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GOVERNMENT GAZETTE

STAATSKOERANT

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DEPARTMENT OF THE PRIME MINISTER

DEPARTEMENT VAN DIE EERSTE MINISTER

No. 1106.

30 June 1976.

No. 1106.

30 Junie 1976.

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 gegee het aan die onderstaande Wet wat hierby ter algemene inligting gepubliseer word:—

No. 86 of 1976: Bantu Employees' In-Service Training Act, 1976.

No. 86 van 1976: Wet op Indiensopleiding van Bantoe-werknemers, 1976.

Wet No. 86, 1976 WET OP INDIENSOPLEIDING VAN BANTOEWERKNEMERS,
1976

WET

Om voorsiening te maak vir die bevordering en regulering van die opleiding van Bantoewerknemers in die nywerheid en om vir daardie doel voorsiening te maak vir die instelling van 'n raad; om voorsiening te maak vir die instelling, bestuur en finansiering van en beheer oor openbare sentrums vir sodanige opleiding; die goedkeuring van private sentrums; die erkenning van, en die toekenning van hulptoelaes ten opsigte van, sekere skemas wat deur persone gedryf word vir die opleiding van hul Bantoewerknemers; die oplegging van 'n heffing op sekere werkgewers van sekere Bantoewerknemers; en die inspeksie van sodanige sentrums en skemas; en om voorsiening te maak vir aangeleenthede wat daarmee in verband staan.

(Afrikaanse teks deur die Staatspresident geteken.)
(Goedgekeur op 18 Junie 1976.)

DAAR WORD BEPAAL deur die Staatspresident, die Senaat en die Volksraad van die Republiek van Suid-Afrika, soos volg:—

Woord-
omskrywing.

1. In hierdie Wet, tensy uit die sinsverband anders blyk, beteken—

- (i) „Bantoe persoon” iemand wat 'n Bantoe is binne die bedoeling van die Bevolkingsregistrasiewet, 1950 (Wet No. 30 van 1950); (i)
- (ii) „Departement” die Departement van Bantoe-onderwys; (iii)
- (iii) „Minister” die Minister van Bantoe-onderwys; (viii)
- (iv) „nywerheid” 'n nywerheids-, handels-, of landbou-onderneming of 'n onderneming wat die Minister van tyd tot tyd vir die doeleindes van hierdie Wet tot 'n nywerheid verklaar, maar nie ook 'n mynbou-onderneming nie: Met dien verstande dat die Minister nie 'n onderneming aldus verklaar nie tensy hy met die raad geraadpleeg het; (vii)
- (v) „openbare sentrum” 'n sentrum ingevolge artikel 7 ingestel; (x)
- (vi) „opleiding” enige opleiding waarvan die besondere oogmerk is om 'n werknemer beter te bekwaam vir werk wat in of in verband met 'n nywerheid verrig word; (xiii)
- (vii) „private sentrum” 'n sentrum ingevolge artikel 11 goedgekeur; (ix)
- (viii) „raad” die raad in artikel 2 vermeld; (ii)
- (ix) „Sekretaris” die Sekretaris van Bantoe-onderwys; (xii)
- (x) „skema” 'n skema wat ingevolge artikel 12 erken is; (xi)
- (xi) „vasgestelde gebied”, met betrekking tot 'n openbare sentrum, die gebied wat ingevolge artikel 7 ten opsigte van daardie sentrum vasgestel is; (vi)
- (xii) „werkgewer” 'n persoon of groep of vereniging van persone wat in 'n nywerheid betrokke is en 'n Bantoe persoon vir die verrigting van werk in daardie nywerheid employeer; (v)

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ACT

To provide for the promotion and regulation of the training of Bantu employees in industry and for that purpose to provide for the establishment of a council; to provide for the establishment, management, financing and control of public centres for such training; the approval of private centres; the recognition of, and the award of grants-in-aid in respect of, certain schemes conducted by persons for the training of their Bantu employees; the imposition of a levy on certain employers of certain Bantu employees; and the inspection of such centres and schemes; and to provide for matters connected therewith.

(Afrikaans text signed by the State President.)
(Assented to 18 June 1976.)

BE IT ENACTED by the State President, the Senate and the House of Assembly of the Republic of South Africa, as follows:—

1. In this Act, unless the context otherwise indicates— Definitions.

- (i) "Bantu person" means a person who is a Bantu within the meaning of the Population Registration Act, 1950 (Act No. 30 of 1950); (i)
- (ii) "council" means the council referred to in section 2; (viii)
- (iii) "Department" means the Department of Bantu Education; (ii)
- (iv) "employee" means a Bantu person who is employed by any employer for the performance of work in any industry and who receives or is entitled to receive remuneration from such employer; (xiii)
- (v) "employer" means any person or group or association of persons who or which is engaged in any industry and employs any Bantu person for the performance of work in such industry; (xii)
- (vi) "fixed area", in relation to a public centre, means the area fixed in terms of section 7 in respect of such centre; (xi)
- (vii) "industry" means any industrial, commercial or agricultural undertaking or any undertaking which the Minister from time to time declares to be an industry for the purposes of this Act but does not include any mining undertaking: Provided that the Minister shall not thus declare any undertaking unless he has consulted the council; (iv)
- (viii) "Minister" means the Minister of Bantu Education; (iii)
- (ix) "private centre" means a centre approved in terms of section 11; (vii)
- (x) "public centre" means a centre established in terms of section 7; (v)
- (xi) "scheme" means any scheme recognized in terms of section 12; (x)

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- (xiii) „werknemer” ’n Bantoe persoon wat in diens is by ’n werkgewer vir die verrigting van werk in ’n nywerheid en wat van sodanige werkgewer besoldiging ontvang of geregtig is om dit van sodanige werkgewer te ontvang. (iv)

Instelling
van raad.

2. (1) Die Minister stel ’n raad in wat die Koördinerende Raad vir Indiensopleiding van Bantoe werknemers heet.

(2) Die raad—

(a) dien die Minister van advies oor—

(i) beleidsaangeleenthede wat voortspruit uit of in verband staan met die toepassing van die bepalings van hierdie Wet;

(ii) die ander aangeleenthede betreffende die opleiding van werknemers wat die Minister na hom verwys;

(b) verrig die ander werksaamhede wat ingevolge hierdie Wet aan hom opgedra word.

(3) Die Minister verrig nie ’n werksaamheid vermeld in artikels 3 (2) (a), 7, 9 (3), 14, 15 en 18 nie tensy hy die raad geraadpleeg het.

Samestelling
van raad.

