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REPUBLIC OF SOUTH AFRICA

GOVERNMENT GAZETTE

STAATSKOERANT

VAN DIE REPUBLIEK VAN SUID-AFRIKA

Registered at the Post Office as a Newspaper

As 'n Nuusblad by die Poskantoor Geregistreer

Price 20c Prys
Overseas 30c Oorsee
POST FREE—POSVRY

VOL. 112]

CAPE TOWN, 11 OCTOBER 1974

[No. 4436

KAAPSTAD, 11 OKTOBER 1974

DEPARTMENT OF THE PRIME MINISTER

DEPARTEMENT VAN DIE EERSTE MINISTER

No. 1849.

11 October 1974.

No. 1849.

11 Oktober 1974.

It is hereby notified that the State President has assented to the following Act which is hereby published for general information:—

Hierby word bekend gemaak dat die Staatspresident sy goedkeuring geheg het aan die onderstaande Wet wat hierby ter algemene inligting gepubliseer word:—

No. 47 of 1974: Bantu Transport Services Amendment Act, 1974.

No. 47 van 1974: Wysigingswet op Vervoerdienste vir Bantoes, 1974.

Wet No. 47, 1974

WYSIGINGSWET OP VERVOERDIENSTE VIR BANTOES, 1974.

Wysiging van
artikel 3 van
Wet 53 van 1957,
soos gewysig deur
artikel 91 van
Wet 42 van 1964
en artikels 1 en 2
van Wet 11 van
1972.

3. Artikel 3 van die Hoofwet word hierby gewysig—

- (a) deur subartikel (1) deur die volgende subartikel te vervang:

„(1) Elke werkgewer binne 'n verklaarde gebied moet maandeliks aan die betrokke stedelike plaaslike bestuur, ten bate van die spesiale Bantoeervoer-rekening wat ooreenkomstig artikel 5 deur daardie stedelike plaaslike bestuur aangelê moet word, 'n bydrae betaal ten opsigte van elke volwasse Bantoe in die diens van daardie werkgewer, teen die skaal van een rand vir elke maand waarin die Bantoeowerknemer ten opsigte van wie daardie bydrae betaalbaar is, in daardie gebied in daardie werkgewer se diens is: Met dien verstande dat—

- (a) die Minister, na oorlegpleging met die kommissie, by kennisgewing in die *Staatskoerant* 'n laer skaal van bydrae ten opsigte van 'n verklaarde gebied of deel daarvan kan vasstel; en

- (b) waar, voor die inwerkingtreding van die Wysigingswet op Vervoerdienste vir Bantoes, 1974, die bydrae deur 'n werkgewer betaalbaar vir elke ses dae van die totale aantal dae waarop werk in die diens van daardie werkgewer verrig is, twintig sent of minder was, die maandelikse bydrae deur sodanige werkgewer betaalbaar, geag word, tensy en totdat die Minister by kennisgewing in die *Staatskoerant* anders bepaal, ingevolge paragraaf (a) van hierdie voorbehoudsbepaling verminder te wees tot 'n bedrag gelyk aan vier maal die bydrae betaalbaar ten opsigte van elke ses dae waarop werk aldus verrig word.”; en

- (b) deur subartikel (4) deur die volgende subartikel te vervang:

„(4) (a) By die berekening van die bedrag van die bydrae betaalbaar deur 'n werkgewer ten opsigte van 'n bepaalde maand waarvoor betaling moet geskied, gaan die totale bedrag wat deur daardie werkgewer aan bydrae betaalbaar is, nie 'n bedrag te bowe nie wat bereken word deur die bedrag wat vir een maand ten opsigte van een volwasse Bantoeowerknemer betaalbaar is, te vermenigvuldig met die gemiddelde daaglikse getal volwasse Bantoeowerknemers wat gedurende daardie maand in die betrokke verklaarde gebied in daardie werkgewer se diens was.

- (b) By die toepassing van paragraaf (a) word die gemiddelde daaglikse getal volwasse Bantoeowerknemers wat gedurende 'n bepaalde maand in 'n werkgewer se diens was, bereken deur die som van die onderskeie daaglikse totale getalle volwasse Bantoeowerknemers wat gedurende daardie maand in die betrokke verklaarde gebied in die betrokke werkgewer se diens was, te deel deur die getal dae in daardie maand: Met dien verstande dat 'n breukdeel in die resultaat van sodanige berekening as een beskou word.”

Kort titel en
inwerkingtreding.

