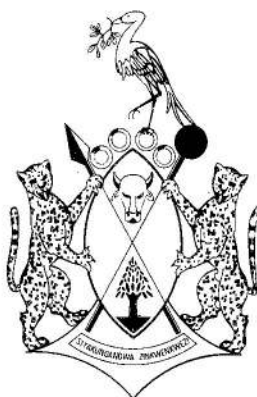


**IRIPHABLIKI
YECISKEI**

**REPUBLIC OF
CISKEI**

**IGAZETHI
YOBURHULUMENTE**



**GOVERNMENT
GAZETTE**

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ISEBE LOKUSETYENZISWA KWAMANDLA OLUNTU			DEPARTMENT OF MANPOWER UTILISATION		
ISAZISO SIKARHULUMENTE SE-71			GOVERNMENT NOTICE No. 71		
NGOKWENJENJE KUYAZISWA UKUBA UMO- NGAMELI UWUVUMILE UMTHETHO OLANDE- LAYO NOBHENGZWAYO APHA KUSAZISWA ULUNTU NGOKUBANZI:-			IT IS HEREBY NOTIFIED THAT THE PRESIDENT HAS ASSENTED TO THE FOLLOWING ACT WHICH IS HEREBY PUBLISHED FOR GENERAL INFORM- ATION		
UMTHETHO OSISIHLOMELO WOBUPRENTISI, 1988			<u>APPRENTICESHIP AMENDMENT ACT, 1988</u>		
UMTHETHO NOMBOLO 17 WOWE-1988			ACT No. 17 OF 1988		

UMTHETHO OSISIHLOMELO WOBUPRENTISI, 1988

UMTHETHO

Ukuhlomela uMthetho waseCiskei wobuPrentisi, 1973.

(Okubhalwe ngesiNgesi kusayinwe nguMongameli. Kwavunywa ngomhla we-2 August 1988).

MAKWENZIWE UMTHETHO yiNdlu yeNdibano yeSizwe yeRiphabliki yeCiskei, ngolu hlobo lulandelayo:-

1. Ukuhlonyelwa kwecandelo 1 loMthetho 7 wowe-1973, njengoko uthe wahlonyelwa licandelo 1 loMthetho 12 wowe-1982. - ICandelo 1 loMthetho waseCiskei wobuPrentisi, 1973 (apha ngezantsi kulo Mthetho ekubhekiselelwe kuwo njengoMthetho oyintloko) ukwenjenje uyahlonyelwa —

- (a) ngokufakelwa endaweni yenkcazo yegama "Ciskei" le nkcazo-gama ilandelayo: "uCiskei" uthetha iRiphabliki ye Ciskei";
- (b) ngokucinywa kwinkcazo-gama "ikhontrakthi yobuprentisi" kwegama "yoMthetho";
- (c) ngokufakelwa kwinkcazo-gama "iziko eliphawulweyo" endaweni yamagama "iCiskei" igama "iCiskei";
- (d) ngokufakelwa kwinkcazo "yomqeshi" endaweni yamagama "uRhulumente weCiskei" igama "uMbuso";
- (e) ngokufakelwa endaweni yenkcazo yegama "igosa" le nkcazo yegama ilandelayo: "igosa" lithetha igosa njengoko lithe lachazwa kwicandelo 1(1) loMthetho weNkonzo kaRhulumente, 1981 (uMthetho 2 wowe-1981);
- (f) ngokucinywa kwenkcazo yegama "iGazethi yasebuRhulumenteni";
- (g) ngokufakelwa endaweni yomhlathi (b) wenkcazo-gama "emva kwexesha lomsebenzi" lo mhlathi ulandelayo:
 - "(b) phantsi kwayo nayiphi na imiQathango yoMthetho onguMgaqo weNgqesho, 1984 (uMthetho 34 wowe-1984) okanye uMthetho wooMatshini kunye noKhuseleko eMsebenzini, 1984 (uMthetho 35 wowe-1984), okanye nasiphi na isaziso apho ngasezantsi esisebenza kuloo mprentisi, kufuneke ukuba asebenze ngaloo veki okanye ngaloo mhla, ngokwemeko leyo"; kunye
- (h) nangokufakelwa endaweni yenkcazo yegama "iNkonzo kaRhulumente" le nkcazo yegama ilandelayo:
 - "iNkonzo kaRhulumente" ithetha inkonzo kaRhulumente njengoko ithe yachazwa kwicandelo 3 loMthetho weNkonzo kaRhulumente, 1981";

2. Ukuhlonyelwa kwecandelo 2 loMthetho 7 wowe-1973. - ICandelo 2 loMthetho oyintloko ukwenjenje liyahlonyelwa —

- (a) ngokufakelwa endaweni yomhlathi (a) endaweni yegama "ikholeji eyiYunivesithi" eli gama "itekhnikoni"; kunye
- (b) nangokucinywa kumhlathi (d) eli gama "okanye" elivela emva kwegama "urhwebo".