3. (1) Die raad bestaan uit—

(a) ses persone deur die Minister aangestel uit beamptes in die Staatsdiens van wie—

(i) vier in die Departement van Bantoe-onderwys;

(ii) een in die Departement van Arbeid; en

(iii) een in die Departement van Bantoe-administrasie en -ontwikkeling,

in diens moet wees;

(b) een persoon wat met die goedkeuring van die Minister deur elk van die volgende liggame aangestel word—

(i) Die Afrikaanse Handelsinstituut;

(ii) Die Federasie van Bounywerhede (Suid-Afrika);

(iii) Die Suid-Afrikaanse Federasie van Aannemers vir Siviele Ingenieurswerk;

(iv) Die Suid-Afrikaanse Gefedereerde Kamer van Nywerhede;

(v) Die Suid-Afrikaanse Konfederasie van Arbeid;

(vi) Die Suid-Afrikaanse Landbou-Unie;

(vii) Die Vakbondraad van Suid-Afrika;

(viii) Die Vereniging van Kamers van Koophandel van Suid-Afrika;

(ix) Die Werkgewersvereniging van die Suid-Afrikaanse Motornywerheid;

(x) The Steel and Engineering Industries Federation of South Africa; en

(xi) enige ander groep of vereniging van werkgewers ingevolge subartikel (2) (a) aangewys;

Met dien verstande dat indien enige van die liggame vermeld in subparagrafe (i) tot (x) of enige groep of vereniging van werkgewers kragtens subparagraaf (xi) aangewys, sou ophou om te bestaan of sou versuim om sy bevoegdheid ingevolge hierdie paragraaf uit te oefen, die geldigheid van die samestelling van die raad nie daardeur geraak word nie.

(2) (a) Indien die Minister van oordeel is dat ’n groep of vereniging van werkgewers wat in ’n nywerheid betrokke is en wie se lede nie verbonde is aan enige liggaam vermeld in subparagrafe (i) tot (x) van subartikel (1) (b) nie, in die raad verteenwoordig behoort te word, kan die Minister daardie groep of vereniging by kennisgewing in die *Staatskoerant* vir die doeleindes van hierdie artikel aanwys.

(b) Die Minister kan ten opsigte van elke lid wat deur hom ingevolge subartikel (1) (a) aangestel is, ’n plaasvervangende lid aanstel.

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- (b) (xii) "Secretary" means the Secretary for Bantu Education;
 (ix)
 (xiii) "training" means any training which has as its special aim the improvement of the proficiency of any employee for any work performed in or in connection with any industry. (vi)

2. (1) The Minister shall establish a council to be known as the Co-ordinating Council for In-service Training of Bantu Employees. Establishment of council.

(2) The council shall—

- (a) advise the Minister on—
 (i) matters of policy arising out of or connected with the application of the provisions of this Act;
 (ii) such other matters relating to the training of employees as the Minister may refer to it;
 (b) perform such other functions as are assigned to it in terms of this Act.

(3) The Minister shall not perform any function referred to in sections 3 (2) (a), 7, 9 (3), 14, 15 and 18 unless he has consulted the council.

3. (1) The council shall consist of— Constitution of council.

- (a) six persons to be appointed by the Minister from among officers in the Public Service of whom—
 (i) four shall be serving in the Department of Bantu Education;
 (ii) one shall be serving in the Department of Labour; and
 (iii) one shall be serving in the Department of Bantu Administration and Development;
 (b) one person appointed with the approval of the Minister by each of the following bodies:
 (i) Die Afrikaanse Handelsinstituut;
 (ii) The Building Industries Federation (South Africa);
 (iii) The South African Federation of Civil Engineering Contractors;
 (iv) The South African Federated Chamber of Industries;
 (v) The South African Confederation of Labour;
 (vi) The South African Agricultural Union;
 (vii) The Trade Union Council of South Africa;
 (viii) The Association of Chambers of Commerce of South Africa;
 (ix) The South African Motor Industry Employers' Association;
 (x) The Steel and Engineering Industries Federation of South Africa; and
 (xi) any other group or association of employers designated in terms of subsection (2) (a):

Provided that if any of the bodies mentioned in subparagraphs (i) to (x) or any group or association of employers designated under subparagraph (xi) should cease to exist or should fail to exercise its power in terms of this paragraph, the validity of the constitution of the council shall not be affected thereby.

(2) (a) If the Minister is of the opinion that any group or association of employers which is engaged in any industry and whose members are not associated with any body mentioned in subparagraphs (i) to (x) of subsection (1) (b) should be represented on the council, the Minister may by notice in the *Gazette* designate such group or association for the purposes of this section.

(b) The Minister may in respect of each member appointed by him in terms of subsection (1) (a), appoint an alternate member.

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(c) 'n Liggaam, groep of vereniging in subartikel (1) (b) vermeld, kan met die goedkeuring van die Minister, ten opsigte van die lid deur daardie liggaam, groep of vereniging aangestel, 'n plaasvervangende lid aanstel.

(d) 'n Plaasvervangende lid ingevolge paragraaf (b) of (c) aangestel, kan enige vergadering van die raad bywoon en aan die verrigtings van die raad deelneem, maar is nie bevoeg om op sodanige vergadering te stem nie, behalwe wanneer die lid ten opsigte van wie hy as plaasvervangende lid aangestel is van dié vergadering afwesig is.

(3) (a) 'n Lid van die raad word vir 'n tydperk van drie jaar aangestel en beklee sy amp behoudens die voorwaardes wat die Minister ten tyde van sy aanstelling bepaal.

(b) Wanneer 'n lid van die raad sy amp voor die verstryking van sy ampstermyn ontruim, moet die Minister of die betrokke liggaam, groep of vereniging (na gelang van wie daardie lid aangestel het) so gou doenlik iemand aanstel om die vakature vir die onverstreke gedeelte van sodanige ampstermyn te vul.

Voorsitter en
vise-voorsitter
van raad.

4. (1) Die Minister stel uit die persone in artikel 3 (1) vermeld 'n persoon as voorsitter van die raad en 'n ander persoon as vise-voorsitter van die raad aan.

(2) Die voorsitter van die raad het by 'n staking van stemme oor enige aangeleentheid wat op 'n vergadering van die raad oorweeg word, 'n beslissende stem benewens sy beraadslagende stem.

(3) Wanneer die voorsitter van die raad van 'n vergadering van die raad afwesig is, neem die vise-voorsitter as voorsitter waar, en wanneer die voorsitter sowel as die vise-voorsitter afwesig is, kies die lede van die raad wat op daardie vergadering aanwesig is, een uit hul midde om op daardie vergadering voor te sit, en terwyl hy as voorsitter waarneem het die persoon wat ingevolge hierdie subartikel aldus waarneem al die bevoegdhede en verrig hy al die werksaamhede van die voorsitter.

Vergaderings van
raad en verrigting
van sekretariële
werk.

5. (1) Die raad kan reëls maak betreffende—

(a) die byeenroeping van, die bepaling van 'n kworum vir en die prosedure by 'n vergadering van die raad;

(b) enige ander aangeleentheid wat nodig is vir die doeltreffende verrigting of uitoefening van die werksaamhede, pligte en bevoegdhede van die raad.

(2) Die sekretariële werk van die raad word verrig deur beamptes en werknemers in die Staatsdiens in diens by die Departement wat vir dié doel deur die Sekretaris aangewys word.

Uitsluiting van
bepalings van
Wet 47 van 1953
ten opsigte van
sekere opleiding.

6. Die bepalinge van die Wet op Bantoe-onderwys, 1953, is nie van toepassing nie ten opsigte van opleiding wat by 'n openbare of private sentrum of ooreenkomstig 'n skema verskaf word.