4. Hierdie Wet heet die Wysigingswet op Vervoerdienste vir Bantoes, 1974, en tree in werking op 'n datum wat die Staatspresident by proklamasie in die *Staatskoerant* bepaal.

BANTU TRANSPORT SERVICES AMENDMENT ACT, 1974. Act No. 47, 1974

3. Section 3 of the principal Act is hereby amended—

Amendment of
section 3 of
Act 53 of 1957,
as amended by
section 91 of
Act 42 of 1964
and sections 1 and 2
of Act 11 of 1972.

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

“(1) Every employer within a declared area shall pay monthly to the urban local authority concerned for the benefit of the special Bantu transport account to be opened by that urban local authority in terms of section 5, a contribution in respect of each adult Bantu in the employ of that employer at the rate of one rand for every month in which the Bantu employee in respect of whom such contribution is payable, is in that area in the employ of that employer: Provided that—

(a) the Minister may, after consultation with the commission, by notice in the *Gazette* fix a lower rate of contribution in respect of any declared area or part thereof; and

(b) where, prior to the commencement of the Bantu Transport Services Amendment Act, 1974, the contribution payable by an employer for every six days of the aggregate number of days on which work was performed in the service of that employer was twenty cents or less, the monthly contribution payable by such employer shall, unless and until the Minister determines otherwise by notice in the *Gazette*, be deemed to have been reduced in terms of paragraph (a) of this proviso to an amount equal to four times the contribution payable in respect of every six days on which work is so performed.”; and

(b) by the substitution for subsection (4) of the following subsection:

“(4) (a) In calculating the amount of the contribution payable by an employer in respect of any particular month for which payment is required to be made, the aggregate amount payable by that employer by way of contribution shall not exceed an amount calculated by multiplying the amount payable for one month in respect of one adult Bantu employee by the average daily number of adult Bantu employees employed by that employer during that month in the declared area in question.

(b) For the purposes of paragraph (a) the average daily number of adult Bantu employees employed by any employer during any particular month, shall be calculated by dividing the sum of the respective daily total numbers of adult Bantu employees employed during that month in the declared area in question by the employer concerned, by the number of days in that month: Provided that any fraction in the result of such calculation shall be taken as one.”.

4. This Act shall be called the Bantu Transport Services Amendment Act, 1974, and shall come into operation on a date fixed by the State President by proclamation in the *Gazette*.

Short title and
commencement.

BANTU TRANSPORT SERVICES AMENDMENT ACT, 1974 (Act No. 47, 1974)

3. Section 3 of the principal Act is hereby amended—
- (a) by the substitution for subsection (1) of the following subsection:
- “(1) Every employer within a declared area shall pay monthly to the urban local authority concerned for the benefit of the special Bantu transport account to be opened by that urban local authority in terms of section 2, a contribution in respect of each adult Bantu in the employ of that employer at the rate of one rand for every month in which the Bantu employee in respect of whom such contribution is payable is in that area in the employ of that employer; provided that—
- (a) the Minister may, after consultation with the commission, by notice in the Gazette fix a lower rate of contribution in respect of any declared area or part thereof; and
- (b) where, prior to the commencement of the Bantu Transport Services Amendment Act, 1974, the contribution payable by an employer for every six days of the aggregate number of days on which work was performed in the service of that employer was twenty cents or less, the monthly contribution payable by such employer shall, unless and until the Minister determines otherwise by notice in the Gazette, be deemed to have been reduced in terms of paragraph (a) of this proviso to an amount equal to four times the contribution payable in respect of every six days on which work is so performed;” and
- (b) by the substitution for subsection (4) of the following subsection:
- “(4) (a) In calculating the amount of the contribution payable by an employer in respect of any particular month for which payment is required to be made, the aggregate amount payable by that employer by way of contribution shall not exceed an amount calculated by multiplying the amount payable for one month in respect of one adult Bantu employee by the average daily number of adult Bantu employees employed by that employer during that month in the declared area in question.
- (b) For the purpose of paragraph (a) the average daily number of adult Bantu employees employed by any employer during any particular month shall be calculated by dividing the sum of the respective daily total numbers of adult Bantu employees employed during that month in the declared area in question by the employer concerned, by the number of days in that month: Provided that any fraction in the result of such calculation shall be taken as one.”

4. This Act shall be called the Bantu Transport Services Amendment Act, 1974, and shall come into operation on a date fixed by the State President by proclamation in the Gazette.