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REPUBLIC OF SOUTH AFRICA

GOVERNMENT GAZETTE

(Wysigingswet op Vervoerdienste vir Bantoeë, 1974)

STAATSKOERANT

VAN DIE REPUBLIEK VAN SUID-AFRIKA

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CAPE TOWN, 11 OCTOBER 1974

[No. 4436

KAAPSTAD, 11 OKTOBER 1974

DEPARTMENT OF THE PRIME MINISTER

No. 1849. 11 October 1974.

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

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

DEPARTEMENT VAN DIE EERSTE MINISTER

No. 1849.

11 Oktober 1974.

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

No. 47 van 1974: Wysigingswet op Vervoerdienste vir Bantoeë, 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 werkewer binne 'n verklaarde gebied moet maandeliks aan die betrokke stedelike plaaslike bestuur, ten bate van die spesiale Bantoeervoerrekening wat ooreenkomsdig artikel 5 deur daardie stedelike plaaslike bestuur aangelê moet word, 'n bydrae betaal ten opsigte van elke volwasse Bantoe in die diens van daardie werkewer, teen die skaal van een rand vir elke maand waarin die Bantoewerkemner ten opsigte van wie daardie bydrae betaalbaar is, in daardie gebied in daardie werkewer 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 werkewer betaalbaar vir elke ses dae van die totale aantal dae waarop werk in die diens van daardie werkewer verrig is, twintig sent of minder was, die maandelikse bydrae deur sodanige werkewer 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 werkewer ten opsigte van 'n bepaalde maand waarvoor betaling moet geskied, gaan die totale bedrag wat deur daardie werkewer aan bydrae betaalbaar is, nie 'n bedrag te boven nie wat bereken word deur die bedrag wat vir een maand ten opsigte van een volwasse Bantoewerkemner betaalbaar is, te vermenigvuldig met die gemiddelde daaglikske getal volwasse Bantoewerkemmers wat gedurende daardie maand in die betrokke verklaarde gebied in daardie werkewer se diens was.

(b) By die toepassing van paragraaf (a) word die gemiddelde daaglikske getal volwasse Bantoewerkemmers wat gedurende 'n bepaalde maand in 'n werkewer se diens was, bereken deur die som van die onderskeie daaglikske totale getalle volwasse Bantoewerkemmers wat gedurende daardie maand in die betrokke verklaarde gebied in die betrokke werkewer 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.”.

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.

Kort titel en inwerkingtreding.

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 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.**

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.

PRINTED TRANSPORT SERVICES AMENDMENT ACT, 1957. Act No. 41 of 1957

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 grouping shall, if section 31 of
 the Grouping Act, 1954, has been registered with the Minister of
 Transport, pay to the person to whom authority to conduct
 business in the Republic of South Africa is given in terms of
 section 2, a contribution in respect of each share
 issued in the Republic of South Africa by the employer in
 respect of every such contribution as follows, to the
 first year in the employ of the employer; providing
 that—

(a) the Minister may fix a contribution with the
 commission, by notice in the gazette of any decision
 made of the application in respect of any grouping

made by the Minister to the contribution of the Board
 of Transport Services, Act 1954, if the
 contribution payable by an employer for each
 six days of the previous longer than six months
 work was determined in the service of the
 employer was twenty cents to less than
 contribution payable by such employer after
 twenty days and forty five minutes
 work by notice in the Gazette, by notice of intent
 to amend or to withdraw certain of his
 contribution payable in respect of each day as may
 be specified in section 2 of the principal act;

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

"(4) (a) If, in calculating the amount of the contribution
 paid by an employer in respect of any
 contribution payable by him for each
 six days, the contribution payable by him
 for each six days of the previous longer than six months
 work was determined by notice of intent
 to amend or to withdraw certain of his
 contribution payable in respect of each day as may
 be specified in section 2 of the principal act,
 then the employer shall make up the deficiency
 by paying to the Minister the amount of the
 deficiency during the month in which the
 notice was given.

For the purpose of subsection (4) the amount
 paid by an employer during any particular month
 shall be calculated by dividing the sum of the
 basic rate of pay for each day for which he
 employed an employee during that month in the
 preceding month by the number of days in that
 month in respect of which he provided
 compensation shall be taken as one."

A. This Act shall be called the Banks Transport Service Special Act and
 Amendment Act, 1957, and shall come into operation on a date convenient.

Laid by the State President in the Council of the Gazette.