

REPUBLIC
OF
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REPUBLIEK
VAN
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Government Gazette Staatskoerant

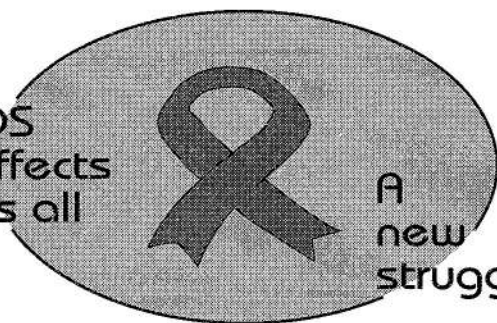
Vol. 414

PRETORIA, 24 DECEMBER
DESEMBER 1999

No. 20733

We all have the power to prevent AIDS

AIDS
affects
us all



A
new
struggle

Prevention is the cure

**AIDS
HELPUNE**

0800 012 322

DEPARTMENT OF HEALTH

GOVERNMENT NOTICES GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF JUSTICE DEPARTEMENT VAN JUSTISIE

No. 1512**24 December 1999**

SMALL CLAIMS COURTS ACT, 1984 (ACT No. 61 OF 1984)

ESTABLISHMENT OF A SMALL CLAIMS COURT FOR THE AREA OF ATLANTIS

I, Penuell Mpapa Maduna, Minister of Justice and Constitutional Development, acting under section 2 (1) of the Small Claims Courts Act, 1984 (Act No. 61 of 1984), hereby—

- (a) establish a small claims court for the adjudication of claims for the area of Atlantis, which consists of the area of Atlantis in the District of Malmesbury;
- (b) determine Atlantis to be the seat of the said court; and
- (c) determine Atlantis to be the place in that area for the holding of sessions of the said court.

P. M. MADUNA,**Minister of Justice and Constitutional Development****No. 1512****24 Desember 1999**

WET OP HOWE VIR KLEIN EISE, 1984 (WET No. 61 VAN 1984)

INSTELLING VAN 'N HOF VIR KLEIN EISE VIR DIE GEBIED ATLANTIS

Ek, Penuell Mpapa Maduna, Minister van Justisie en Staatskundige Ontwikkeling, handelende kragtens artikel 2 (1) van die Wet op Howe vir Klein Eise, 1984 (Wet No. 61 van 1984)—

- (a) stel hierby 'n hof vir klein eise in, vir die beregting van eise vir die gebied Atlantis wat bestaan uit die gebied Atlantis in die distrik Malmesbury;
- (b) bepaal hierby Atlantis as die setel van genoemde hof; en
- (c) bepaal hierby Atlantis as die plek in daardie gebied vir die hou van sittings van genoemde hof.

P. M. MADUNA,**Minister van Justisie en Staatskundige Ontwikkeling**

OT 11/4/2-N131

DEPARTMENT OF MINERALS AND ENERGY DEPARTEMENT VAN MINERALE EN ENERGIE

No. 1521**24 December 1999**

MINES AND WORKS ACT, 1956 (ACT No. 27 OF 1956)

DECLARATION OF WORK IN NATIONAL INTEREST

Under section 9 (1) (f) of the Mines and Works Act, 1956 (Act No. 27 of 1956), I, Phumzile Mlambo-Ngcuka, Minister of Minerals and Energy, hereby declare that in my opinion the performance on Sundays of:

- (a) Mining operations, and
- (b) The crushing and beneficiation of coal.

at the mine known as "Middelburg Mine Services", in the District of Middelburg, Mpumalanga Region, is necessary in the national interest for a period of 1 year from 2 November 1999.

P. MLAMBO-NGCUKA**Minister of Minerals and Energy**

No. 1521

24 Desember 1999

WET OP MYNE EN BEDRYWE, 1956 (WET No. 27 VAN 1956)

VERKLARING VAN WERK IN NASIONALE BELANG

Ek, Phumzile Mlambo-Ngcuka, Minister van Minerale en Energie, verklaar hierby, kragtens artikel 9 (1) (f) van die Wet op Myne en Bedrywe, 1956 (Wet No. 27 van 1956), dat die verrigting van mynbouwerkzaamhede by die myn bekend as Middelburg Mine Services in die Middelburg Distrik, in die Mpumalangastreek, na my oordeel, vanaf 2 November 1999 vir 'n tydperk van 1 jaar, in nasionale belang noodsaaklik is.

P. MLAMBO-NGCUKA

Minister van Minerale en Energie

1142-131-1999

OT11/4/2-N668

No. 1522

24 December 1999

MINES AND WORKS ACT, 1956 (ACT No. 27 OF 1956)

DECLARATION OF WORK IN NATIONAL INTEREST

Under section 9 (1) (f) of the Mines and Works Act, 1956 (Act No. 27 of 1956), I, Phumzile Mlambo-Ngcuka, Minister of Minerals and Energy, hereby declare that in my opinion, the performance of mining operations on Sundays at the mine known as Thorncliffe Mine in the District of Lydenburg, Province of Mpumalanga, is necessary in the national interest for a further period of 1 year from 1 November 1999.

P. MLAMBO-NGCUKA

Minister of Minerals and Energy

OT11/4/2-N668

No. 1522

24 Desember 1999

WET OP MYNE EN BEDRYWE, 1956 (WET No. 27 VAN 1956)

VERKLARING VAN WERK IN NASIONALE BELANG

Ek, Phumzile Mlambo-Ngcuka, Minister van Minerale en Energie, verklaar hierby, kragtens artikel 9 (1) (f) van die Wet op Myne en Bedrywe, 1956 (Wet No. 27 van 1956), dat die verrigting van mynbouwerkzaamhede by die myn bekend as Thorncliffe Myn in die Lydenburg distrik, in die Mpumalangastreek, na my oordeel, vir 'n verdere tydperk van een jaar vanaf 1 November 1999, in nasionale belang noodsaaklik is.

P. MLAMBO-NGCUKA

Minister van Minerale en Energie

DEPARTMENT OF WATER AFFAIRS AND FORESTRY

No. 1513

24 December 1999

NOTICE IN TERMS OF SECTION 50 (4) OF THE NATIONAL FORESTS ACT, 1998 (ACT No. 84 OF 1998)

RELEASE OF PARTS OF GRABOUW STATE FOREST WHICH ARE NO LONGER REQUIRED FOR FORESTRY

By virtue of the powers vested in me by section 50 (3) of the National Forests Act, 1998 (Act No. 84 of 1998), I, Ronald Kasrils, in my capacity as Minister of Water Affairs and Forestry hereby releases parts of the Grabouw State Forest, Administrative District of Caledon, which are no longer required for forestry, namely—

No.	Property	Area (ha)
1.	Erf 4231 (portion of Erf 281), Grabouw.....	3,0365
2.	Portion 9 (portion of Portion 2) of the farm Oude Brug No. 313.....	45,6977
3.	Portion 9 of the farm Elgin Forest Reserve No. 295.....	26,5921

R. KASRILS

Minister of Water Affairs and Forestry

Inombolo 1513**24 December 1999**

ISAZISO NGOKWEGATYA 50 (4) LOMTHETHO WAMAHLATHI KAZWELONKE KA 1998
(UMTHETHO ONOMBOLO INGU 84 KA 1998)

**UKUKHULULWA KWENDAWO EZITHILE ZAMAHLATHI KARHULUMENTE ASE GRABOUW EZINGASAFUNEKIYO
UKUSETYENZISELWA EZAMAHLATHI**

Ngamagunya athweswe kum, ligatya 50 (3) lomthetho wamaHlathi kaZwelonke ka 1998 (Umthetho onombolo ingu 84 ka 1998), Mna, Ronald Kasrils, ngokwesikhundla sokuba ngoMphathiswa wezaManzi kunye namaHlathi ngokwenza oku ndikhulula indawo ezithile zamahlathi karhulumentne aseGrabouw kwisithili solawulo saseCaledon, nezingasefunekiyo ukusetyenziselwa amahlathi ezizezi—

<i>Inombolo</i>	<i>Umhlaba</i>	<i>Ubukhulu</i>
1.	uErf 4231 (isiqendu sika Erf 281), eGrabouw	3,0365
2.	Isiqendu 9 (isiqendwana sesiqendu 2) sefama iOude Brug enombolo ingu 313.....	45,6977
3.	Isiqendu 9 sefama iElgin Forest Reserve enombolo engu 295	26,5921

R. KASRILS**Umphathiswa wezaManzi kunye namaHlathi****No. 1514****24 December 1999**

NOTICE IN TERMS OF SECTION 50 (4) OF THE NATIONAL FORESTS ACT, 1998 (ACT No. 84 OF 1998)

RELEASE OF A PART OF THE HANGKLIP STATE FOREST WHICH IS NO LONGER REQUIRED FOR FORESTRY

By virtue of the powers vested in me by section 50 (3) of the National Forests Act, 1998 (Act No. 84 of 1998), I, Ronald Kasrils, in my capacity as Minister of Water Affairs and Forestry hereby release a part of the Hanglip State Forest, Northern Province, which is no longer required for forestry, namely—

Remainder of the farm Alexandra No. 792 MS (in extent 148,9358 ha).

R. KASRILS**Minister of Water Affairs and Forestry****No. 1514****24 December 1999**

NDIVHADZO YA MALUGANA NA KHETHEKANYO 50 (4) YA MULAYO WA MADAKA A LUSHAKA, 1998
(MULAYO WA VHU 84 WA 1998)

**U BVISWA HA TSHIPIDA TSHA MADAKA A MUVHUSO A HANGLIP, TSHINE ZWA ZWINO TSHA VHA
TSHI SI TSHA TODEA KHA ZWA MALUGANA NA ZWA MADAKA**

U ya nga ha maanda e ahweswa nne nga khethekanyo 50 (3) ya Mulayo wa Madaka a Lushaka, 1998 (Mulayo wa vhu 84, 1998), nne, Ronald Kasrils, ndi tshi khou shumisa maimo anga sa Minisita wa Madi na Madaka, ndi khou bvisa tshipida tsha Madaka a Muvhuso a Hanglip, tshine tsha wanala Vunduni la Devhula, tshine zwa zwino tsha vha tshi si tsha todea kha zwa malugana na zwa madaka, tsumbo—

Lisalela la bulasi ya Alexandra ya vhu 792 MS (ine vhuhulu ha hone ha edana hekithara dza 148,9358).

R. KASRILS**Minisita wa Madi na Madaka**

GENERAL NOTICES ALGEMENE KENNISGEWINGS

NOTICE 2708 OF 1999

DEPARTMENT OF LAND AFFAIRS

APPLICATION IN TERMS OF THE LAND REFORM (LABOUR TENANTS) ACT, 1996

It is hereby given for general information that in terms of section 17(1) of the Land Reform (Labour Tenants) Act, 1996 (Act 3), the application for the acquisition of Land mentioned in the Schedule has been lodged with the Director-General.