Openbare sentrums
vir opleiding
van werknemers.

7. (1) Twee of meer werkgewers kan met die goedkeuring van die Minister en behoudens die voorwaardes wat hy na goedvinde oplê, in 'n gebied ingevolge subartikel (3) vasgestel 'n openbare sentrum vir die opleiding van werknemers instel en dryf.

(2) Voorwaardes in subartikel (1) beoog, kan ook betrekking hê op—

(a) die kursusse van opleiding wat verskaf mag word;

(b) die aard, duur en standaard van sodanige kursusse;

(c) die persele, toerusting, fasiliteite en materiaal wat vir die doeleindes van sodanige opleiding gebruik of verskaf moet word;

(d) die standaard van onderwys of praktiese ondervinding wat deur werknemers behaal of opgedoen moet gewees

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(c) Any body, group or association mentioned in subsection (1) (b) may with the approval of the Minister in respect of the member appointed by that body, group or association appoint an alternate member.

(d) An alternate member appointed under paragraph (b) or (c) may attend and take part in the proceedings at any meeting of the council, but shall not have the power to vote at such meeting, except when the member in respect of whom he has been appointed as an alternate member is absent from the meeting in question.

(3) (a) A member of the council shall be appointed for a period of three years and shall hold office subject to such conditions as the Minister may determine at the time of his appointment.

(b) Whenever a member of the council vacates his office before the expiry of his period of office, the Minister or the body, group or association in question (depending on who appointed such member) shall as soon as possible appoint a person to fill the vacancy for the unexpired portion of such period of office.

4. (1) The Minister shall from among the persons referred to in section 3 (1) appoint a person as chairman of the council and another person as vice-chairman of the council.

Chairman and vice-chairman of council.

(2) The chairman of the council shall in the event of an equality of votes on any matter considered at any meeting of the council, have a casting vote in addition to his deliberative vote.

(3) When the chairman of the council is absent from any meeting of the council, the vice-chairman shall act as chairman, and when both the chairman and vice-chairman are absent, the members of the council present at that meeting shall elect one of their number to preside at such meeting, and the person acting as chairman in terms of this subsection shall, while so acting, have all the powers and perform all the functions of the chairman.

5. (1) The council may make rules as to—

(a) the calling of, the fixing of a quorum for and the procedure at a meeting of the council;

(b) any other matter which may be necessary for the efficient carrying out or exercise of the functions, duties and powers of the council.

Meetings of council and performance of secretarial work.

(2) The secretarial work of the council shall be performed by officers and employees in the Public Service serving in the Department designated for this purpose by the Secretary.

6. The provisions of the Bantu Education Act, 1953, shall not apply in respect of any training provided at a public or private centre or in accordance with any scheme.

Exclusion of provisions of Act 47 of 1953 in respect of certain training.

7. (1) Two or more employers may with the approval of the Minister and subject to such conditions as he may deem fit to impose, establish and conduct in any area fixed in terms of subsection (3) a public centre for the training of employees.

Public centres for training of employees.

(2) Conditions contemplated in subsection (1) may also relate to—

(a) the courses of training which may be provided;

(b) the nature, duration and standard of such courses;

(c) the premises, equipment, facilities and materials to be used or provided for the purposes of such training;

(d) the standard of education or practical experience which shall have been achieved or gained by employees before

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het voordat hulle toegelaat mag word om opleiding van 'n bepaalde aard te ondergaan;

(e) enige ander aangeleentheid wat met 'n openbare sentrum of sodanige opleiding in verband staan.

(3) Die Minister kan vir die doeleindes van subartikel (1) gebiede vasstel en kan verskillende gebiede vasstel ten opsigte van verskillende kategorieë werk wat deur hom vir dié doel bepaal word.

(4) 'n Openbare sentrum word gedryf op die plek of plekke wat die betrokke beheerliggaam met die goedkeuring van die Minister bepaal.

(5) 'n Openbare sentrum vir die opleiding van Bantoeowerknemers wat ingevolge die Wet op Bantoe-onderwys, 1953 (Wet No. 47 van 1953), voor die inwerkingtreding van hierdie Wet geregistreer is en enige voorwaarde wat ten opsigte van die registrasie daarvan opgelê is, word geag ingevolge hierdie artikel ingestel of opgelê te wees.

(6) Die Minister kan 'n openbare sentrum sluit indien hy oortuig is dat die behoefte aan sodanige sentrum nie meer bestaan nie.

Beheer oor en bestuur van openbare sentrum.

8. (1) Die beheer oor en bestuur van 'n openbare sentrum berus by 'n beheerliggaam wat 'n regspersoon is.

(2) Die raad moet ten opsigte van die beheerliggaam van 'n sentrum 'n konstitusie opstel wat voorsiening maak vir—

(a) die samestelling van daardie liggaam;

(b) die verkiesing of aanstelling van die lede van daardie liggaam;

(c) die ampstermyn van en die ontruiming van amp deur sodanige lede;

(d) die byeenroeping van, die kworum vir en die prosedure by vergaderings van daardie liggaam;

(e) die boekjaar van daardie liggaam; en

(f) enige ander aangeleentheid wat nodig is vir die doeltreffende verrigting of uitoefening van die werksaamhede, pligte en bevoegdhede van daardie liggaam.

(3) Die beheerliggaam van 'n sentrum kan in oorleg met die raad sy konstitusie van tyd tot tyd wysig of vervang.

Bevoegdhede van beheerliggaam van openbare sentrum.

9. (1) Die beheerliggaam van 'n openbare sentrum kan behoudens die bepalinge van hierdie Wet en 'n voorwaarde wat ingevolge artikel 7 (1) opgelê is—

(a) die diensstaat van daardie sentrum bepaal;

(b) enige persoon by daardie sentrum aanstel, bevorder of ontslaan;

(c) die diensvoorwaardes, verlof- en ander voorregte, salarisse, salarisskale, uitdienstreding- en pensioen-voordele en ander voordele van alle persone in diens by daardie sentrum, bepaal;

(d) kursusgelde bepaal;

(e) roerende en onroerende goed wat vir die bestuur en dryf van daardie sentrum nodig is, verkry, en sodanige goed wat nie meer vir daardie doeleindes nodig is nie, verkoop of op 'n ander wyse daaroor beskik;

(f) 'n rekening by 'n bankinstelling geregistreer ingevolge die Bankwet, 1965 (Wet No. 23 van 1965), open;

(g) geld wat nie vir onmiddellike gebruik nodig is nie, by 'n bankinstelling geregistreer ingevolge die Bankwet, 1965 (Wet No. 23 van 1965), of 'n bougenootskap geregistreer ingevolge die Wet op Bouverenigings, 1965 (Wet No. 24 van 1965), belê;

(h) behoudens die bepalinge van subartikel (3), skenkings aanvaar;

(i) geld leen;

(j) in die algemeen, enigiets doen wat redelikerwys beskou kan word as nodig of wenslik vir die doeltreffende bestuur van en beheer oor daardie sentrum.

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they may be permitted to undergo training of a particular nature;

(e) any other matter connected with a public centre or such training.