3. Ukuhlonyelwa kwecandelo 5 loMthetho 7 wowe-1973, njengoko uthe wahlonyelwa licandelo 3 loMthetho 12 wowe-1982. - ICandelo 5 loMthetho oyintloko ukwenjenje liyahlonyelwa ngokufakelwa kwimihlathi (a), (b) no (c) icandelwana (1) endaweni yegama "uRhulumente" igama "uMbuso".

4. Ukuhlonyelwa kwecandelo 8 loMthetho 7 wowe-1973, njengoko uthe wahlonyelwa licandelo 4 loMthetho 12 wowe-1982. - ICandelo 8 loMthetho oyintloko ukwenjenje liyahlonyelwa —

- (a) ngokufakelwa kumhlathi (c) no (d) wecandelwana (b) la magama "iGazethi yasebuRhulumenteni" eli gama "iGazethi"; kunye
- (b) nangokufakelwa kumhlathi (c) wecandelwana (8) endaweni yegama "iCiskei" eli gama "Ciskei".

5. Ukuhlonyelwa kwecandelo 10 loMthetho 7 wowe-1973. - ICandelo 10 loMthetho oyintloko ukwenjenje liyahlonyelwa ngokufakelwa kwicandelwana (1) endaweni yamagama "iGazethi yasebuRhulumenteni" eli gama "iGazethi".

6. Ukuhlonyelwa kwecandelo 11 loMthetho 7 wowe-1973, njengoko uthe wahlonyelwa licandelo 1 loMthetho 9 wowe-1978 necandelo 8 loMthetho 12 wowe-1982. - ICandelo 11 loMthetho oyiNtloko ukwenjenje liyahlonyelwa —

(a) ngokucinywa kwicandelwana (1) lemeko yoxhomekeko kumhlathi (a); kunye

(b) nangokufakelwa kwicandelwana (3) endaweni yegama "ngokuyimfuneko" igama "ngokuphuhlileyo".

7. Ukuhlonyelwa kwecandelo 12A loMthetho 7 wowe-1973, njengoko kuthe kwafakelwa kulo icandelo 2 loMthetho 9 wowe-1978. - ICandelo 12A loMthetho oyintloko ukwenjenje liyahlonyelwa —

(a) ngokufakelwa endaweni yecandelwana (1) eli candelwana lilandelayo:

"(1) Nakubeni kukho nayiphi na into equlethwe kwenye indawo kulo Mthetho, umntu ohlala eCiskei ozuza uqeqesho kurhwebo oluthile kuyo nayiphi na indawo engaphandle kw iCiskei unokuthi, ngemvume yekomiti nangemiqathango enokuthi iqingqwe nguMphathiswa, athatyathwe ngokuba usebenza phantsi kwekhontrakthi yobuprentisi kolo rhwebo lwalathelweyo ngokwemigaqo yalo Mthetho."; kunye

(b) nangokufakelwa kwicandelwana (2) endaweni yegama "uMmi", naphi na apho lithi libekho, eli gama "umntu".

9. Ukuhlonyelwa kwecandelo 17 loMthetho 7 wowe-1973, njengoko uthe wahlonyelwa licandelo 8 loMthetho 12 wowe-1982. - ICandelo 17 loMthetho oyintloko ukwenjenje liyahlonyelwa ngokufakelwa kwicandelwana (6) endaweni yamagama "uRhulumente" wase Ciskei" igama "uMbuso".

10. Ukuhlonyelwa kwecandelo 26 loMthetho 7 wowe-1973, njengoko uthe wahlonyelwa licandelo 8 loMthetho 12 wowe-1982. - ICandelo 26 loMthetho oyiNtloko ukwenjenje liyahlonyelwa ngokufakelwa icandelwana (1) endaweni yamagama "iGazethi yasebuRhulumenteni" eli gama "iGazethi".

11. Ukuhlonyelwa kwecandelo 28 loMthetho 7 wowe-1973, njengoko athe wahlonyelwa licandelo 8 loMthetho 12 wowe-1982. - ICandelo 28 loMthetho oyintloko ukwenjenje liyahlonyelwa ngokufakelwa kwicandelwana (1) endaweni yamagama "iGazethi yasebuRhulumenteni" eli gama "iGazethi".

12. Ukuhlonyelwa kwecandelo 30 loMthetho 7 wowe-1973. - ICandelo 30 loMthetho oyiNtloko ukwenjenje liyahlonyelwa ngokufakelwa kwicandelwana (5) endaweni yegama "uRhulumente" eli gama "uMbuso".

13. Ukufakelwa endaweni yecandelo 34 loMthetho 7 wowe-1973. - Eli candelo lilandelayo ukwenjenje kufakelwa endaweni yalo icandelo 34 loMthetho oyiNtloko:

"34. Intloko emfutshane. - Lo Mthetho uya kubizwa ngokuba nguMthetho waseCiskei wobuPrentisi, 1973".

14. Intloko emfutshane. - Lo Mthetho uya kubizwa ngokuba nguMthetho osisiHlomelo wobuPrentisi, 1988.

APPRENTICESHIP AMENDMENT ACT, 1988

ACT

To amend the Ciskeian Apprenticeship Act, 1973.

(English text signed by the President. Assented to on 2 August 1988).