SCHEDULE

List of Applicants:

NO.	NAME	ID NUMBER
1	John Mahlobo	450627 5495 08 5
2	Mbuzeni Ngidi	520828 5237 08 1
3	Fany Ndlovu	660101 8054 08 9
4	Hlapa Ndlela	750805 6069 508 4
5	Anna Mokoena	5/3599/83
6	Vusmuzi Sikakane	511203 5269 08 1
7	Powell Khumalo	700710 6122 08 6
8	Aggripa Mchunu	520403 5186 08 2
9	Sipho Gwalala	680110 6045 08 0
10	Thobile Goge	741228 0805 08 0
11	Nomusa Tsoeu	611004 0746 08 4
12	Bavumile Ngcobo	630201 0945 08 1
13	Elias Ndlovu	401112 5595 08 5
14	Zipumeze Nomqonde	641128 5934 08 2
15	Vusmuzi Mthembu	580331 5829 08 7
16	Selina Bonsa	470204 117 08 4
17	Francina Tsoeu	530105 0903 08 4
18	Mdoda Buthelezi	370901 5244 08 3
19	Sbongile Dlamini	601213 0361 08 1
20	Ntombikile Nene	551109 0417 08 1
21	Bekizitha Lishaba	720404 6898 08 7
22	Stemliso Majola	640712 5987 08 2
23	Philani Majola	711105 5515 08 2

24	Tholakele Nxumalo	760924 0239 08 8
25	Magiya Ngubane	
26	Ernest Hadebe	
27	Ernest Mncendane	440915 5577 08 2
28	Gertie Mofokeng	300427 0308 08 2
29	Uzananzo Majola	740402 1031 08 0
30	Salbuse Ximba	780405 5545 08 9
31	Johannes Mofokeng	
32	Bhekuyise Shelembe	501215 5394 03 8
33	Salima Ndlovu	730125 5277 08 4
34	Mzobo Ngubane	220822 0131 08 7
35	Maloshi Buthelezi	450521 0229 08 2
36	Mbekeni Zuma	160901 5090 08 4
37	Tino Ngubane	360518 5239 08 7
38	Jimima Mhlaba	230525 5000 60 2
39	Funani Mbanjwa	420831 0278 08 5
40	Nesta Mwelase	520720 0837 08 2
41	Elsy Funda	320831 0157 08 2
42	Sipho Madikizela	351227 5178 08 6
43	Deliwa Majola	281101 0211 08 2
44	Spiwe Bhengu	610126 5835 08 2
45	Themba Mabizela	560121 5392 08 5
46	Busisiwe Dlamini	710125 0783 08 8
47	Lungi Ngubo	
48	Pepeni Gwaxala	530107 5803 08 7
49	Nkosenye Dlamini	420509 5406 08 9
50	Bhunu Dlamini	480131 5326 08 9
51	Mdeni Buthelezi	620502 5788 08 3
52	Yabi Zuma	480629 5424 08 5
53	Myekeni Ngubane	630824 5792 08 1
54	Sikhulwana Ndlela	380831 5208 08 5
55	Sigenge Ngcobo	300828 0228 08 1
56	Bisisiwe Goge	610128 0604 08 3
57	Wiseman Ncobo	690515 5978 08 7
58	Manana Ngubane	480119 5245 08 0
59	Khulumile Ngidi	520828 5237 08 1

60	Douglas Gwala	580426 5872 08 5
61	Jabulani Goge	660623 5678 08 1
62	Kholisiswe Goge	450112 0391 08 4
63	Ndodo Ngcobo	491013 5303 08 5
64	Mandlenkosi Buthelezi	521122 5280 08 8
65	Alice Ngubane	460316 0579 08 9
66	John Lembethe	630808 5511 08 8
67	Sampson Buthelezi	641002 5626 08 1
68	Mziyakhe Sbiya	450101 6130 08 3
69	Lindeleni Zuma	691009 0907 08 4
70	Boninkosi Ngubane	530904 5266 08 7
71	Thembisile Mchunu	610504 0986 08 6
72	Lita Gwala	490924 0450 08 8
73	Thisha Goge	640320 5741 08 5
74	Mfunwa Ngcobo	370901 5245 08 0
75	Annie Ngubane	160821 010 08 6
76	Zanela Zuma	610126 5835 08 2
77	Nomandla Zuma	590303 1121 08 0
78	Anna Zuma	290511 0270 08 7
79	Thembeni Gwala	560623 0619 08 1
80	Mponono Ndlela	410218 5152 08 9
81	Tanana Madondo	141255 1220 86
82	Toboyi Shozi	220831 0102 08 9
83	Thino Ndlela	290804 5180 08 2
84	Bhekizizwe Zuma	631203 5620 81

Property description of the affected Land:	SHOOTERS HILL, 908, Portion 24 (remaining extent)
Servitude:	
District:	PIETERMARITZBURG
Province:	KwaZulu Natal

Date:	08 December 1999
Submitted By:	Ms Debbie Khan

NOTICE 2709 OF 1999

DEPARTMENT OF LAND AFFAIRS

APPLICATION IN TERMS OF THE LAND REFORM (LABOUR TENANTS) ACT, 1996

It is hereby given for general information that in terms of section 17(1) of the Land Reform (Labour Tenants) Act, 1996 (Act 3), the application for the acquisition of Land mentioned in the Schedule has been lodged with the Director-General.

SCHEDULE*List of Applicants:*

NO.	NAME	ID NUMBER
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8	Aggripa Mchunu	520403 5186 08 2
9	Sipho Gwalala	680110 6045 08 0
10	Thobile Goge	741228 0605 08 0
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12	Bavumile Ngcobo	630201 0945 08 1
13	Elias Ndlovu	401112 5595 08 5
14	Zipumeze Nomqonde	641128 5934 08 2
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18	Mdoda Buthelezi	370901 5244 08 3
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21	Bekizitha Lishaba	720404 6898 08 7
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23	Philani Majola	711105 5515 08 2

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25	Magiya Ngubane	
26	Ernest Hadebe	
27	Ernest Mncendane	440915 5577 08 2
28	Gertie Mofokeng	300427 0308 08 2
29	Uzananzo Majola	740402 1031 08 0
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32	Bhekuyise Shelembe	501215 5394 03 8
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35	Maloshi Buthelezi	450521 0229 08 2
36	Mbekeni Zuma	160901 5090 08 4
37	Tino Ngubane	360518 5239 08 7
38	Jimima Mhlaba	230525 5000 60 2
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41	Elsy Funda	320831 0157 08 2
42	Sipho Madikizela	351227 5178 08 6
43	Deliwa Majola	281101 0211 08 2
44	Spiwe Bhengu	610126 5835 08 2
45	Themba Mabizela	560121 5392 08 5
46	Busisiwe Dlamini	710125 0783 08 8
47	Lungi Ngubo	
48	Pepeni Gwaxala	530107 5803 08 7
49	Nkosenye Dlamini	420509 5406 08 9
50	Bhunu Dlamini	480131 5326 08 9
51	Mdeni Buthelezi	620502 5788 08 3
52	Yabi Zuma	480629 5424 08 5
53	Myekeni Ngubane	630824 5792 08 1
54	Sikhulwana Ndlela	380831 5208 08 5
55	Sigenge Ngcobo	300828 0228 08 1
56	Bisisiwe Goge	610128 0604 08 3
57	Wiseman Ncobo	690515 5978 08 7
58	Manana Ngubane	480119 5245 08 0
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61	Jabulani Goge	660623 5678 08 1
62	Kholisiswe Goge	450112 0391 08 4
63	Ndodo Ngcobo	491013 5303 08 5
64	Mandlenkosi Buthelezi	521122 5280 08 8
65	Alice Ngubane	460316 0579 08 9
66	John Lembethe	630808 5511 08 8
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83	Thino Ndlela	290804 5180 08 2
84	Bhekizizwe Zuma	631203 5620 81

Property description of the affected Land:	SHOOTERS HILL, 908, Portion 24 (remaining extent)
Servitude:	
District:	PIETERMARITZBURG
Province:	KwaZulu Natal

Date:	08 December 1999
Submitted By:	Ms Debbie Khan

NOTICE 2710 OF 1999**DEPARTMENT OF FINANCE****12% 2004/05/06 INTERNAL REGISTERED BONDS (R150): CERTIFICATE No. 204267 FOR R10 000 AND CERTIFICATE No. 204575 FOR R10 000 ISSUED IN FAVOUR OF FRANS PIETER VAN BERS**

Application having been made to the Department of Finance for a duplicate of the above-mentioned certificates, the original having been lost or mislaid, notice is hereby given that unless the original certificates are produced at the Department of Finance, Private Bag X115, Pretoria, within four weeks from the date of publication of this notice, the duplicates as applied for, will be issued.

KENNISGEWING 2710 VAN 1999**DEPARTEMENT VAN FINANSIES****12% 2004/05/06 BINNELANDSE GEREGISTREERDE EFFEKTE (R150): SERTIFIKAAT No. 204267 VIR R10 000 EN SERTIFIKAAT No. 204575 VIR R10 000 UITGEREIK TEN GUNSTE VAN FRANS PIETER VAN BERS**

Aangesien daar by die Departement van Finansies aansoek gedoen is om 'n duplikaat van bovermelde sertifikate wat verloor of verlê is, word hierby bekendgemaak dat tensy die oorspronklike sertifikate binne vier weke na die datum van publikasie van hierdie kennisgewing by die Departement van Finansies, Privaatsak X115, Pretoria, ingelewer word, die verlangde duplikaat sertifikate uitgereik sal word.

(24 December 1999)/(24 Desember 1999)

NOTICE 2713 OF 1999**DEPARTMENT OF LAND AFFAIRS****APPLICATION IN TERMS OF THE LAND REFORM (LABOUR TENANTS) ACT, 1996**

It is hereby given for general information that in terms of section 17 (1) of the Land Reform (Labour Tenants) Act, 1996 (Act No. 3 of 1996), the application for the acquisition of land mentioned in the Schedule has been lodged with the Director-General.

SCHEDULE**List of applicants:**

Number	Name	ID Number
1.	Jabulani Nicholas Shabalala	5905105723089
2.	Thuleleni Winnie Khumalo	5407190659088
3.	Mshini Mike Khumalo	5108145297087

Property description of the affected land: Walkers Hoek, 1224, Portion 23 (Remaining Extent).

Servitude: —.

District: Ladysmith.

Province: KwaZulu-Natal.

(24 December 1999)

NOTICE 2714 OF 1999**DEPARTMENT OF LAND AFFAIRS****APPLICATION IN TERMS OF THE LAND REFORM (LABOUR TENANTS) ACT, 1996**

It is hereby given for general information that in terms of section 17 (1) of the Land Reform (Labour Tenants) Act, 1996 (Act No. 3 of 1996), the application for the acquisition of land mentioned in the Schedule has been lodged with the Director-General.

SCHEDULE**List of applicants:**

Number	Name	ID Number
1.	Vusumuzi Christopher Mazibuko	731015 538108 6
2.	Bonginkosi Kufakwezwe Shezi	680305 5470 08 3
3.	Sipho Lawrence Gamede	470717 5407 08 5

Property description of the affected land: Spitzkop, 1071, Portion 4 (Remaining Extent).

Servitude: —.

District: Ladysmith.

Province: KwaZulu-Natal.

(24 December 1999)

NOTICE 2715 OF 1999**DEPARTMENT OF LAND AFFAIRS****APPLICATION IN TERMS OF THE LAND REFORM (LABOUR TENANTS) ACT, 1996**

It is hereby given for general information that in terms of section 17 (1) of the Land Reform (Labour Tenants) Act, 1996 (Act No. 3 of 1996), the application for the acquisition of land mentioned in the Schedule has been lodged with the Director-General.

SCHEDULE**Applicant:**

Number	Name	ID Number
1.	Kula Ndlovu	960630 5008 08 3

Property description of the affected land: Platberg, 1241, Portion 2 (Remaining Extent).

Servitude: —.

District: Ladysmith.

Province: KwaZulu-Natal.

(24 December 1999)

NOTICE 2716 OF 1999**DEPARTMENT OF LAND AFFAIRS****APPLICATION IN TERMS OF THE LAND REFORM (LABOUR TENANTS) ACT, 1996**

It is hereby given for general information that in terms of section 17 (1) of the Land Reform (Labour Tenants) Act, 1996 (Act No. 3 of 1996), the application for the acquisition of land mentioned in the Schedule has been lodged with the Director-General.

SCHEDULE**List of applicants:**

Number	Name	ID Number
1.	Henry Bonginkosi Khoza	590131 5373 08 8
2.	Ndleleni Amon Mabizela	540201 5332 08 6
3.	Kolotshe Ephraim Khoza	470920 5539 08 5
4.	Thokozile Bettina Khoza	401010 0951 08 1
5.	Joel Thembinkosi Khumalo	660528 5331 08 8

Property description of the affected land: Lichfield, 4347.

Servitude: —.

District: Ladysmith.

Province: KwaZulu-Natal.