(3) The Minister may for the purpose of subsection (1) fix areas and may fix different areas in respect of different categories of work determined by him for this purpose.

(4) A public centre shall be conducted at such place or places as may be determined with the approval of the Minister by the governing body concerned.

(5) Any public centre for the training of Bantu employees registered in terms of the Bantu Education Act, 1953 (Act No. 47 of 1953), before the commencement of this Act and any condition imposed in respect of the registration thereof shall be deemed to have been established or imposed in terms of this section.

(6) The Minister may close any public centre if he is satisfied that the need for such centre has ceased to exist.

8. (1) The control and management of a public centre shall be vested in a governing body which shall be a juristic person. Control and management of public centre.

(2) The council shall in respect of the governing body of a centre draw up a constitution providing for—

(a) the constitution of that body;

(b) the election or appointment of the members of that body;

(c) the period of office of, and the vacation of office by, such members;

(d) the calling of, the quorum for and the procedure at meetings of that body;

(e) the financial year of that body; and

(f) any other matter necessary for the effective carrying out or performance of the functions, duties and powers of that body.

(3) The governing body of a centre may in consultation with the council from time to time amend or substitute its constitution.

9. (1) The governing body of a public centre may subject to the provisions of this Act and any condition imposed in terms of section 7 (1)— Powers of governing body of public centre.

(a) determine the staff establishment of that centre;

(b) appoint, promote or discharge any person at that centre;

(c) determine the conditions of service, leave and other privileges, salaries, salary scales, retirement and pension benefits and other benefits of all persons employed at that centre;

(d) determine fees for courses;

(e) acquire movable and immovable property required for the management and conduct of that centre, and sell or otherwise dispose of such property no longer required for such purposes;

(f) open an account with a banking institution registered in terms of the Banks Act, 1965 (Act No. 23 of 1965);

(g) invest moneys which are not required for immediate use with a banking institution registered in terms of the Banks Act, 1965 (Act No. 23 of 1965), or a building society registered in terms of the Building Societies Act, 1965 (Act No. 24 of 1965);

(h) subject to the provisions of subsection (3), accept donations;

(i) borrow money;

(j) generally, do anything which can reasonably be regarded as necessary or desirable for the effective management and control of that centre.

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(2) 'n Bevoegdheid in subartikel (1) vermeld, word uitgeoefen onderworpe aan voorskrifte van tyd tot tyd deur die raad vir die bestuur en beheer van openbare sentrums bepaal.

(3) Die beheerliggaam van 'n openbare sentrum aanvaar nie sonder die voorafverkreë goedkeuring van die Minister 'n skenking waaraan 'n voorwaarde geheg is nie, en indien die beheerliggaam sodanige skenking aanvaar, word met daardie skenking ooreenkomstig die bepalings van bedoelde voorwaarde gehandel.

Bystand
aan openbare
sentrums.

10. (1) Behoudens die bepalings van subartikel (2), kan die Minister uit gelde deur die Parlement vir die doel bewillig, bystand verleen aan die beheerliggaam van 'n openbare sentrum ten opsigte van die oprigting van geboue en die lewering, oprigting of installering van toerusting by daardie sentrum.

(2) Bystand in subartikel (1) beoog, word verleen op die grondslag en behoudens die voorwaardes wat die Minister in elke bepaalde geval in oorleg met die Minister van Finansies bepaal.

Private sentrums.

11. (1) Niemand mag opleiding aan die werknemers van 'n ander persoon verskaf nie, behalwe by 'n sentrum wat deur die Sekretaris ingevolge subartikel (2) as 'n private sentrum goedgekeur is: Met dien verstande dat die bepalings van hierdie subartikel nie van toepassing is op opleiding wat by 'n openbare sentrum verskaf word nie.

(2) (a) Die Sekretaris kan op aansoek van enige persoon en na raadpleging met die raad, behoudens die voorwaardes wat hy na sodanige raadpleging goedvind om op te lê, die sentrum waarop die aansoek betrekking het as private sentrum goedgekeur.

(b) Die voorwaardes in paragraaf (a) beoog, kan betrekking hê op enige aangeleentheid in paragrafe (a) tot (d) van artikel 7 (2) vermeld, asook enige aangeleentheid betreffende die bestuur en dryf van die betrokke private sentrum.

(3) Die Sekretaris kan ten opsigte van 'n private sentrum die bystand (behalwe geldelike bystand) verleen wat na sy oordeel sou kon bydra tot die bereiking van die doel waarvoor daardie private sentrum ingestel is.

(4) Die Sekretaris kan na raadpleging met die raad, te eniger tyd en sonder om enige rede daarvoor te verstrek, enige goedkeuring ingevolge subartikel (2) verleen, intrek indien hy van oordeel is dat enige van die voorwaardes wat ten opsigte daarvan opgelê is, nie nagekom is nie.

(5) 'n Private sentrum vir die indiensopleiding van Bantoe-werknemers wat voor die inwerkingtreding van hierdie Wet ingevolge die Wet op Bantoe-onderwys, 1953 (Wet No. 47 van 1953), geregistreer is, en enige voorwaarde wat ten opsigte van die registrasie daarvan opgelê is, word geag ingevolge hierdie artikel goedgekeur of opgelê te wees.

Erkenning van
skemas vir
opleiding van
werknemers.

12. (1) 'n Werkgewer wat 'n skema vir die opleiding van sy werknemers dryf of van voorneme is om sodanige skema te dryf, kan by die Sekretaris om die erkenning van daardie skema aansoek doen.

(2) (a) Die Sekretaris kan behoudens die voorwaardes wat hy goedvind om op te lê 'n skema waarop 'n aansoek in subartikel (1) beoog betrekking het, erken.

(b) Voorwaardes in paragraaf (a) beoog, kan betrekking hê op enige aangeleentheid vermeld in paragrafe (a) tot (d) van artikel 7 (2), asook enige aangeleentheid betreffende die bestuur en dryf van die betrokke skema.

(c) Die Sekretaris kan 'n voorwaarde wat ingevolge hierdie artikel opgelê is, intrek of van tyd tot tyd wysig: Met dien verstande dat die Sekretaris 'n voorwaarde wat deur die Minister ingevolge subartikel (7) opgelê is, nie wysig of intrek nie tensy die Minister daartoe toestem.

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(2) Any power referred to in subsection (1) shall be exercised subject to directions issued by the council from time to time for the management and control of public centres.

(3) The governing body of a public centre shall not without the prior approval of the Minister accept any donation to which any condition is attached, and if the governing body accepts any such donation, that donation shall be dealt with in accordance with the terms of such condition.

10. (1) Subject to the provisions of subsection (2), the Minister may out of moneys appropriated by Parliament for the purpose, render assistance to the governing body of a public centre in respect of the erection of buildings and the supply, erection or installation of equipment at such centre. Assistance to public centres.

(2) Assistance contemplated in subsection (1) shall be rendered on such basis and subject to such conditions as the Minister may in every particular case determine in consultation with the Minister of Finance.

11. (1) No person shall provide training for the employees of any other person, except at a centre approved by the Secretary in terms of subsection (2) as a private centre: Provided that the provisions of this subsection shall not apply to training provided at a public centre. Private centres.