BE IT ENACTED by the National Assembly of the Republic of Ciskei, as follows:-

1. Amendment of section 1 of Act 7 of 1973, as amended by section 1 of Act 12 of 1982. - Section 1 of the Ciskeian Apprenticeship Act, 1973 (hereinafter in this Act referred to as the principal Act) is hereby amended —

- (a) by the substitution for the definition of "Ciskei" of the following definition:
" 'Ciskei' means the Republic of Ciskei;";
- (b) by the deletion in the definition of "contract of apprenticeship" of the words "of the Act";
- (c) by the substitution in the definition of "designated institution" for the words "the Ciskei" of the word "Ciskei";
- (d) by the substitution in the definition of "employer" for the words "Government of the Ciskei" of the word "State";
- (e) by the substitution for the definition of "officer" of the following definition:
" 'officer' means an officer as defined in section 1(1) of the Public Service Act, 1981 (Act 2 of 1981);";
- (f) by the deletion of the definition of "Official Gazette";
- (g) by the substitution for paragraph (b) of the definition of "overtime" of the following paragraph:
"(b) under any provision of the Conditions of Employment Regulation Act, 1984 (Act 34 of 1984) or the Machinery and Occupational Safety Act, 1984 (Act 35 of 1984), or any notice thereunder which applies to that apprentice, be required to work during that week or during that day, as the case may be;"; and
- (h) by the substitution for the definition of "Public Service" of the following definition:
" 'Public Service' means the public service as defined in section 3 of the Public Service Act, 1981;".

2. Amendment of section 2 of Act 7 of 1973. - Section 2 of the principal Act is hereby amended —

- (a) by the substitution in paragraph (a) for the words "university college" of the word "technikon"; and
- (b) by the deletion in paragraph (d) of the word "or" appearing after the word "trade".

3. Amendment of section 5 of Act 7 of 1973, as amended by section 3 of Act 12 of 1982. - Section 5 of the principal Act is hereby amended by the substitution in paragraphs (a), (b) and (c) of subsection (1) for the word "Government" of the word "State".

4. Amendment of section 8 of Act 7 of 1973, as amended by section 4 of Act 12 of 1982. - Section 8 of the principal Act is hereby amended —

- (a) by the substitution in paragraphs (c) and (d) of subsection (6) for the words "Official Gazette" of the word "Gazette"; and
- (b) by the substitution in paragraph (c) of subsection (8) for the words "the Ciskei" of the word "Ciskei".

5. Amendment of section 10 of Act 7 of 1973. - Section 10 of the principal Act is hereby amended by the substitution in subsection (1) for the words "Official Gazette" of the word "Gazette".

6. Amendment of section 11 of Act 7 of 1973, as amended by section 1 of Act 9 of 1978 and section 8 of Act 12 of 1982. - Section 11 of the principal Act is hereby amended —

- (a) by the deletion in subsection (1) of the proviso to paragraph (a); and
- (b) by the substitution in subsection (3) for the word "essentially" of the word "substantially".

APPRENTICESHIP AMENDMENT ACT, 1988

7. Amendment of section 12A of Act 7 of 1973, as inserted by section 2 of Act 9 of 1978. - Section 12A of the principal Act is hereby amended —

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

“(1) Notwithstanding anything elsewhere in this Act contained, a person domiciled in Ciskei who is receiving training in a designated trade at any place outside Ciskei may, with the approval of the committee and on such conditions as the Minister may determine, be deemed to be serving a contract of apprenticeship in such designated trade in terms of this Act.”; and

(b) by the substitution in subsection (2) for the word “Citizen”, wherever it occurs, of the word “person”.

8. Amendment of section 12B of Act 7 of 1973, as inserted by section 2 of Act 9 of 1978. - Section 12B of the principal Act is hereby amended —

(a) by the substitution in subsection (1) for the words “Citizen of the Ciskei” of the words “person domiciled and ordinarily resident in Ciskei”; and

(b) by the substitution in subsections (2) and (3) for the word “Citizen”, wherever it occurs, of the word “person”.

9. Amendment of section 17 of Act 7 of 1973, as amended by section 8 of Act 12 of 1982. - Section 17 of the principal Act is hereby amended by the substitution in subsection (6) for the words “Government of the Ciskei” of the word “State”.

10. Amendment of section 26 of Act 7 of 1973, as amended by section 8 of Act 12 of 1982. - Section 26 of the principal Act is hereby amended by the substitution in subsection (1) for the words “Official Gazette” of the word “Gazette”.

11. Amendment of section 28 of Act 7 of 1973, as amended by section 8 of Act 12 of 1982. - Section 28 of the principal Act is hereby amended by the substitution in subsection (1) for the words “Official Gazette” of the word “Gazette”.

12. Amendment of section 30 of Act 7 of 1973. - Section 30 of the principal Act is hereby amended by the substitution in subsection (5) of the word “Government” of the word “State”.

13. Substitution of section 34 of Act 7 of 1973. - The following section is hereby substituted for section 34 of the principal Act:

“34. **Short title.** - This Act shall be called the Ciskeian Apprenticeship Act, 1973.”.

14. Short title. - This Act shall be called the Apprenticeship Amendment Act, 1988.

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