(24 December 1999)

NOTICE 2719 OF 1999**COMPETITION COMMISSION****NOTIFICATION OF PROPOSED TRANSACTION INVOLVING COLONIAL PROTECTOR TRADERS (PTY) LTD AND DAV PERSONNEL GROUP CC**

The Competition Commission hereby gives notice in terms of Rule 33 (3) (c) of the "Rules for the conduct of proceedings in the Competition Commission" as published in Notice 1838 in *Gazette* No. 20384 of 20 August 1999, that it has considered a notification filed by Colonial Protector Traders (Pty) Ltd in terms of section 13 of the Competition Act, 1998 (Act No. 89 of 1998), regarding its proposed acquisition of Dav Personell Group CC.

On the basis of the information supplied to it, the Competition Commission is of the opinion that the transaction would hold no anti-competitive consequences. Moreover, notwithstanding the fact that no public interest considerations were put forward in support of the transaction, the Commission is not aware of any such issues that may exist that would justify the rejection of the transaction on public interest grounds. A merger clearance certificate has been issued to the parties.

(24 December 1999)

NOTICE 2726 OF 1999**OFFICE OF THE PRESIDENCY**

It is hereby notified for general information that all salaries and allowances payable in terms of the Remuneration of Public Office Bearers Act, 1998 (Act No. 20 of 1998), will be subject to adjustments made from time to time by the President by publication in the *Government Gazette*.

KENNISGEWING 2726 VAN 1999**KANTOOR VAN DIE PRESIDENSIE**

Hierby word vir algemene inligting bekendgemaak dat alle salarisse en toelaes betaalbaar ingevolge die Wet op die Besoldiging van Openbare Ampsbekleërs, 1998 (Wet No. 20 van 1998), onderhewig sal wees aan aanpassings wat van tyd tot tyd deur die President by publikasie in die *Staatskoerant* gemaak word.

(24 Desember 1999)/(24 Desember 1999)

NOTICE 2727 OF 1999**DEPARTMENT OF TRANSPORT****INTERNATIONAL AIR SERVICES ACT, 1993 (ACT No. 60 OF 1993)****APPLICATIONS FOR THE GRANT/AMENDMENT OF INTERNATIONAL AIR SERVICE LICENCES**

Pursuant to the provisions of section 16 (1) of Act No. 60 of 1993 and regulations 14 (1) and 14 (2) of the International Air Services Regulations, 1994, it is hereby notified for general information that the applications, details of which appear in the Schedules hereto will be considered by the International Air Services Council (Council).

Representations in accordance with section 16 (3) of Act No. 60 of 1993 and regulation 25 (1) of the International Air Services Regulations, 1994, against or in favour of an application, should reach the Chairman of the Council at Private Bag X193, Pretoria, 0001 within 28 days of the publication hereof. It must be stated whether the party or parties making such representation is/are prepared to be present or represented at the possible hearing of the application.

The Council will cause notice of the time, date and place of the proceedings to be given in writing to the applicant and all parties who have made representations as aforesaid and who desire to be present or represented at the hearing.

SCHEDULE 1**APPLICATION FOR THE GRANT OF LICENCE**

(A) Full name, surname and trade name of applicant. (B) Full business or residential address of applicant. (C) Class of licence applied for. (D) Type of international air service to which application pertains. (E) Category or kind of aircraft to which application pertains. (F) Airport from and the airport to which flights will be undertaken. (G) Area to be served. (H) Frequency of flights.

(A) G J Air (Pty) Ltd; Medi-Jet. (B) P.O. Box 18150, Rand Airport, Germiston, 1419. (C) Class III. (D) Type G7. (E) Category A2 and A3. (G) Africa, Indian Islands and Europe.

SCHEDULE 2**APPLICATION FOR THE AMENDMENT OF LICENCE**

(A) Full name, surname and trade name of applicant. (B) Full business or residential address of applicant. (C) Class and number of licence in respect of which the amendment is being sought. (D) Type of international air service and amendment thereto for which application is being made. (E) Category or kind of aircraft and the amendment thereto for which application is being made. (F) Airport from and the airport to which flights are undertaken and the amendment thereto for which application is being made. (G) Area served and the amendment thereto for which application is being made. (H) Frequency of flights and the amendment thereto for which application is being made. (I) Condition and the amendment thereto for which application is being made.

(A) South African Airways (Pty) Ltd; South African Airways. (B) Private Bag X13, Johannesburg International Airport, 1627. (C) Class I; No I/S094. (D) Type S1. (E) Category A1. (F) and (H) Johannesburg—Windhoek: Amend current licence condition: 13 (thirteen) return flights per week restricted to 1 274 seats per week: *Add:* additional 405 seats per week. *Add:* Johannesburg/Cape Town International Airports—Fort Lauderdale in combination with Atlanta: 7 (seven) return flights per week.

KENNISGEWING 2727 VAN 1999**DEPARTEMENT VAN VERVOER**

WET OP INTERNASIONALE LUGDIENSTE, 1993 (WET No. 60 VAN 1993)

AANSOEKE OM DIE TOESTAAN/WYSIGING VAN INTERNASIONALE LUGDIENSLISENSIES

Hierby word ingevolge die bepalings van artikel 16 (1) van Wet No. 60 van 1993 en regulasies 14 (1) en 14 (2) van die Regulasies vir Internasionale Lugdiens, 1994, vir algemene inligting bekendgemaak dat die Raad Op Internasionale Lugdiens (Raad) die aansoeke, waarvan die besonderhede in die Bylaes hieronder verskyn, sal oorweeg.

Vertoë ingevolge artikel 16 (3) van Wet No. 60 van 1993 en regulasie 25 (1) van die Regulasies vir Internasionale Lugdiens, 1994, teen of ten gunste van 'n aansoek moet die Voorsitter van die Raad, Privaat Sak X193, Pretoria, 0001, binne 28 dae na die datum van publikasie hiervan bereik. Daarin moet gemeld word of die party of partye wat aldus vertoë rig bereid is om die maandelikse verhoor van die aansoek by te woon of om verteenwoordig te word.

Die Raad sal reël dat kennis van die datum, tyd en plek van die verrigtinge skriftelik gegee word aan die aansoeker en al die partye wat aldus vertoë gerig het en wat verlang om aldus teenwoordig of verteenwoordig te wees.

BYLAE 1**AANSOEK OM DIE TOESTAAN VAN LISENSIE**

(A) Volle naam, van en handelsnaam van aansoeker. (B) Volle besigheids- of woonadres van aansoeker. (C) Klas lisensie waarom aansoek gedoen word. (D) Tipe internasionale lugdiens waarop aansoek betrekking het. (E) Kategorie of soort lugvaartuig waarop aansoek betrekking het. (F) Lughawe van waar en die lughawe waarheen vlugte onderneem sal word. (G) Gebied wat bedien gaan word. (H) Gereeldheid van vlugte.

(A) G J Air (Edms.) Bpk., Medi-Jet. (B) Posbus 18150, Rand Lughawe, Germiston, 1419. (C) Klas III. (D) Tipe G7. (E) Kategorie A2 en A3. (G) Afrika, Indiese Oseaan Eilande en Europa.

BYLAE 2**AANSOEK OM DIE WYSIGING VAN LISENSIE**

(A) Volle naam, van en handelsnaam van aansoeker. (B) Volle besigheids- of woonadres van aansoeker. (C) Klas en nommer van die lisensie ten opsigte waarvan die wysiging gevra word. (D) Tipe internasionale lugdiens en die wysiging daarvan waarvoor aansoek gedoen word. (E) Kategorie of soort lugvaartuig en die wysiging daarvan waarom aansoek gedoen word. (F) Lughawe van waar en die lughawe waarheen vlugte onderneem word en die wysiging daarvan waarvoor aansoek gedoen word. (G) Gebied wat bedien word en die wysiging daarvan waarvoor aansoek gedoen word. (H) Gereeldheid van vlugte en die wysiging daarvan waarvoor aansoek gedoen word. (I) Voorwaarde en die wysiging daarvan waarvoor aansoek gedoen word.

(A) South African Airways (Edms.) Bpk., South African Airways. (B) Privaatsak X13, Johannesburg Internasionale Lughawe, 1627. (C) Klas I; No I/S094. (D) Tipe S1. (E) Kategorie A1. (F) en (H) Wysiging van bestaande lisensie voorwaarde: 13 (dertien) retoervlugte per week beperk tot 1 274 sitplekke: *Voeg by:* Addisionele 405 sitplekke per week. *Voeg by:* Johannesburg/Kaapstad en Durban Internasionale Lughawens—Fort Lauderdale in kombinasie met Atlanta: 7 (sewe) retoervlugte per week.

NOTICE 2728 OF 1999**COMPETITION COMMISSION****NOTIFICATION OF PROPOSED MANAGEMENT BUY-OUT OF FOUR DIVISIONS IN THE UNIHOLD GROUP LIMITED**

The Competition Commission hereby gives notice in terms of Rule 33 (3) (c) of the "Rules for the conduct of proceedings in the Competition Commission" as published in Notice 1838 in *Gazette* 20384 of 20 August 1999, that it has considered a notification filed by Unihold Group Limited in terms of section 13 of the Competition Act, 1998 (Act No. 89 of 1998), regarding the proposed management buyout of four divisions within the Group, namely—

- Walro Flex (a division of Unihold)
- Unique Engineering [a division of Metallurgical Processes (Pty) Ltd]
- Balance Engineering Supplies [a division of Metallurgical Processes (Pty) Ltd]; and
- Rely Precision Castings [a division of Metallurgical Processes (Pty) Ltd]

Metallurgical Processes (Pty) Ltd is a wholly owned subsidiary in the Unihold Group.

On the basis of the information supplied to it, the Competition Commission is of the opinion that the transaction would hold no anti-competitive consequences and may even promote competition. Moreover, notwithstanding the fact that no substantive public interest considerations were put forward in support of the transaction, the Commission is not aware of any such issues that may exist that would justify the rejection of the transaction on public interest grounds. A merger clearance certificate has been issued to the parties.

(24 December 1999)/(24 Desember 1999)

NOTICE 2720 OF 1999**DRAFT SAFE CONTAINERS CONVENTION BILL AND REGULATIONS:
PUBLICATION FOR COMMENT**

The South African Maritime Safety Authority ("the Authority") hereby makes known its intention to recommend to the National Department of Transport the measures set out in the accompanying draft Bill and regulations. Interested persons are invited to submit written comment on the Bill and regulations by no later than 31 January 2000. Submissions should be marked for the attention of Mr C Briesch, and may either be mailed to the South African Maritime Safety Authority, P.O. Box 13186, Hatfield 0028, or faxed to (012) 342 3160. Enquiries should be directed to Mr C Briesch on (012) 342 3049.

EXPLANATORY NOTE**A THE CONVENTION AND ITS AMENDMENTS****International Convention for Safe Containers, 1972****Adoption:** 2 December 1972**Entry into force:** 6 September 1977**Number of Contracting Parties:** 65

1 South Africa acceded to the Convention on 25 June 1982. It entered into force with respect to South Africa 12 months later, on 25 June 1983.

2 The Convention has two principal objectives. One is to maintain a high level of safety of human life in the transport and handling of containers by providing generally acceptable test procedures and related strength requirements which have proven adequate over the years. The other is to facilitate international transport of containers by providing uniform international safety regulations, equally applicable to all modes of surface transport. In this way, proliferation of divergent national safety regulations can be avoided.

3 The requirements of the Convention apply to the great majority of freight containers used internationally, except those designed specially for carriage by air. As it was not intended that all containers, van or reusable packing boxes should be affected, the scope of the Convention is limited to containers of a prescribed minimum size having corner fittings – devices which permit handling, securing or stacking.

4 The Convention sets out procedures for the safety approval – by an Administration of a Contracting State or by an organization acting on its behalf – of containers used in international transport. Approved containers are identified by a safety approval plate, which is affixed to the container under the authority of an Administration. The safety approval plate contains relevant technical data respecting the container to which it is affixed.

5 The approval, evidenced by the safety approval plate, granted under the authority of one Contracting State, should be recognized by other Contracting States. This principle of reciprocal acceptance of safety-approved containers is the cornerstone of the Convention; and once approved and plated it is expected that containers will move in international transport with the minimum of safety control formalities.

6 The subsequent maintenance of a safety-approved container is the responsibility of the owner, who is required to have the container examined periodically.