(2) (a) The Secretary may on application of any person and after consultation with the council, subject to such conditions as he may after such consultation deem fit to impose, approve the centre to which the application relates as a private centre.

(b) The conditions contemplated in paragraph (a), may relate to any matter referred to in paragraphs (a) to (d) of section 7 (2), as well as any matter relating to the management and conduct of the private centre in question.

(3) The Secretary may in respect of any private centre render such assistance (other than financial assistance) as could in his opinion contribute towards the attainment of the purpose for which that private centre has been established.

(4) The Secretary may after consultation with the council at any time and without assigning any reason therefor withdraw any approval granted in terms of subsection (2) if he is of the opinion that any of the conditions imposed in respect thereof has not been complied with.

(5) Any private centre for the in-service training of Bantu employees registered before the commencement of this Act in terms of the Bantu Education Act, 1953 (Act No. 47 of 1953), and any condition imposed in respect of the registration thereof, shall be deemed to have been approved or imposed in terms of this section.

12. (1) Any employer who conducts or intends to conduct a scheme for the training of his employees may apply to the Secretary for the recognition of such scheme. Recognition of schemes for training of employees.

(2) (a) The Secretary may, subject to such conditions as he may deem fit to impose, recognize any scheme to which an application contemplated in subsection (1) relates.

(b) Conditions contemplated in paragraph (a) may relate to any matter referred to in paragraphs (a) to (d) of section 7 (2), as well as any matter relating to the management and conduct of the scheme in question.

(c) The Secretary may withdraw or from time to time amend any condition imposed in terms of this section: Provided that the Secretary shall not withdraw or amend any condition imposed by the Minister in terms of subsection (7), unless the Minister consents thereto.

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(3) Die Sekretaris kan ten opsigte van 'n skema wat ingevolge subartikel (2) erken is, die bystand (behalwe geldelike bystand) verleen wat na sy oordeel sou kon bydra tot die bereiking van die doel waarvoor daardie skema ingestel is.

(4) Die Sekretaris kan te eniger tyd en sonder om enige rede daarvoor te verstrek, die erkenning van 'n skema intrek indien hy van oordeel is dat enige van die voorwaardes wat ten opsigte daarvan opgelê is, nie nagekom is nie: Met dien verstande dat die Sekretaris nie sonder die toestemming van die Minister die erkenning van 'n skema wat deur die Minister ingevolge subartikel (7) erken is, intrek nie.

(5) 'n Skema vir die indiensopleiding van Bantoewerknemers wat voor die inwerkingtreding van hierdie Wet ingevolge die Wet op Bantoe-onderwys, 1953 (Wet No. 47 van 1953), geregistreer is, en enige voorwaarde wat ten opsigte van die registrasie daarvan opgelê is, word geag ingevolge hierdie artikel erken of opgelê te wees.

(6) Die Sekretaris moet van tyd tot tyd aan die raad verslag doen oor al die aansoeke wat hy ingevolge subartikel (1) ontvang het.

(7) (a) 'n Werkgewer wie se aansoek om erkenning van 'n skema ingevolge subartikel (1) geweier is, kan na die Minister appelleer.

(b) Die Minister kan die beslissing van die Sekretaris bekragtig of tersyde stel, en kan, indien hy daardie beslissing tersyde stel, die betrokke skema erken en ten opsigte van bedoelde erkenning enige voorwaarde in subartikel (2) beoog, oplê.

Hulptoelae ten opsigte van skemas wat in sekere gebiede gedryf word.

13. (1) Die Minister kan, op die voorwaardes wat hy goedvind om op te lê en ooreenkomstig die grondslag wat hy in ooreenleg met die Minister van Finansies bepaal, uit gelde deur die Parlement vir die doel bewillig, hulptoelae toeken aan enige werkgewer wat 'n skema dryf in 'n ekonomiese ontwikkelingsgebied wat die Minister bepaal.

(2) 'n Hulptoelae ingevolge subartikel (1) toegeken, word aangewend uitsluitlik om die koste wat uit die dryf van die betrokke skema voortspruit, te bestry.

(3) Die Minister kan te eniger tyd en sonder om enige rede daarvoor te verstrek, 'n hulptoelae wat ingevolge subartikel (1) toegeken is, opskort, verminder of intrek: Met dien verstande dat die Minister nie 'n hulptoelae wat reeds aangewend is vir die doel waarvoor dit toegeken is, intrek nie.

Heffing.

14. (1) Ten einde geld te verkry wat nodig is om die koste te bestry wat voortspruit uit die dryf van 'n openbare sentrum, kan die beheerliggaam die Minister versoek om 'n bepaalde heffing op te lê wat betaalbaar is deur werkgewers of 'n kategorie van werkgewers wat in die vasgestelde gebied van daardie sentrum betrokke is in 'n nywerheid ten opsigte waarvan opleiding by daardie sentrum verskaf word.

(2) (a) Indien die Minister 'n versoek in subartikel (1) beoog, ontvang en hy van oordeel is dat daar voldoende gronde vir die oplegging van 'n heffing vermeld in daardie subartikel bestaan, laat hy in die *Staatskoerant* 'n kennisgewing publiseer waarin—

(i) sy voorneme om sodanige heffing op te lê, vermeld word;

(ii) die bedrag van die beoogde heffing vermeld word;

(iii) die betrokke sentrum, vasgestelde gebied en nywerheid vermeld word;

(iv) die grondslag waarop sodanige heffing opgelê gaan word, vermeld word; en

(v) die werkgewers wat in daardie vasgestelde gebied in daardie nywerheid betrokke is, versoek word om binne 'n tydperk van twee maande vanaf die datum van daardie kennisgewing vertoë oor die bedoelde heffing tot die raad te rig.

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(3) The Secretary may in respect of any scheme recognized in terms of subsection (2) render such assistance (other than financial assistance) as could in his opinion contribute towards the attainment of the purpose for which that scheme has been established.

(4) The Secretary may at any time and without assigning any reason therefor withdraw the recognition of a scheme if he is of the opinion that any of the conditions imposed in respect thereof was not complied with: Provided that the Secretary shall not without the consent of the Minister withdraw the recognition of a scheme recognized by the Minister in terms of subsection (7).

(5) Any scheme for the in-service training of Bantu employees registered before the commencement of this Act in terms of the Bantu Education Act, 1953 (Act No. 47 of 1953), and any condition imposed in respect of the registration thereof, shall be deemed to have been recognized or imposed in terms of this section.

(6) The Secretary shall from time to time report to the council on all applications received by him in terms of subsection (1).

(7) (a) Any employer whose application for recognition of a scheme in terms of subsection (1) was rejected may appeal to the Minister.

(b) The Minister may confirm or set aside the decision of the Secretary, and if he sets aside that decision he may recognize the scheme in question and may impose in respect of such recognition any condition referred to in subsection (2).

13. (1) The Minister may on such conditions as he may deem fit to impose and in accordance with such basis as he may determine in consultation with the Minister of Finance, out of moneys appropriated by Parliament for the purpose, award grants-in-aid to any employer who conducts a scheme in any economic development area determined by the Minister.

