1) van hierdie klousule ingevorder is, moet, tesame met 'n staat wat die getal werknemers in diens aantoon, asook die klas waarin hulle werksaam is, voor of op die 15de dag van elke maand aan die Sekretaris van die Raad gestuur word.

Namens die partye op hede die 8ste dag van Augustus 1955, in Kimberley onderteken.

R. C. ELLIOT,
Voorsitter van die Raad.
D. J. PRETORIUS,
Ondervoorsitter van die Raad.
W. S. DICKERSON,
Sekretaris van die Raad.

* No. 2039.] [7 Oktober 1955.
WET OP FABRIEKE, MASJINERIE EN BOUWERK,
1941.

PADPASSASIERSVERVOERNYWERHEID, KIMBERLEY.

Ek, JOHANNES DE KLERK, Minister van Arbeid, verklaar hierby, ingevolge subartikel (1) van artikel twee-en-twintig van die Wet op Fabriek, Masjinerie en Bouwerk, 1941, dat die bepalings van die Ooreenkoms en kennisgewing in verband met die Padpassasiersvervoernywerheid, Kimberley, gepubliseer by Goewermentskennisgewing No. 2038 van 7 Oktober 1955, vir die persone wie se werkure daarby gereël word, nie minder gunstig as die ooreenstemmende bepalings van die genoemde Wet is nie.

J. DE KLERK,
Minister van Arbeid.

Reading matter for Farmers!

The Department of Agriculture, Pretoria, issues the following publication (in English and Afrikaans) in the interest of farmers in particular and for the agricultural industry in general—

FARMING in South Africa

A monthly Journal of short, practical articles, intended particularly for farmers who want sound, expert advice in plain, non-technical language Every farmer should keep in touch with his Department, and obtain the advice it is able to give, by reading—



SUBSCRIPTIONS in the Union of South Africa (including South West Africa), 7s. 6d. per annum, post free, otherwise 10s. per annum.

Subscriptions may be posted direct to the Government Printer, Pretoria, or handed in at any Post Office.

FARMING IN SOUTH AFRICA

Leesstof vir Boere!

Die Departement van Landbou, Pretoria, publiseer die volgende blad (in Afrikaans en Engels) in belang van boere in die besonder, en van die landboubedryf in die algemeen—

BOERDERY in Suid-Afrika

'n Maandblad bevattende kort, praktiese artikels, spesiaal bedoel vir boere wat goeie, deskundige advies verlang en geskryf in eenvoudige, nie-tegniese taal Elke boer behoort met sy Departement in voeling te bly en die advies te verkry wat dit in staat is om te gee, deur middel van—



INTEKENGELD in die Unie van Suid-Afrika (met inbegrip van Suidwes-Afrika), 7s. 6d. per jaar, posvry, anders 10s. per jaar.

Intekengeld kan direk aan die Staatsdrukker, Pretoria, gepos word, of by 'n poskantoor ingehandig word.

BOERDERY IN SUID-AFRIKA