7 The technical Annex to the Convention requires that a container undergo various tests, representing a combination of safety requirements of both the inland and maritime modes of transport.

8 Flexibility is incorporated in the Convention by the provision of simplified amendment procedures that facilitate the adaption of test procedures to the prevailing requirements of international container traffic.

1981 (Annex I) amendments**Adoption:** 2 April 1981**Entry into force:** 1 December 1981

9 The amendments provide transitional arrangements for plating of containers (which had to be completed by 1 January 1985), and for the marking of the date of the container's next examination by 1 January 1987.

1983 (Annexes I and II) amendments**Adoption:** 13 June 1983**Entry into force:** 1 January 1984

10 The amendments extend the interval between re-examinations to 30 months and permit a choice of container re-examination procedures between the original periodic examination scheme and a new continuous examination programme.

1991 (Annexes I and II) amendments**Adoption:** 17 May 1991**Entry into force:** 1 January 1993

11 The amendments include the addition of a new Chapter V to Annex I concerning regulations for the approval of modified containers.

1993 (Articles and Annexes I and II) amendments**Adoption:** 4 November 1993**Entry into force:** 12 months after being accepted by two-thirds of Contracting Parties**Status:** Presently there 4 acceptances

12 The amendments concern the information contained on the safety approval plate; they also amend certain test loads and testing procedures required by the Convention.

13 South Africa is already bound by the other amendments mentioned above, and it is proposed that South Africa accept the 1993 amendments in accordance with Article IX of the Convention.

B THE BILL AND REGULATIONS

14 The Bill and regulations propose to implement the Convention, as amended, in domestic law. The Bill repeals an earlier attempt to implement the Convention, namely the International Convention for Safe Containers Act, 1985 (Act No. 11 of 1985), which has never entered into force.

15 The Bill proposes to re-assign functions related to the implementation and administration of the Convention from the Minister and Department of Trade and Industry to the Minister of Transport and the South African Maritime Safety Authority ("the Authority"). This will ensure that the functions are entrusted to the appropriate authorities having responsibility for transport and related safety matters.

16 The Bill is framed as an enabling statute, empowering the Minister of Transport, in clause 2, to make regulations for carrying out and giving effect to the provisions of the Convention. The text of the Convention is set out in Part 1 of the Schedule to the Bill and incorporates the 1981, 1983 and 1991 amendments. Part 2 of the Schedule sets out the text of the 1993 amendments, which have yet to enter into force; that Part will only enter into force after the 1993 amendments have entered into force, and after their acceptance by South Africa in accordance with Article IX of the Convention.

17 The administration and enforcement of the proposed statute is entrusted to the South African Maritime Safety Authority ("the Authority"), which is empowered to designate inspectors (clause 3) and to direct inquiries (clause 6) into certain accidents and incidents.

18 The regulations establish requirements as to the approval, maintenance, repair, inspection, detention and disposal of containers. The regulations also empower the Authority to authorize organizations to carry out testing, inspection and approval of containers on its behalf.

DRAFT SAFE CONTAINERS CONVENTION BILL

To implement the International Convention for Safe Containers; and to provide for matters connected therewith.

BE IT ENACTED by the Parliament of the Republic of South Africa, as follows:—

Definitions

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

- (i) "Authority" means the South African Maritime Safety Authority established by section 2(1) of the South African Maritime Safety Authority Act, 1998 (Act No. 5 of 1998);
- (ii) "container" means a container as defined in the Convention and to which the Convention applies;
- (iii) "contravene" includes failing or refusing to comply;
- (iv) "Convention" means the International Convention for Safe Containers set out in Part 1 of the Schedule and, after the commencement of Part 2 of the Schedule, as amended by that Part;
- (v) "inspector" means a person designated as an inspector under section 3;
- (vi) "Minister" means the Minister of Transport;
- (vii) "regulation" means a regulation made under section 2;
- (viii) "Republic" includes the Prince Edward Islands referred to in section 8;
- (ix) "this Act" includes the regulations.

Regulations

2. (1) Subject to subsection (2), the Minister may make regulations for carrying out and giving effect to the provisions of the Convention, and, without restricting the generality of the foregoing, may make regulations—

- (a) for the detention and transportation of containers that do not carry a valid Safety Approval Plate as required by the Convention;
- (b) for the detention and transportation of containers in respect of which there is significant evidence that the condition of the container creates an obvious risk to safety;
- (c) respecting the maintenance and repairing of containers;
- (d) describing the circumstances and the manner in which the Authority may dispose of detained containers that have not been repossessed by the person entitled thereto;
- (e) requiring that the Safety Approval Plate affixed to any or all containers approved under the authority of the Government of the Republic be in one or more of the official languages of the Republic; and
- (f) describing the circumstances in which the Authority must obtain the concurrence of another specified Minister in the choice of the person or persons to be authorized to conduct an inquiry under section 7(1).

(2) No regulation made under subsection (1) may—

- (a) authorize any person to prevent the removal of the contents of a container; or
- (b) authorize the continued detention of a container after its contents have been removed, except where an inspector believes on reasonable grounds that there is about to be a contravention of a regulation respecting the transportation of containers made under subsection (1)(a) or (b).

(3) Subject to subsection (4), a copy of each regulation that the Minister proposes to make under subsection (1) shall be published in the *Gazette*, and a reasonable opportunity shall be afforded to interested persons to make representations to the Minister with respect thereto.

(4) Subsection (3) does not apply in respect of a proposed regulation that—

- (a) has previously been published pursuant to that subsection and has been changed as a result of representations made pursuant to that subsection; or
- (b) makes no material substantive change in an existing regulation.

(5) The Minister shall cause every regulation made under subsection (1) to be tabled in Parliament within a reasonable time after the promulgation thereof.

(6) A regulation tabled pursuant to subregulation (5), or any provision thereof, may, by resolution of Parliament passed during the session in which the regulation has been tabled, be disapproved of, and if the regulation or any provision thereof is so disapproved of, section 12(2) of the Interpretation Act, 1957 (Act No. 33 of 1957), shall apply as if the resolution were a law repealing the regulation or provision in question.

Inspectors

3. (1) The Authority may designate as an inspector for the purposes of this Act any person who, in the Authority's opinion, is qualified to be so designated.

(2) The Authority shall furnish every inspector with a certificate attesting to his or her designation as an inspector setting out the provisions of this Act and the Convention that the inspector is authorized to enforce, and, on boarding any vehicle or entering any place described in section 4(1), an inspector shall, if so required, produce the certificate to the person in charge thereof.

Powers of inspectors

4. (1) In addition to any powers that he or she may have in terms of the regulations, an inspector may, without a warrant, at any reasonable time—

- (a) go on board any vehicle, including a ship, train, truck or aircraft, or enter any place in which he or she believes on reasonable grounds that—
 - (i) there is significant evidence that the condition of a container creates an obvious risk to safety; or
 - (ii) a provision of this Act has been contravened;
- (b) go on board any vehicle, including a ship, train, truck or aircraft, or enter any place in which he or she believes on reasonable grounds there is a container, for the purpose of verifying that the container carries a valid Safety Approval Plate as required by the Convention; and
- (c) examine any record or document required by the regulations to be kept, and make copies thereof or extracts therefrom.

(2) The owner or person in charge of any vehicle boarded or place entered by an inspector pursuant to subsection (1) and every person found therein shall give the inspector all reasonable assistance to enable the inspector to perform his or her functions under this Act and shall furnish the inspector with any information that he or she may reasonably require with respect to the administration of this Act.

Obstruction of inspectors

5. (1) No person shall obstruct or hinder an inspector in the performance of his or her functions under this Act.

(2) No person shall knowingly make any false or misleading statement, either orally or in writing, to an inspector engaged in the performance of his or her functions under this Act.

(3) Unless authorized by an inspector, no person shall remove or interfere in any way with a container detained by an inspector under the regulations.

Authority may direct inquiry

6. (1) Whenever an accident or incident involving a container results in death or injury to any person, danger to the health or safety of the public or damage to property or the environment, the Authority may direct an inquiry to be made into that accident or incident and may, subject to the regulations made under section 2(1)(f), authorize any person or persons that it thinks qualified to conduct the inquiry.

(2) For the purposes of an inquiry under subsection (1), any person or persons authorized by the Authority under that subsection shall have all the powers conferred upon a court of marine enquiry by section 9(1)(i) to (vi) and (4) of the Merchant Shipping Act, 1951 (Act No. 57 of 1951), and section 9(2) and (3) of that Act shall apply accordingly.

(3) As soon as possible after the conclusion of an inquiry under subsection (1), the person or persons authorized to conduct the inquiry shall submit a report with recommendations to the Authority, together with all the evidence and other material that was before the inquiry.

(4) Subject to subsection (5), a report made pursuant to subsection (3) shall be published by the Authority within sixty days after receipt of the report by the Authority, unless the report contains a recommendation that publication be withheld in the public interest, in which case the Authority may withhold publication of the report in whole or in part as it thinks appropriate.

(5) Where, pursuant to regulations made under section 2(1)(f), the concurrence of another Minister was obtained in relation to the choice of the person or persons to be authorized to conduct an inquiry under subsection (1), the report made pursuant to subsection (3), or any portion thereof, shall not be published unless that other Minister consents to publication.

(6) The Authority may supply copies of a report published pursuant to subsection (4) or (5) in such manner and on such terms as it thinks proper.

Offences and penalties

7. (1) Every person who contravenes a provision of this Act is guilty of an offence and liable on conviction to a fine or to imprisonment for a period not exceeding two years.

(2) Without derogating from the jurisdiction of any court existing apart from this subsection, a court has jurisdiction over an offence in terms of this Act if—

- (a) the offence was committed in the territorial jurisdiction of that court; or
- (b) the accused is found or carries on business in the territorial jurisdiction of that court.

(3) If a person—

- (a) admits to the Authority that he or she has contravened a provision of this Act;
- (b) agrees to abide by the decision of the Authority; and
- (c) deposits with the Authority the sum required of him or her, which shall not exceed the maximum fine that may be imposed under subsection (1),

the Authority may, after such inquiry as it thinks fit, determine the matter summarily and may, without legal proceedings, order by way of penalty the whole or any part of the said deposit to be forfeited.

(4) There is a right of appeal to the Minister from a determination or order of the Authority under subsection (3) whereby a penalty exceeding R1 500 is imposed, provided such right is exercised within a period of three months from the date of the determination or order.

(5) The imposition of a penalty under subsection (3) shall be deemed not to be a conviction of an offence, but no prosecution in respect of the offence in question may thereafter be instituted.

(6) All fines and other money penalties imposed under this Act shall be paid into the Maritime Fund established by section 54 of the South African Maritime Safety Authority Act, 1998 (Act No. 5 of 1998).

Extension of Act to Prince Edward Islands

8. This Act extends to the Prince Edward Islands referred to in section 1 of the Prince Edward Islands Act, 1948 (Act No. 43 of 1948); however, in its application to those Islands, transport between places in the Republic and places in those Islands shall be deemed to be international transport within the meaning of Article II, paragraph 6 of the Convention.

Act binds State

9. This Act binds the State.

Duration of Act

10. This Act shall continue in force until a day fixed by the President by proclamation in the *Gazette* following termination of the Convention or denunciation thereof by the Republic, and no longer.

Repeal of laws

11. The International Convention for Safe Containers Act, 1985 (Act No. 11 of 1985), is repealed.

Short title and commencement

12. (1) This Act is called the Safe Containers Convention Act, 2000.

(2) This Act comes into operation on a date fixed by the President by proclamation in the *Gazette*: Provided that the date so fixed in relation to Part 2 of the Schedule shall be a date not before the date on which the amendments to the Convention set out in that Part come into force with respect to the Republic in accordance with Article IX, paragraph 2(c) of the Convention.