Grants-in-aid in respect of schemes conducted in certain areas.

(2) Any grant-in-aid awarded in terms of subsection (1) shall be utilized exclusively to defray costs arising from the conduct of the scheme in question.

(3) The Minister may at any time and without assigning any reason therefor suspend, reduce or withdraw any grant-in-aid awarded in terms of subsection (1): Provided that the Minister shall not withdraw any grant-in-aid which has already been utilized for the purpose for which it was awarded.

14. (1) For the purpose of raising money required to defray the expenses arising from the conduct of a public centre, the governing body may request the Minister to impose a specified levy payable by employers or a category of employers who are engaged in the fixed area of that centre in any industry in respect of which training is provided at such centre.

Levy.

(2) (a) If the Minister receives a request contemplated in subsection (1) and is of the opinion that sufficient grounds exist for the imposition of a levy referred to in that subsection, he shall cause to be published in the *Gazette* a notice—

- (i) stating his intention to impose such levy;
- (ii) stating the amount of the contemplated levy;
- (iii) specifying the centre, fixed area and industry concerned;
- (iv) stating the basis on which such levy is to be imposed; and
- (v) requesting the employers who are in that fixed area engaged in that industry, to make representations in respect of such levy to the council within a period of two months of the date of such notice.

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(b) Enige werkgever in paragraaf (a) bedoel, kan binne die tydperk in daardie paragraaf bedoel of te eniger tyd daarna by die raad aansoek doen om vrystelling van die verpligting om die heffing te betaal.

(3) (a) Die Minister kan te eniger tyd na die verstryking van die tydperk in subartikel (2) (a) bedoel, met inagneming van die verstoë in verband met die beoogde heffing en as hy dit in die belang van die nywerheid ag, by kennisgewing in die *Staatskoerant* 'n heffing opelê wat bepaal word op die grondslag wat in daardie kennisgewing vermeld word.

(b) 'n Heffing in paragraaf (a) bedoel, is, behoudens die bepalings van die kennisgewing uit hoofde waarvan dit opgelê word, betaalbaar deur alle werkgevers wat in die vasgestelde gebied van die betrokke openbare sentrum betrokke is in 'n nywerheid ten opsigte waarvan opleiding by daardie sentrum verskaf word.

(c) 'n Kennisgewing ingevolge paragraaf (a) gepubliseer—

(i) moet die bedrag en grondslag van die heffing vermeld;

(ii) moet die datum waarop sodanige heffing betaalbaar word, vermeld;

(iii) moet die betrokke vasgestelde gebied vermeld;

(iv) moet die nywerheid ten opsigte waarvan opleiding by die betrokke sentrum verskaf word, vermeld;

(v) kan van werkgevers wat verplig is om die heffing te betaal, vereis om sodanige aantekening te hou en sodanige opgawes te doen as wat in die kennisgewing vermeld word;

(vi) kan voorsiening maak vir die vrystelling van enige werkgever of kategorie van werkgevers van die verpligting om daardie heffing te betaal, of in die algemeen of ten opsigte van 'n bepaalde kategorie van werknemers; en

(vii) kan voorsiening maak vir enige ander aangeleentheid ten einde 'n doeltreffende toepassing van die bepalings van daardie kennisgewing te verseker.

(4) Die Minister kan 'n kennisgewing wat ingevolge hierdie artikel gepubliseer is, intrek of van tyd tot tyd wysig.

Betaling en invordering van heffings.

15. (1) 'n Heffing ingevolge artikel 14 opgelê, is betaalbaar aan die beheerliggaam van die openbare sentrum ten behoeve waarvan dié heffing opgelê is.

(2) Die Minister kan op die voorwaardes wat hy goedvind om op te lê, by kennisgewing in die *Staatskoerant* iemand magtig om bedoelde heffing namens die betrokke beheerliggaam in te vorder.

(3) Iemand wat ingevolge hierdie artikel gemagtig is, kan enige werkgever wat verplig is om bedoelde heffing te betaal, skriftelik gelas om binne 'n redelike tydperk, wat in bedoelde lasgewing vermeld word, enige aantekening wat daardie werkgever verplig is om ingevolge 'n kennisgewing gepubliseer kragtens artikel 14 (3) te hou, vir ondersoek voor te lê.

Begroting van inkomste en uitgawe, rekenings, ouditering en verslae.

16. (1) Die beheerliggaam van 'n openbare sentrum moet jaarliks en in die vorm wat die raad bepaal, sy begroting van inkomste en uitgawe vir die volgende boekjaar aan die raad voorlê ten einde die raad in staat te stel om daardie beheerliggaam oor die bedrywighede van daardie sentrum van advies te dien.

(2) Die beheerliggaam van 'n openbare sentrum moet behoorlik boekhou van die goed en al die finansiële transaksies van die beheerliggaam.

(3) Die boeke en rekenings wat betrekking het op die goed en die finansiële transaksies in subartikel (2) bedoel, word jaarliks geouditeer deur 'n persoon wat as rekenmeester en ouditeur

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(b) Any employer referred to in paragraph (a) may within the period referred to in that paragraph or at any time afterwards apply to the council for exemption from the liability to pay the levy.

(3) (a) The Minister may at any time after the expiration of the period referred to in subsection (2) (a), with due regard to the representations in respect of the proposed levy and if he deems it to be in the interest of the industry, by notice in the *Gazette* impose a levy determined on such basis as may be stated in such notice.

(b) A levy referred to in paragraph (a) shall, subject to the provisions of the notice in terms of which it is imposed, be payable by all employers who are engaged in the fixed area of the public centre in question in any industry in respect of which training is provided at that centre.

(c) A notice published in terms of paragraph (a)—

- (i) shall state the amount and basis of the levy;
- (ii) shall state the date on which such levy shall become payable;
- (iii) shall state the fixed area in question;
- (iv) shall state the industry in respect of which training is provided at the centre in question;
- (v) may require employers who are liable to pay the levy to keep such records and to render such returns as may be specified in the notice;
- (vi) may provide for the exemption of any employer or category of employers from the liability to pay such levy, either generally or in respect of a specified category of employees; and
- (vii) may provide for any other matter so as to ensure an effective administration of the provisions of such notice.

(4) The Minister may repeal or from time to time amend any notice published in terms of this section.

15. (1) A levy imposed in terms of section 14 shall be payable to the governing body of the public centre for the benefit of which such levy was imposed. Payment and collection of levies.

(2) The Minister may on such conditions as he may deem fit to impose by notice in the *Gazette* authorize any person to collect such levy on behalf of the governing body concerned.

(3) Any person authorized in terms of this section may in writing direct any employer who is liable to pay such levy to produce, within a reasonable period specified in such direction, for inspection any record which such employer is required to keep in terms of a notice published under section 14 (3).

16. (1) The governing body of a public centre shall submit to the council annually and in the form determined by the council, its estimates of revenue and expenditure for the ensuing financial year, so as to enable the council to advise such governing body on the activities of that centre. Estimates of revenue and expenditure, accounts, auditing and reports.