SCHEDULE

(Section 2)

PART I**INTERNATIONAL CONVENTION FOR SAFE CONTAINERS****Preamble*

THE CONTRACTING PARTIES,

RECOGNIZING the need to maintain a high level of safety of human life in the handling, stacking and transporting of containers,

MINDFUL of the need to facilitate international container transport,

RECOGNIZING, in this context, the advantages of formalizing common international safety requirements,

CONSIDERING that this end may best be achieved by the conclusion of a convention,

HAVE DECIDED to formalize structural requirements to ensure safety in the handling, stacking and transporting of containers in the course of normal operations, and to this end

HAVE AGREED as follows:

ARTICLE I*General obligation under the present Convention*

The Contracting Parties undertake to give effect to the provisions of the present Convention and the Annexes hereto, which shall constitute an integral part of the present Convention.

ARTICLE II*Definitions*

For the purpose of the present Convention, unless expressly provided otherwise:

1. "Container" means an article of transport equipment:

- (a) of a permanent character and accordingly strong enough to be suitable for repeated use;
- (b) specially designed to facilitate the transport of goods, by one or more modes of transport, without intermediate reloading;
- (c) designed to be secured and/or readily handled, having corner fittings for these purposes;
- (d) of a size such that the area enclosed by the four outer bottom corners is either:
 - (i) at least 14 m² (150 sq ft), or
 - (ii) at least 7 m² (75 sq ft) if it is fitted with top corner fittings.

The term "container" includes neither vehicles nor packaging; however, containers when carried on chassis are included.

2. "Corner fittings" means an arrangement of apertures and faces at the top and/or bottom of a container for the purposes of handling, stacking and/or securing.

3. "Administration" means the Government of a Contracting Party under whose authority containers are approved.

* The present text incorporates corrections effected by the Procès-Verbal of Rectification of 25 June 1976 and amendments adopted by the Maritime Safety Committee of the International Maritime Organization in 1981, 1983 and 1991 (MSC.20(59)).

4. "Approved" means approved by the Administration.
5. "Approval" means the decision by an Administration that a design type or a container is safe within the terms of the present Convention.
6. "International transport" means transport between points of departure and destination situated in the territory of two countries to at least one of which the present Convention applies. The present Convention shall also apply when part of a transport operation between two countries takes place in the territory of a country to which the present Convention applies.
7. "Cargo" means any goods, wares, merchandise and articles of every kind whatsoever carried in the containers.
8. "New container" means a container the construction of which was commenced on or after the date of entry into force of the present Convention.
9. "Existing container" means a container which is not a new container.
10. "Owner" means the owner as provided for under the national law of the Contracting Party or the lessee or bailee, if an agreement between the parties provides for the exercise of the owner's responsibility for maintenance and examination of the container by such lessee or bailee.
11. "Type of container" means the design type approved by the Administration.
12. "Type-series container" means any container manufactured in accordance with the approved design type.
13. "Prototype" means a container representative of those manufactured or to be manufactured in a design type series.
14. "Maximum operating gross weight" or "rating" or "R" means the maximum allowable combined weight of the container and its cargo.
15. "Tare weight" means the weight of the empty container including permanently affixed ancillary equipment.
16. "Maximum permissible payload" or "P" means the difference between maximum operating gross weight or rating and tare weight.

ARTICLE III

Application

1. The present Convention applies to new and existing containers used in international transport, excluding containers specially designed for air transport.
2. Every new container shall be approved in accordance with the provisions either for type-testing or for individual testing as contained in Annex I.
3. Every existing container shall be approved in accordance with the relevant provisions for approval of existing containers set out in Annex I within five years from the date of entry into force of the present Convention.

ARTICLE IV

Testing, inspection, approval and maintenance

1. For the enforcement of the provisions of Annex I every Administration shall establish an effective procedure for the testing, inspection and approval of containers in accordance with the criteria established in the present Convention, provided, however, that an Administration may entrust such testing, inspection and approval to organizations duly authorized by it.
2. An Administration which entrusts such testing, inspections and approval to an organization shall inform the Secretary-General of the Inter-Governmental Maritime Consultative Organization (hereinafter referred to as "the Organization") for communication to Contracting Parties.
3. Application for approval may be made to the Administration of any Contracting Party.

4. Every container shall be maintained in a safe condition in accordance with the provisions of Annex I.
5. If an approved container does not in fact comply with the requirements of Annexes I and II the Administration concerned shall take such steps as it deems necessary to bring the container into compliance with such requirements or to withdraw the approval.

ARTICLE V

Acceptance of approval

1. Approval under the authority of a Contracting Party, granted under the terms of the present Convention, shall be accepted by the other Contracting Parties for all purposes covered by the present Convention. It shall be regarded by the other Contracting Parties as having the same force as an approval issued by them.
2. A Contracting Party shall not impose any other structural safety requirements or tests on containers covered by the present Convention, provided, however, that nothing in the present Convention shall preclude the application of provisions of national regulations or legislation or of international agreements, prescribing additional structural safety requirements or tests for containers specially designed for the transport of dangerous goods, or for those features unique to containers carrying bulk liquids or for containers when carried by air. The term "dangerous goods" shall have that meaning assigned to it by international agreements.

ARTICLE VI

Control

1. Every container which has been approved under Article III shall be subject to control in the territory of the Contracting Parties by officers duly authorized by such Contracting Parties. This control shall be limited to verifying that the container carries a valid Safety Approval Plate as required by the present Convention, unless there is significant evidence for believing that the condition of the container is such as to create an obvious risk to safety. In that case the officer carrying out the control shall only exercise it in so far as it may be necessary to ensure that the container is restored to a safe condition before it continues in service.
2. Where the container appears to have become unsafe as a result of a defect which may have existed when the container was approved, the Administration responsible for that approval shall be informed by the Contracting Party which detected the defect.

ARTICLE VII

Signature, ratification, acceptance, approval and accession

1. The present Convention shall be open for signature until 15 January 1973 at the Office of the United Nations at Geneva and subsequently from 1 February 1973 until 31 December 1973 inclusive at the Headquarters of the Organization at London by all States Members of the United Nations or Members of any of the specialized agencies or of the International Atomic Energy Agency or Parties to the Statute of the International Court of Justice, and by any other State invited by the General Assembly of the United Nations to become a Party to the present Convention.
2. The present Convention is subject to ratification, acceptance or approval by States which have signed it.
3. The present Convention shall remain open for accession by any State referred to in paragraph 1.
4. Instruments of ratification, acceptance, approval or accession shall be deposited with the Secretary-General of the Organization (hereinafter referred to as "the Secretary-General").

ARTICLE VIII***Entry into force***

1. The present Convention shall enter into force twelve months from the date of the deposit of the tenth instrument of ratification, acceptance, approval or accession.
2. For each State ratifying, accepting, approving or acceding to the present Convention after the deposit of the tenth instrument of ratification, acceptance, approval or accession, the present Convention shall enter into force twelve months after the date of the deposit by such State of its instrument of ratification, acceptance, approval or accession.
3. Any State which becomes a Party to the present Convention after the entry into force of an amendment shall, failing an expression of a different intention by that State,
 - (a) be considered as a Party to the Convention as amended; and
 - (b) be considered as a Party to the unamended Convention in relation to any Party to the Convention not bound by the amendment.

ARTICLE IX***Procedure for amending any part or parts of the present Convention***

1. The present Convention may be amended upon the proposal of a Contracting Party by any of the procedures specified in this Article.
2. Amendment after consideration in the Organization:
 - (a) Upon the request of a Contracting Party, any amendment proposed by it to the present Convention shall be considered in the Organization. If adopted by a majority of two thirds of those present and voting in the Maritime Safety Committee of the Organization, to which all Contracting Parties shall have been invited to participate and vote, such amendment shall be communicated to all Members of the Organization and all Contracting Parties at least six months prior to its consideration by the Assembly of the Organization. Any Contracting Party which is not a Member of the Organization shall be entitled to participate and vote when the amendment is considered by the Assembly.
 - (b) If adopted by a two-thirds majority of those present and voting in the Assembly, and if such majority includes a two-thirds majority of the Contracting Parties present and voting, the amendment shall be communicated by the Secretary-General to all Contracting Parties for their acceptance.
 - (c) Such amendment shall come into force twelve months after the date on which it is accepted by two thirds of the Contracting Parties. The amendment shall come into force with respect to all Contracting Parties except those which, before it comes into force, make a declaration that they do not accept the amendment.
3. Amendment by a conference:

Upon the request of a Contracting Party, concurred in by at least one third of the Contracting Parties, a conference to which the States referred to in Article VII shall be invited will be convened by the Secretary-General.

ARTICLE X***Special procedure for amending the Annexes***

1. Any amendment to the Annexes proposed by a Contracting Party shall be considered in the Organization at the request of that Party.

2. If adopted by a two-thirds majority of those present and voting in the Maritime Safety Committee of the Organization to which all Contracting Parties shall have been invited to participate and to vote, and if such majority includes a two-thirds majority of the Contracting Parties present and voting, such amendment shall be communicated by the Secretary-General to all Contracting Parties for their acceptance.
3. Such an amendment shall enter into force on a date to be determined by the Maritime Safety Committee at the time of its adoption unless, by a prior date determined by the Maritime Safety Committee at the same time, one fifth or five of the Contracting Parties, whichever number is less, notify the Secretary-General of their objection to the amendment. Determination by the Maritime Safety Committee of the dates referred to in this paragraph shall be by a two-thirds majority of those present and voting, which majority shall include a two-thirds majority of the Contracting Parties present and voting.
4. On entry into force any amendment shall, for all Contracting Parties which have not objected to the amendment, replace and supersede any previous provision to which the amendment refers; an objection made by a Contracting Party shall not be binding on other Contracting Parties as to acceptance of containers to which the present Convention applies.
5. The Secretary-General shall inform all Contracting Parties and Members of the Organization of any request and communication under this Article and the date on which any amendment enters into force.
6. Where a proposed amendment to the Annexes has been considered but not adopted by the Maritime Safety Committee, any Contracting Party may request the convening of a conference to which the States referred to in Article VII shall be invited. Upon receipt of notification of concurrence by at least one third of the other Contracting Parties, such a conference shall be convened by the Secretary-General to consider amendments to the Annexes.

ARTICLE XI

Denunciation

1. Any Contracting Party may denounce the present Convention by effecting the deposit of an instrument with the Secretary-General. The denunciation shall take effect one year from the date of such deposit with the Secretary-General.
2. A Contracting Party which has communicated an objection to an amendment to the Annexes may denounce the present Convention and such denunciation shall take effect on the date of entry into force of such an amendment.

ARTICLE XII

Termination

The present Convention shall cease to be in force if the number of Contracting Parties is less than five for any period of twelve consecutive months.

ARTICLE XIII

Settlement of disputes

1. Any dispute between two or more Contracting Parties concerning the interpretation or application of the present Convention which cannot be settled by negotiation or other means of settlement shall, at the request of one of them, be referred to an arbitration tribunal composed as follows: each party to the dispute shall appoint an arbitrator and these two arbitrators shall appoint a third arbitrator, who shall be Chairman. If, three months after receipt of a request, one of the parties has failed to appoint an arbitrator or if the arbitrators have failed to elect the

Chairman, any of the parties may request the Secretary-General to appoint an arbitrator or the Chairman of the arbitration tribunal.

2. The decision of the arbitration tribunal established under the provisions of paragraph 1 shall be binding on the parties to the dispute.

3. The arbitration tribunal shall determine its own rules of procedure.

4. Decisions of the arbitration tribunal, both as to its procedures and its place of meeting and as to any controversy laid before it, shall be taken by majority vote.

5. Any controversy which may arise between the parties to the dispute as regards the interpretation and execution of the award may be submitted by any of the parties for judgment to the arbitration tribunal which made the award.

ARTICLE XIV

Reservations

1. Reservations to the present Convention shall be permitted, excepting those relating to the provisions of Articles I to VI, XIII, the present Article and the Annexes, on condition that such reservations are communicated in writing and, if communicated before the deposit of the instrument of ratification, acceptance, approval or accession, are confirmed in that instrument. The Secretary-General shall communicate such reservations to all States referred to in Article VII.

2. Any reservation made in accordance with paragraph 1:

(a) modifies for the Contracting Party which made the reservation the provisions of the present Convention to which the reservation relates to the extent of the reservation; and

(b) modifies those provisions to the same extent for the other Contracting Parties in their relations with the Contracting Party which entered the reservation.

3. Any Contracting Party which has formulated a reservation under paragraph 1 may withdraw it at any time by notification to the Secretary-General.

ARTICLE XV

Notification

In addition to the notifications and communications provided for in Articles IX, X and XIV, the Secretary-General shall notify all the States referred to in Article VII of the following:

(a) signatures, ratifications, acceptances, approvals and accessions under Article VII;

(b) the dates of entry into force of the present Convention in accordance with Article VIII;

(c) the date of entry into force of amendments to the present Convention in accordance with Articles IX and X;

(d) denunciations under Article XI;

(e) the termination of the present Convention under Article XII.

ARTICLE XVI

Authentic texts

The original of the present Convention, of which the Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited with the Secretary-General, who shall communicate certified true copies to all States referred to in Article VII.

IN WITNESS WHEREOF the undersigned Plenipotentiaries, being duly authorized thereto by their respective Governments, have signed the present Convention.*

DONE at Geneva this second day of December, one thousand nine hundred and seventy-two.

* Signatures omitted.

ANNEX I
REGULATIONS FOR THE TESTING, INSPECTION, APPROVAL AND MAINTENANCE OF
CONTAINERS

CHAPTER I
REGULATIONS COMMON TO ALL SYSTEMS OF APPROVAL

REGULATION 1
Safety Approval Plate

1. (a) A Safety Approval Plate conforming to the specifications set out in the Appendix to this Annex shall be permanently affixed to every approved container at a readily visible place, adjacent to any other approval plate issued for official purposes, where it would not be easily damaged.
- (b) On each container, all maximum gross weight markings shall be consistent with the maximum gross weight information on the Safety Approval Plate.
- (c) The owner of the container shall remove the Safety Approval Plate on the container if:
 - (i) the container has been modified in a manner which would void the original approval and the information found on the Safety Approval Plate, or
 - (ii) the container is removed from service and is not being maintained in accordance with the Convention, or
 - (iii) the approval has been withdrawn by the Administration.
2. (a) The plate shall contain the following information in at least the English or French language:

"CSC SAFETY APPROVAL"
Country of approval and approval reference
Date (month and year) of manufacture
Manufacturer's identification number of the container or, in the case of existing containers for which that number is unknown, the number allotted by the Administration
Maximum operating gross weight (kg and lb)
Allowable stacking weight for 1,8 g (kg and lb)
Transverse racking test load value (kg and lb).
- (b) A blank space should be reserved on the plate for insertion of end-wall and/or side-wall strength values (factors) in accordance with paragraph 3 of this Regulation and Annex II, tests 6 and 7. A blank space should also be reserved on the plate for the first and subsequent maintenance examination dates (month and year) when used.
3. Where the Administration considers that a new container satisfies the requirements of the present Convention in respect of safety and if, for such container, the end-wall and/or side-wall strength values (factors) are designed to be greater or less than those stipulated in Annex II, such values shall be indicated on the Safety Approval Plate.
4. The presence of the Safety Approval Plate does not remove the necessity of displaying such labels or other information as may be required by other regulations which may be in force.

REGULATION 2
Maintenance and examination

1. The owner of the container shall be responsible for maintaining it in safe condition.

2. (a) The owner of an approved container shall examine the container or have it examined in accordance with the procedure either prescribed or approved by the Contracting Party concerned, at intervals appropriate to operating conditions.
(b) The date (month and year) before which a new container shall undergo its first examination shall be marked on the Safety Approval Plate.
(c) The date (month and year) before which the container shall be re-examined shall be clearly marked on the container on or as close as practicable to the Safety Approval Plate and in a manner acceptable to that Contracting Party which prescribed or approved the particular examination procedure involved.
(d) The interval from the date of manufacture to the date of the first examination shall not exceed five years. Subsequent examination of new containers and re-examination of existing containers shall be at intervals of not more than 30 months. All examinations shall determine whether the container has any defects which could place any person in danger.
3. (a) As an alternative to paragraph 2, the Contracting Party concerned may approve a continuous examination programme if satisfied, on evidence submitted by the owner, that such a programme provides a standard of safety not inferior to the one set out in paragraph 2 above.
(b) To indicate that the container is operated under an approved continuous examination programme, a mark showing the letters "ACEP" and the identification of the Contracting Party which has granted approval of the programme shall be displayed on the container on or as close as practicable to the Safety Approval Plate.
(c) All examinations performed under such a programme shall determine whether a container has any defects which could place any person in danger. They shall be performed in connection with a major repair, refurbishment, or on-hire/off-hire interchange and in no case less than once every 30 months.
4. For the purpose of this Regulation "the Contracting Party concerned" is the Contracting Party of the territory in which the owner is domiciled or has his head office. However, in the event that the owner is domiciled or has his head office in a country the government of which has not yet made arrangements for prescribing or approving an examination scheme and until such time as the arrangements have been made, the owner may use the procedure prescribed or approved by the Administration of a Contracting Party which is prepared to act as the Contracting Party concerned. The owner shall comply with the conditions for the use of such procedures set by the Administration in question.

CHAPTER II

REGULATIONS FOR APPROVAL OF NEW CONTAINERS BY DESIGN TYPE

REGULATION 3

Approval of new containers

To qualify for approval for safety purposes under the present Convention all new containers shall comply with the requirements set out in Annex II.

REGULATION 4

Design type approval

In the case of containers for which an application for approval has been submitted, the Administration will examine designs and witness testing of a prototype container to ensure that the containers will conform with the requirements set out in Annex II. When satisfied, the Administration shall notify the applicant in writing that the container meets

the requirements of the present Convention and this notification shall entitle the manufacturer to affix the Safety Approval Plate to every container of the design type series.

REGULATION 5

Provisions for approval by design type

1. Where the containers are to be manufactured by design type series, application made to an Administration for approval by design type shall be accompanied by drawings, a design specification of the type of container to be approved and such other data as may be required by the Administration.
2. The applicant shall state the identification symbols which will be assigned by the manufacturer to the type of container to which the application for approval relates.
3. The application shall also be accompanied by an assurance from the manufacturer that he will:
 - (a) produce to the Administration such containers of the design type concerned as the Administration may wish to examine;
 - (b) advise the Administration of any change in the design or specification and await its approval before affixing the Safety Approval Plate to the container;
 - (c) affix the Safety Approval Plate to each container in the design type series and to no others;
 - (d) keep a record of containers manufactured to the approved design type. This record shall at least contain the manufacturer's identification numbers, dates of delivery and names and addresses of customers to whom the containers are delivered.
4. Approval may be granted by the Administration to containers manufactured as modifications of an approved design type if the Administration is satisfied that the modifications do not affect the validity of tests conducted in the course of design type approval.
5. The Administration shall not confer on a manufacturer authority to affix Safety Approval Plates on the basis of design type approval unless satisfied that the manufacturer has instituted internal production-control features to ensure that the containers produced will conform to the approved prototype.

REGULATION 6

Examination during production

In order to ensure that containers of the same design type series are manufactured to the approved design, the Administration shall examine or test as many units as it considers necessary, at any stage during production of the design type series concerned.

REGULATION 7

Notification of Administration

The manufacturer shall notify the Administration prior to commencement of production of each new series of containers to be manufactured in accordance with an approved design type.

CHAPTER III
REGULATIONS FOR APPROVAL OF NEW CONTAINERS BY INDIVIDUAL APPROVAL

REGULATION 8
Approval of individual containers

Approval of individual containers may be granted where the Administration, after examination and witnessing of tests, is satisfied that the container meets the requirements of the present Convention; the Administration, when so satisfied, shall notify the applicant in writing of approval and this notification shall entitle him to affix the Safety Approval Plate to such container.

CHAPTER IV
REGULATIONS FOR APPROVAL OF EXISTING CONTAINERS AND NEW CONTAINERS NOT APPROVED AT TIME OF MANUFACTURE

REGULATION 9
Approval of existing containers

1. If, within five years from the date of entry into force of the present Convention, the owner of an existing container presents the following information to an Administration:

- (a) date and place of manufacture;
- (b) manufacturer's identification number of the container, if available;
- (c) maximum operating gross weight capability;
- (d) (i) evidence that a container of this type has been safely operated in maritime and/or inland transport for a period of at least two years, or
- (ii) evidence to the satisfaction of the Administration that the container was manufactured to a design type which had been tested and found to comply with the technical conditions set out in Annex II, with the exception of those technical conditions relating to the end-wall and side-wall strength tests, or
- (iii) evidence that the container was constructed to standards which, in the opinion of the Administration, were equivalent to the technical conditions set out in Annex II, with the exception of those technical conditions relating to the end-wall and side-wall strength tests;
- (e) allowable stacking weight for 1,8 g (kg and lb); and
- (f) such other data as required for the Safety Approval Plate;

then the Administration, after investigation, shall notify the owner in writing whether approval is granted; and if so, this notification shall entitle the owner to affix the Safety Approval Plate after an examination of the container concerned has been carried out in accordance with Regulation 2. The examination of the container concerned and the affixing of the Safety Approval Plate shall be accomplished not later than 1 January 1985.

2. Existing containers which do not qualify for approval under paragraph 1 of this Regulation may be presented for approval under the provisions of Chapter II or Chapter III of this Annex. For such containers the requirements of Annex II relating to end-wall and/or side-wall strength tests shall not apply. The Administration may, if it is satisfied that the containers in question have been in service, waive such of the requirements in respect of presentation of drawings and testing, other than the lifting and floor-strength tests, as it may deem appropriate.

REGULATION 10***Approval of new containers not approved at time of manufacture***

If, on or before 6 September 1982, the owner of a new container which was not approved at the time of manufacture presents the following information to an Administration:

- (a) date and place of manufacture;
- (b) manufacturer's identification number of the container, if available;
- (c) maximum operating gross weight capability;
- (d) evidence to the satisfaction of the Administration that the container was manufactured to a design type which has been tested and found to comply with the technical conditions set out in Annex II;
- (e) allowable stacking weight for 1,8 g (kg and lb); and
- (f) such other data as required for the Safety Approval Plate;

the Administration, after investigation, may approve the container, notwithstanding the provisions of Chapter II. Where approval is granted, such approval shall be notified to the owner in writing, and this notification shall entitle the owner to affix the Safety Approval Plate after an examination of the container concerned has been carried out in accordance with Regulation 2. The examination of the container concerned and the affixing of the Safety Approval Plate shall be accomplished not later than 1 January 1985.

CHAPTER V**REGULATIONS FOR APPROVAL OF MODIFIED CONTAINERS****REGULATION 11*****Approval of modified containers***

The owner of an approved container that has been modified in a manner resulting in structural changes shall notify the Administration or an approved organization duly authorized by it of those changes. The Administration or authorized organization may require retesting of the modified container as appropriate prior to recertification.

APPENDIX

The Safety Approval Plate, conforming to the model reproduced below, shall take the form of a permanent, non-corrosive, fireproof rectangular plate measuring not less than 200 mm x 100 mm. The words "CSC SAFETY APPROVAL", of a minimum letter height of 8 mm, and all other words and numbers of a minimum height of 5 mm shall be stamped into, embossed on or indicated on the surface of the plate in any other permanent and legible way.

CSC SAFETY APPROVAL	
1	[GB-L/749/2/7/75]
2	DATE MANUFACTURED
3	IDENTIFICATION No.
4	MAXIMUM GROSS WEIGHT kg lb
5	ALLOWABLE STACKING WEIGHT
6	FOR 1,8 g kg lb
7	RACKING TEST LOAD VALUE kg lb
8	
9	

← ≥ 200 mm →

↑
100 mm
↓

- Country of approval and approval reference as given in the example on line 1. (The country of approval should be indicated by means of the distinguishing sign used to indicate country of registration of motor vehicles in international road traffic.)
- Date (month and year) of manufacture.
- Manufacturer's identification number of the container or, in the case of existing containers for which that number is unknown, the number allotted by the Administration.
- Maximum operating gross weight (kg and lb).
- Allowable stacking weight for 1,8 g (kg and lb).
- Transverse racking test load value (kg and lb).
- End-wall strength to be indicated on plate only if end-walls are designed to withstand a load of less or greater than 0,4 times the maximum permissible payload, i.e. 0,4 P.
- Side-wall strength to be indicated on plate only if the side-walls are designed to withstand a load of less or greater than 0,6 times the maximum permissible payload, i.e. 0,6 P.
- First maintenance examination date (month and year) for new containers and subsequent maintenance examination dates (month and year) if plate is used for this purpose.