(2) The governing body of a public centre shall keep a proper record of the property and all financial transactions of the governing body.

(3) The books and accounts relating to the property and the financial transactions referred to in subsection (2) shall be audited annually by a person registered as an accountant and

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ingevolge die Wet op Openbare Rekenmeesters en Ouditeurs, 1951 (Wet No. 51 van 1951), geregistreer is.

(4) Die beheerliggaam van 'n openbare sentrum moet so gou doenlik na die end van elke boekjaar—

(a) rekenings van sy inkomste en uitgawe vir bedoelde jaar en 'n balansstaat van sy bates en laste soos aan die end van daardie boekjaar, opstel;

(b) aan die raad voorlê—

(i) 'n verslag oor sy bedrywighede gedurende bedoelde jaar;

(ii) die rekenings en balansstaat in paragraaf (a) vermeld; en

(iii) 'n afskrif van die verslag van die persoon in subartikel (3) bedoel ten opsigte van die betrokke ouditering: Met dien verstande dat die beheerliggaam van 'n openbare sentrum ten opsigte waarvan 'n heffing ingevolge artikel 14 opgelê is 'n afskrif van bedoelde verslag ook aan die Sekretaris moet voorlê.

Inspeksies.

17. (1) Die Sekretaris kan of uit eie beweging of op versoek van die raad 'n inspeksie laat hou—

(a) ten einde vas te stel of aan enige voorwaarde ingevolge hierdie Wet opgelê ten opsigte van 'n openbare of private sentrum of skema voldoen word of is;

(b) betreffende die doelmatigheid van die opleiding wat by 'n openbare of private sentrum of ooreenkomstig 'n skema verskaf word;

(c) betreffende die vermoë van 'n openbare sentrum om aan die vraag na opleiding wat in die betrokke vasgestelde gebied mag bestaan, te voldoen;

(d) betreffende die finansies van 'n openbare sentrum;

(e) betreffende die aanwending van 'n hulptoelae wat ingevolge hierdie Wet toegeken is; en

(f) betreffende enige ander aangeleentheid wat in verband staan met 'n openbare of private sentrum of skema wat na die oordeel van die Sekretaris geïnspekteer behoort te word.

(2) (a) Iemand wat 'n inspeksie ingevolge subartikel (1) doen, kan—

(i) nadat hy redelike kennis gegee het aan die persoon in beheer van enige perseel wat gebruik word vir die verskaffing van die opleiding wat die onderwerp van dié inspeksie uitmaak, te enige redelike tyd daardie perseel betree en daardie perseel en enige toerusting, fasiliteite of materiaal wat vir die doeleindes van bedoelde opleiding gebruik word, inspekteer;

(ii) iemand wat 'n boek, stuk of geskrif wat betrekking het op die dryf van die openbare of private sentrum of skema wat die onderwerp van die inspeksie uitmaak, in sy besit of bewaring of onder sy beheer het, skriftelik gelas om daardie boek, stuk of geskrif binne 'n redelike tyd in bedoelde lasgewing vermeld vir ondersoek voor te lê;

(iii) uittreksels en afskrifte maak uit of van 'n boek, stuk of geskrif wat ingevolge subparagraaf (ii) voorgelê word.

(b) Iemand wat 'n inspeksie ingevolge hierdie artikel gedoen het, moet aan die Sekretaris 'n verslag oor daardie inspeksie voorlê en kan in daardie verslag die verrigting van enige handeling in verband met 'n aangeleentheid wat deur hom geïnspekteer is, aanbeveel.

(c) Die Sekretaris moet afskrifte van daardie verslag deurstuur aan die raad en aan die beheerliggaam van die betrokke openbare sentrum of aan die persoon wat die betrokke private sentrum of skema dryf, en kan, na oorlegpleging met die raad, die stappe wat die Sekretaris goedvind, in verband met die aangeleentheid doen.

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auditor in terms of the Public Accountants' and Auditors' Act, 1951 (Act No. 51 of 1951).

(4) The governing body of a public centre shall, as soon as possible after the end of each financial year—

- (a) prepare accounts of its revenue and expenditure for such year and a balance sheet of its assets and liabilities as at the end of such financial year;
- (b) submit to the council—
 - (i) a report on its activities during such year;
 - (ii) the accounts and balance sheet referred to in paragraph (a); and
 - (iii) a copy of the report of the person referred to in subsection (3) in respect of the audit in question: Provided that the governing body of a public centre in respect of which a levy has been imposed in terms of section 14, shall submit a copy of such report to the Secretary as well.

17. (1) The Secretary may either of his own accord or at the request of the council cause an inspection to be carried out—

Inspections.

- (a) in order to establish whether any condition imposed in terms of this Act in respect of any public or private centre or scheme is being or has been complied with;
- (b) as to the efficacy of the training provided at a public or private centre or in accordance with a scheme;
- (c) as to the capacity of any public centre to meet the demand for training which may exist in the fixed area in question;
- (d) as to the finances of any public centre;
- (e) as to the utilization of any grant-in-aid awarded in terms of this Act; and
- (f) as to any other matter connected with a public or private centre or scheme which in the opinion of the Secretary should be inspected.

(2) (a) A person who carries out an inspection in terms of subsection (1), may—

- (i) after having given reasonable notice to the person in control of any premises used for the purpose of providing the training which forms the subject matter of such inspection, at any reasonable time enter upon such premises and inspect such premises and any equipment, facilities or materials used for the purposes of such training;
- (ii) direct in writing any person who has in his possession or custody or under his control any book, document or writing which relates to the conduct of the public or private centre or scheme which forms the subject matter of such inspection, to produce within a reasonable time specified in such direction such book, document or writing for inspection;
- (iii) make extracts from and copies of any book, document or writing produced in terms of subparagraph (ii).

(b) A person who has carried out an inspection in terms of this section shall submit to the Secretary a report on such inspection and may recommend in such report the performance of any act in connection with any matter inspected by him.

(c) The Secretary shall transmit copies of such report to the council and to the governing body of the public centre in question or to the person conducting the private centre or scheme in question, and may, after consultation with the council, take such steps in connection with the matter as the Secretary may deem fit.

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Regulasies.

18. Die Minister kan regulasies uitvaardig—

- (a) wat voorsiening maak vir die beskikking oor die bates van die beheerliggaam van 'n openbare sentrum wat ingevolge artikel 7 (6) gesluit is;
- (b) betreffende die uitreiking van bevoegdheidsertifikate aan werknemers wat opleiding by 'n openbare of private sentrum of ingevolge 'n skema met goeie gevolg ondergaan het;
- (c) betreffende enige aangeleentheid wat die Minister nodig ag om voor te skryf ten einde die oogmerke van hierdie Wet te verwesenlik.

Misdrywe en strawwe.