ANNEX II

STRUCTURAL SAFETY REQUIREMENTS AND TESTS

Introduction

In setting the requirements of this Annex, it is implicit that in all phases of the operation of containers the forces as a result of motion, location, stacking and weight of the loaded container and external forces will not exceed the design strength of the container. In particular, the following assumptions have been made:

- (a) the container will so be restrained that it is not subjected to forces in excess of those for which it has been designed;
- (b) the container will have its cargo stowed in accordance with the recommended practices of the trade so that the cargo does not impose upon the container forces in excess of those for which it has been designed.

Construction

1. A container made from any suitable material which satisfactorily performs the following tests without sustaining any permanent deformation or abnormality which would render it incapable of being used for its designed purpose shall be considered safe.
2. The dimensions, positioning and associated tolerances of corner fittings shall be checked having regard to the lifting and securing systems in which they will function.

Test loads and test procedures

Where appropriate to the design of the container, the following test loads and test procedures shall be applied to all kinds of containers under test:

1. LIFTING

The container, having the prescribed internal loading, shall be lifted in such a way that no significant acceleration forces are applied. After lifting, the container shall be suspended or supported for five minutes and then lowered to the ground.

(A) *Lifting from corner fittings*

TEST LOADINGS AND APPLIED FORCES

Internal loading:

A uniformly distributed load such that the combined weight of container and test load is equal to 2 R. In the case of a tank-container, when the test weight of the internal load plus the tare weight is less than 2 R, a supplementary load distributed over the length of the tank is to be applied to the container.

Externally applied forces:

Such as to lift the combined weight of 2 R in the manner prescribed (under the heading TEST PROCEDURES).

TEST PROCEDURES

(i) *Lifting from top corner fittings:*

Containers greater than 3 000 mm (10 ft) (nominal) in length shall have lifting forces applied vertically at all four top corner fittings.

Containers of 3 000 mm (10 ft) (nominal) in length or less shall have lifting forces applied at all four top corner fittings, in such a way that the angle between each lifting device and the vertical shall be 30°.

(ii) *Lifting from bottom corner fittings:*

Containers shall have lifting forces applied in such a manner that the lifting devices bear on the bottom corner fittings only. The lifting forces shall be applied at angles to the horizontal of:

30° for containers of length 12 000 mm (40 ft) (nominal) or greater,

37° for containers of length 9 000 mm (30 ft) (nominal) and up to but not including 12 000 mm (40 ft) (nominal),

45° for containers of length 6 000 mm (20 ft) (nominal) and up to but not including 9 000 mm (30 ft) (nominal),

60° for containers of less than 6 000 mm (20 ft) (nominal).

(B) Lifting by any other additional methods**TEST LOADINGS AND APPLIED FORCES****Internal loading:**

A uniformly distributed load such that the combined weight of container and test load is equal to 1,25 R. In the case of a tank-container, when the test weight of the internal load plus the tare weight is less than 1,25 R, a supplementary load distributed over the length of the tank is to be applied to the container.

Externally applied forces:

Such as to lift the combined weight of 1,25 R in the manner prescribed (under the heading TEST PROCEDURES).

TEST PROCEDURES**(i) Lifting from fork-lift pockets:**

The container shall be placed on bars which are in the same horizontal plane, one bar centred within each fork-lift pocket which is used for lifting the loaded container. The bars shall be of the same width as the forks intended to be used in the handling, and shall project into the fork pocket 75% of the length of the fork pocket.

(ii) Lifting from grapple arm positions:

The container shall be placed on pads in the same horizontal plane, one under each grapple arm position. These pads shall be of the same sizes as the lifting area of the grapple arms intended to be used.

(iii) Other methods:

Where containers are designed to be lifted in the loaded condition by any method not mentioned in (A) or (B)(i) and (ii) they shall also be tested with the internal loading and externally applied forces representative of the acceleration conditions appropriate to that method.

2. STACKING

1. For conditions of international transport where the maximum vertical acceleration forces vary significantly from 1,8 g and when the container is reliably and effectively limited to such conditions of transport, the stacking load may be varied by the appropriate ratio of acceleration forces.
 2. On successful completion of this test the container may be rated for the allowable superimposed static stacking weight, which should be indicated on the Safety Approval Plate against the heading ALLOWABLE STACKING WEIGHT FOR 1,8 g (kg and lb).
-

TEST LOADINGS AND APPLIED FORCES

TEST PROCEDURES

Internal loading:

A uniformly distributed load such that the combined weight of container and test load is equal to 1,8 R. Tank-containers may be tested in the tare condition.

The container, having the prescribed internal loading, shall be placed on four level pads which are in turn supported on a rigid horizontal surface, one under each bottom corner fitting or equivalent corner structure. The pads shall be centralized under the fittings and shall be of approximately the same plan dimensions as the fittings.

Externally applied forces:

Such as to subject each of the four top corner fittings to a vertical downward force equal to $0,25 \times 1,8 \times$ the allowable superimposed static stacking weight.

Each externally applied force shall be applied to each of the corner fittings through a corresponding test corner fitting or through a pad of the same plan dimensions. The test corner fitting or pad shall be offset with respect to the top corner fitting of the container by 25 mm (1 in) laterally and 38 mm (1½ in) longitudinally.

3. CONCENTRATED LOADS**TEST LOADINGS AND APPLIED FORCES****TEST PROCEDURES****(a) On roof****Internal loading:**

None.

Externally applied forces:

A concentrated load of 300 kg (660 lb) uniformly distributed over an area of 600 mm x 300 mm (24 in x 12 in).

The externally applied forces shall be applied vertically downwards to the outer surface of the weakest area of the roof of the container.

(b) On floor**Internal loading:**

Two concentrated loads, each of 2 730 kg (6 000 lb) and each applied to the container floor through a contact area of 142 cm² (22 sq in).

The test should be made with the container resting on four level supports under its four bottom corners in such a manner that the base structure of the container is free to deflect.

A testing device loaded to a weight of 5 460 kg (12 000 lb), that is 2 730 kg (6 000 lb) on each of two surfaces, having, when loaded, a total contact area of 284 cm² (44 sq in), that is 142 cm² (22 sq in) on each surface, the surface width being 180 mm (7 in) spaced 760 mm (30 in) apart, centre to centre, should be manoeuvred over the entire floor area of the container.

Externally applied forces:

None.

4. TRANSVERSE RACKING**TEST LOADINGS AND APPLIED FORCES****TEST PROCEDURES****Internal loading:**

None.

The container in tare condition shall be placed on four level supports, one under each bottom corner, and shall be restrained against lateral and vertical movement by means of anchor devices so arranged that the lateral restraint is provided only at the bottom corners diagonally opposite to those at which the forces are applied.

Externally applied forces:

Such as to rack the end structures of the container sideways. The forces shall be equal to those for which the container was designed.

The externally applied forces shall be applied either separately or simultaneously to each of the top corner fittings on one side of the container in lines parallel both to the base and to the planes of the ends of the container. The forces shall be applied first towards and then away from the top corner fittings. In the case of containers in which each end is symmetrical about its own vertical centerline, one side only need be tested, but both sides of containers with asymmetric ends shall be tested.

5. LONGITUDINAL RESTRAINT (STATIC TEST)

When designing and constructing containers, it must be borne in mind that containers, when carried by inland modes of transport, may sustain accelerations of 2 g applied horizontally in a longitudinal direction.

TEST LOADINGS AND APPLIED FORCES

TEST PROCEDURES

Internal loading:

A uniformly distributed load, such that the combined weight of a container and test load is equal to the maximum operating gross weight or rating, R. In the case of a tank-container, when the weight of the internal load plus the tare is less than the maximum gross weight or rating, R, a supplementary load is to be applied to the container.

The container, having the prescribed internal loading, shall be restrained longitudinally by securing the two bottom corner fittings or equivalent corner structures at one end to suitable anchor points.

Externally applied forces:

Such as to subject each side of the container to longitudinal compressive and tensile forces of magnitude R, that is, a combined force of 2 R on the base of the container as a whole.

The externally applied forces shall be applied first towards and then away from the anchor points. Each side of the container shall be tested.

6. END -WALLS

The end-walls should be capable of withstanding a load of not less than 0,4 times the maximum permissible payload. If, however, the end-walls are designed to withstand a load of less or greater than 0,4 times the maximum permissible payload, such a strength factor shall be indicated on the Safety Approval Plate in accordance with Annex I, Regulation 1.

TEST LOADINGS AND APPLIED FORCES

TEST PROCEDURES

Internal loading:

Such as to subject the inside of an end-wall to a uniformly distributed load of 0,4 P or such other load for which the container may be designed.

The prescribed internal loading shall be applied as follows: Both ends of a container shall be tested except that where the ends are identical only one end need be tested. The end-walls of containers which do not have open sides or side doors may be tested separately or simultaneously.

The end-walls of containers which do have open sides or side doors should be tested separately. When the ends are tested separately the reactions to the forces applied to the end-wall shall be confined to the base structure of the container.

Externally applied forces:

None.

7. SIDE-WALLS

The side-walls should be capable of withstanding a load of not less than 0,6 times the maximum permissible payload. If, however, the side-walls are designed to withstand a load of less or greater than 0,6 times the maximum permissible payload, such a strength factor shall be indicated on the Safety Approval Plate in accordance with Annex I, Regulation 1.

TEST LOADINGS AND APPLIED FORCES**TEST PROCEDURES**

Internal loading:

Such as to subject the inside of a side-wall to a uniformly distributed load of 0,6 P or such other load for which the container may be designed.

The prescribed internal loading shall be applied as follows: Both sides of a container shall be tested except that where the sides are identical only one side need be tested. Side-walls shall be tested separately and the reactions to the internal loading shall be confined to the corner fittings or equivalent corner structures. Open-topped containers shall be tested in the condition in which they are designed to be operated, for example, with removable top members in position.

Externally applied forces:

None.

PART 2

1993 AMENDMENTS*

1. Paragraph 14 to 16 of Article II (Definitions) are amended to read:

"14. 'Maximum Operating Gross Mass' or 'Rating' or 'R' means the maximum allowable sum of the mass of the container and its cargo. The letter 'R' is expressed in units of mass. Where the Annexes are based on gravitational forces derived from this value, that force, which is an inertial force, is indicated as 'Rg'.

15. 'Tare' means the mass of the empty container, including permanently affixed ancillary equipment.

16. 'Maximum Permissible Payload' or 'P' means the difference between maximum operating gross mass or rating and tare. The letter 'P' is expressed in units of mass. Where the Annexes are based on the gravitational forces derived from this value, that force, which is an inertial force, is indicated as 'Pg'."

New paragraphs 17 to 19 are added as follows:

"17. The word 'load', when used to describe a physical quantity to which units may be ascribed, signifies mass.

18. The word 'loading', for example, as in 'internal loading', signifies force.

19. The letter 'g' means the standard acceleration of gravity; 'g' equals 9,8 m/s²."

2. Annex I, subparagraph 1(b) of Regulation 1 is amended to read:

"(b) On each container all maximum gross mass markings shall be consistent with the maximum gross mass information on the Safety Approval Plate."

Subparagraph 2(a) is amended to read:

"(a) The plate shall contain the following information in at least the English or French language:

"CSC SAFETY APPROVAL

Country of approval and approval reference

Date (month and year) of manufacture

Manufacturer's identification number of the container or, in the case of existing containers for which that number is unknown, the number allotted by the Administration

Maximum operating gross mass (kg and lbs)

Allowable stacking load for 1,8 g (kg and lbs)

Transverse racking test force (Newtons)."