19. (1) Iemand wat—

- (a) artikel 11 (1) oortree;
- (b) versuim om—
 - (i) 'n heffing opgelê kragtens 'n kennisgewing gepubliseer ingevolge artikel 14 (3) te betaal;
 - (ii) 'n aantekening te hou of 'n opgawe te doen wat hy kragtens sodanige kennisgewing verplig is om te hou of te doen;
 - (iii) 'n aantekening ter voldoening aan 'n lasgewing ingevolge artikel 15 (3) voor te lê;
 - (iv) 'n boek, stuk of geskrif ter voldoening aan 'n lasgewing ingevolge artikel 17 (2) voor te lê; of
- (c) die bepalinge van artikel 20 oortree,

is aan 'n misdryf skuldig en by skuldigbevinding strafbaar—

- (i) in die geval van 'n oortreding vermeld in paragraaf (a), met 'n boete van hoogstens R1 000 of met gevangenisstraf vir 'n tydperk van hoogstens een jaar of met daardie boete sowel as daardie gevangenisstraf; en
- (ii) in die geval van 'n oortreding vermeld in paragraaf (b) of (c), met 'n boete van hoogstens R50 of met gevangenisstraf vir 'n tydperk van hoogstens een maand of met daardie boete sowel as daardie gevangenisstraf.

(2) Wanneer 'n persoon skuldig bevind word aan 'n oortreding van subartikel (1) (b) (i) moet die hof wat hom skuldig bevind, benewens enige straf ten opsigte van daardie oortreding opgelê, op staande voet ondersoek instel na en die bedrag bepaal van die heffing wat daardie persoon aan die betrokke beheerliggaam verskuldig is en onverwyld vonnis vir die bedrag aldus bepaal, uitspreek teen daardie persoon en ten gunste van daardie beheerliggaam, en sodanige vonnis kan ten uitvoer gelê word op dieselfde wyse asof dit in die loop van 'n siviele geding uitgespreek is.

Geheimhouding.

20. Geen lid van die raad of 'n plaasvervanger van sodanige lid of 'n beampte van die Staatsdiens of 'n ander persoon wat toegelaat is om op 'n vergadering van die raad of 'n komitee van die raad of by 'n ondervraging deur 'n beampte in die Staatsdiens aanwesig te wees, mag aan enige persoon behalwe die Minister of 'n beampte in die Staatsdiens of vir die doeleindes van die vervulling van sy pligte of die uitoefening van sy bevoegdhede ingevolge hierdie Wet of wanneer dit in 'n hof of ingevolge 'n wetsbepaling van hom vereis word, enige inligting openbaar nie met betrekking tot die sake van 'n werkgewer wat ingewin is by die vervulling van sy pligte of die uitoefening van sy bevoegdhede ingevolge hierdie Wet of terwyl hy sodanige vergadering of ondervraging bywoon, na gelang van die geval.

Kort titel.

21. Hierdie Wet heet die Wet op Indiensopleiding van Bantoe-werknemers, 1976.

BANTU EMPLOYEES' IN-SERVICE TRAINING ACT, 1976 Act No. 86, 1976

18. The Minister may make regulations—

Regulations.

- (a) providing for the disposal of the assets of the controlling body of a public centre closed in terms of section 7 (6);
- (b) relating to the issue of certificates of competence to employees who have successfully undergone any training at a public or private centre or in accordance with any scheme;
- (c) relating to any matter which the Minister considers it necessary to prescribe in order that the objects of this Act may be achieved.

19. (1) Any person who—

Offences and penalties.

- (a) contravenes section 11 (1);
 - (b) fails to—
 - (i) pay a levy imposed under a notice published in terms of section 14 (3);
 - (ii) keep a record or to render a return which he is under such notice required to keep or to render;
 - (iii) produce a record in compliance with a direction in terms of section 15 (3);
 - (iv) produce a book, document or writing in compliance with a direction in terms of section 17 (2); or
 - (c) contravenes the provisions of section 20,
- shall be guilty of an offence and on conviction liable—
- (i) in the case of a contravention referred to in paragraph (a), to a fine not exceeding R1 000 or to imprisonment for a period not exceeding one year or to both such fine and such imprisonment; and
 - (ii) in the case of a contravention referred to in paragraph (b) or (c), to a fine not exceeding R50 or to imprisonment for a period not exceeding one month or to both such fine and such imprisonment.
- (2) If any person is convicted of a contravention of subsection (1) (b) (i) the court convicting such person shall in addition to any punishment imposed in respect of that contravention, summarily inquire into and assess the amount of the levy due by that person to the governing body concerned and shall forthwith give judgment for the amount so assessed against that person in favour of that governing body, and such judgment may be executed in the same manner as if it had been pronounced in the course of civil proceedings.

20. No member of the council or any alternate to any such member or any officer in the Public Service or any other person allowed to be present at any meeting of the council or a committee of the council or at any interrogation by an officer in the Public Service shall disclose to any person, except to the Minister or an officer in the Public Service or for the purpose of the performance of his duties or the exercise of his powers in terms of this Act or when required to do so before a court or in terms of any law, any information in relation to the business of any employer acquired in the performance of his duties or the exercise of his powers in terms of this Act or while attending any such meeting or interrogation, as the case may be. **Secrecy.**

21. This Act shall be called the Bantu Employees' In-Service Training Act, 1976. **Short title.**

BANKU EMPLOYEES IN-SERVICE TRAINING ACT, 1976

Regulations

18. The Minister may make regulations—
- providing for the disposal of the contents of a public centre closed in terms of section 7 (c);
 - relating to the issue of certificates of competence to employees who have successfully undergone any training at a public or private centre or in accordance with any scheme;
 - relating to any matter which the Minister considers it necessary to prescribe in order that the objects of this Act may be achieved.

Offences and penalties

19. (1) Any person who—
- contravenes section 11 (1);
 - fails to—
 - pay a levy imposed under a notice published in terms of section 14 (3);
 - keep a record or to render a return which he is under such notice required to keep or to render;
 - produce a record in compliance with a direction in terms of section 15 (3);
 - produce a book, document or writing in compliance with a direction in terms of section 17 (2);
 - contravenes the provisions of section 20, shall be guilty of an offence and on conviction liable—
 - in the case of a contravention referred to in paragraph (a), to a fine not exceeding R1 000 or to imprisonment for a period not exceeding one year or to both such fine and such imprisonment; and
 - in the case of a contravention referred to in paragraph (b) or (c), to a fine not exceeding R20 or to imprisonment for a period not exceeding one month or to both such fine and such imprisonment.
- (2) If any person is convicted of a contravention of subsection (1) (b) (i) the court convicting such person shall in addition to any punishment imposed in respect of that contravention, summarily inquire into and assess the amount of the levy due by that person to the governing body concerned and shall forthwith give judgment for the amount so assessed against that person in favour of that governing body, and such judgment may be executed in the same manner as if it had been pronounced in the course of civil proceedings.

20. No member of the council or any affiliate to any such council or any officer in the Public Service or any other person shall be present at any meeting of the council or a committee of the council or at any interrogation by an officer in the Public Service shall disclose to any person, except to the Minister or an officer in the Public Service or for the purpose of the performance of his duties or the exercise of his powers in terms of this Act or when required to do so before a court or in terms of any law, any information in relation to the business of any employer acquired in the performance of his duties or the exercise of his powers in terms of this Act or while attending any such meeting or interrogation, as the case may be.

21. This Act shall be called the Banku Employees In-Service Training Act, 1976.