A new paragraph 5 is added as follows:

"5. A container, the construction of which was completed prior to**, may retain the Safety Approval Plate as permitted by the Convention prior to that date as long as no structural modifications occur to that container."

3. Annex I, subparagraphs 1(c) and 1(e) of Regulation 9 are amended to read:

"(c) maximum operating gross mass capability;"

"(e) allowable stacking load for 1,8 g (kg and lbs); and"

4. Annex I, subparagraphs (c) and (e) of Regulation 10 are amended to read:

"(c) maximum operating gross mass capability;"

"(e) allowable stacking load for 1,8 g (kg and lbs); and"

5. Annex I, the fourth, fifth and sixth lines of the model of the Safety Approval Plate reproduced in the Appendix are amended to read:

* Adopted by resolution A.737(18) on 4 November 1993.

** Date of entry into force of amendments.

"MAXIMUM OPERATING GROSS MASS kg lbs
 ALLOWABLE STACKING LOAD FOR 1,8 g kg lbs
 TRANSVERSE RACKING TEST FORCE Newtons".

6. Annex I, items 4 to 8 of the Appendix are amended to read:

- "4. Maximum operating gross mass (kg and lbs).
- 5. Allowable stacking load for 1,8 g (kg and lbs).
- 6. Transverse racking test force (Newtons).
- 7. End-wall strength to be indicated on plate only if end-walls are designed to withstand a force of less or greater than 0,4 times the gravitational force by maximum permissible payload, i.e. 0,4 Pg.
- 8. Side-wall strength to be indicated on plate only if the side-walls are designed to withstand a force of less or greater than 0,6 times the gravitational force by maximum permissible payload, i.e. 0,6 Pg."

7. The first sentence of the Introduction to Annex II (Structural safety requirements and tests) is amended to read:

"In setting the requirements of this Annex, it is implicit that, in all phases of the operation of containers, the forces as a result of motion, location, stacking and gravitational effect of the loaded container and external forces will not exceed the design strength of the container."

8. Annex II, section 1(A) – Lifting from corner fittings – the text concerning test loadings and applied forces is amended to read:

"TEST LOAD AND APPLIED FORCES

Internal load:

A uniformly distributed load such that the sum of the mass of container and test load is equal to 2 R. In the case of a tank-container, when the test load of the internal load plus the tare is less than 2 R, a supplementary load, distributed over the length of the tank, is to be added to the container.

Externally applied forces:

Such as to lift the sum of a mass of 2 R in the manner prescribed (under the heading TEST PROCEDURES)."

9. Annex II, section 1(B) – Lifting by any other additional methods – is amended to read:

"TEST LOAD AND APPLIED FORCES

TEST PROCEDURES

Internal load:

A uniformly distributed load such that the sum of the mass of container and test load is equal to 1,25 R.

Externally applied forces:

Such as to lift the sum of a mass of 1,25 R in the manner prescribed (under the heading TEST PROCEDURES).

(i) *Lifting from fork-lift pockets:*

The container shall be placed on bars which are in the same horizontal plane, one bar being centred within each fork-lift pocket which is used for lifting the loaded container. The bars shall be of the same width as the forks intended to be used in the handling, and shall project into the fork pocket 75% of the length of the fork pocket.

Internal load:

A uniformly distributed load such that the sum of the mass of container and test load is equal to 1,25 R. In the case of a tank-container, when the test load of the internal load plus the tare is less than 1,25 R, a supplementary load, distributed over the length of the tank, is to be added to the container.

Externally applied forces:

Such as to lift the sum of a mass of 1,25 R in the manner prescribed (under the heading TEST PROCEDURES).

(iii) Other methods:

Where containers are designed to be lifted in the loaded condition by any method not mentioned in (A) or (B)(i) and (ii) they shall also be tested with the internal load and externally applied forces representative of the acceleration conditions appropriate to that method."

(ii) Lifting from grapple arm positions:

The container shall be placed on pads in the same horizontal plane, one under each grapple arm position. These pads shall be of the same sizes as the lifting area of the grapple arms intended to be used.

10. Annex II, paragraphs 1 and 2 of section 2 – STACKING – are amended to read:

"1. For conditions of international transport where the maximum vertical acceleration varies significantly from 1,8 g and when the container is reliably and effectively limited to such conditions of transport, the stacking load may be varied by the appropriate ratio of acceleration.

2. On successful completion of this test, the container may be rated for the allowable superimposed static stacking load, which should be indicated on the Safety Approval Plate against the heading ALLOWABLE STACKING LOAD FOR 1,8 g (kg and lbs)."

11. Annex II, section 2 – STACKING – the text concerning test loadings and applied forces is amended to read:

"TEST LOAD AND APPLIED FORCES**Internal load:**

A uniformly distributed load such that the sum of the mass of container and test load is equal to 1,8 R. Tank-containers may be tested in the tare condition.

Externally applied forces:

Such as to subject each of the four top corner fittings to a vertical downward force equal to $0,25 \times 1,8 \times$ the gravitational force of the allowable superimposed static stacking load."

12. Annex 2, section 3 – CONCENTRATED LOADS – is amended to read:

"TEST LOAD AND APPLIED FORCES**TEST PROCEDURES****(a) On roof****Internal load:**

None.

Externally applied forces:

A concentrated gravitational force of 300 kg (660 lbs) uniformly distributed over an area of 600 mm x 300 mm (24 in x 12 in).

The externally applied forces shall be applied vertically downwards to the outer surface of the weakest area of the roof of the container.

(b) On floor**Internal load:**

Two concentrated loads each of 2 730 kg (6 000 lbs) and each added to the container floor within a contact area of 142 cm² (22 sq in).

The test should be made with the container resting on four level supports under its four bottom corners in such a manner that the base structure of the container is free to deflect.

A testing device loaded to a mass of 5 460 kg (12 000 lbs) [that is, 2 730 kg (6 000 lbs) on each of two surfaces] having, when loaded, a total contact area of 284 cm² (44 sq in) [that is, 142 cm² (22 sq in) on each surface], the surface width being 180 mm (7 in) spaced 760 mm (30 in) apart, centre to centre, should be manoeuvred over the entire floor area of the container.

Externally applied forces:

None."

13. Annex II, the heading and subheading of section 4 – TRANSVERSE RACKING – are amended to read respectively:

"TEST LOAD AND APPLIED FORCES" and "Internal load:".

14. Annex II, section 5 – LONGITUDINAL RESTRAINT (STATIC TEST) – the text concerning test loadings and applied forces is amended to read:

"TEST LOAD AND APPLIED FORCES

Internal load:

A uniformly distributed load, such that the sum of the mass of a container and test load is equal to the maximum operating gross mass or rating R. In the case of a tank-container, when the mass of the internal load plus the tare is less than the maximum gross mass or rating, R, a supplementary load is to be added to the container.

Externally applied forces:

Such as to subject each side of the container to longitudinal compressive and tensile forces of magnitude R_g, that is, a combined force of 2 R_g on the base of the container as a whole."

15. Annex II, the first paragraph of section 6 – END-WALLS – is amended to read:

"The end-walls should be capable of withstanding a force of not less than 0,4 times the force equal to gravitational force by maximum permissible payload. If, however, the end-walls are designed to withstand a force of less or greater than 0,4 times the gravitational force by maximum permissible payload, such a strength factor shall be indicated on the Safety Approval Plate in accordance with Annex I, Regulation 1."

16. Annex II, section 6 – END-WALLS – the text concerning test loadings and applied forces is amended to read:
- "TEST LOAD AND APPLIED FORCES**
- Internal load:**
- Such as to subject the inside of an end-wall to a uniformly distributed force of 0,4 Pg or such other force for which the container may be designed.
- Externally applied forces:**
- None."
17. Annex II, the first paragraph of section 7 – SIDE-WALLS – is amended to read:
- "The side walls should be capable of withstanding a force of not less than 0,6 times the force equal to the gravitational force by maximum permissible payload. If, however, the side-walls are designed to withstand a force of less or greater than 0,6 times the gravitational force by maximum permissible payload, such a strength factor shall be indicated on the Safety Approval Plate in accordance with Annex I, Regulation 1."
18. Annex II, section 7 – SIDE-WALLS – the text concerning test loadings and applied forces is amended to read:
- "TEST LOAD AND APPLIED FORCES**
- Internal load:**
- Such as to subject the inside of a side-wall to a uniformly distributed force of 0,6 Pg or such other force for which the container may be designed.
- Externally applied forces:**
- None."

DRAFT SAFE CONTAINERS CONVENTION REGULATIONS, 2000

The Minister of Transport has, under section 2 of the Safe Containers Convention Act, 2000 (Act No. ... of 2000), made the regulations in the Schedule.

SCHEDULE**Definitions**

1. In these regulations, any word or expression given a meaning in the Act shall have that meaning and, unless the context indicates otherwise—

"Annex I" or "Annex II" means Annex I or Annex II to the Convention;

"authorized organization" means an organization authorized under regulation 6(1);

"the Act" means the Safe Containers Convention Act, 2000 (Act No. ... of 2000), and other words and expressions used in these regulations have the same meaning as in the Convention.

Application

2. These regulations apply to new and existing containers used in international transport, except those containers specially designed for air transport.

Approval

3. (1) (a) Subject to paragraph (b), the owner of every container shall ensure that it is approved and examined in accordance with Annex I and Annex II and has affixed to it, at a readily visible place, adjacent to any other approval plate issued for official purposes, and where it will not easily be damaged, a Safety Approval Plate that conforms to the specifications set out in Annex I and contains the information, in at least the English language, specified in Annex I.

(b) For the purposes of paragraph (a), a container may be approved by—

- (i) the government of a state, other than the Republic, that is a party to the Convention;
- (ii) an organization authorized by the government of a state, other than the Republic, that is a party to the Convention;
- (iii) the Authority; or
- (iv) an authorized organization.

(2) The owner of every container shall ensure that the Safety Approval Plate on the container is removed if—

- (a) the container has been modified in a manner that would void the original approval and the information shown on the Safety Approval Plate;
- (b) the container is removed from service and is not being maintained in accordance with regulation 4; or
- (c) the approval thereof has been withdrawn.

Maintenance

4. (1) (a) The owner of every container shall ensure that it is maintained in a safe condition.

(b) The owner of every approved container shall ensure that it is examined in accordance with Annex I.

(2) (a) The owner of every container who, in the case of a corporation, has its head office in the Republic or, in the case of an individual, his or her domicile in the Republic shall submit in writing to the Authority for approval the procedure the owner proposes to use in respect of periodic examination of containers and shall set out in the submission the following information:

- (i) The number and type of containers owned;
- (ii) the date of manufacture of the containers that are to be examined;

- (iii) the trade in which the containers that are to be examined are engaged;
- (iv) the name of the person who will be carrying out the examinations and his or her relevant experience;
- (v) the examination procedure to be used;
- (vi) the maximum proposed period between two consecutive examinations, which period shall not exceed 30 months;
- (vii) the method to be used to mark the date by which the next examination shall be carried out; and
- (viii) any other information that the Authority may request to enable it to decide whether to give its approval to the proposed procedure.

(b) Where, with respect to a submission for approval of a proposed procedure under this subregulation, the Authority—

- (i) approves the proposed procedure, it shall give its approval in writing to the owner of the container; or
- (ii) refuses to approve the proposed procedure, it shall give the reasons for its refusal in writing to the owner of the container.

(c) Notwithstanding paragraph (a), the owner of a container who has its head office or domicile in any state that is not a Contracting Party but who has a place of business in the Republic may, in accordance with that paragraph, submit for approval the procedure it proposes to use in respect of the periodic examination of the container.

(3) Every owner of a container shall keep for a period of at least two years a record of the last examination made in respect of that container in accordance with the procedure approved by the Authority under subregulation (2).

Repairs

5. (1) Where there is significant evidence that the condition of a container creates an obvious risk to safety, the owner thereof or the owner's representative in the Republic shall—

- (a) withdraw it immediately from service and ensure that it is restored to a safe condition before it continues in service; or
- (b) arrange for its further transportation after appropriate measures have been taken to protect the structural integrity of the container.

(2) Where a container referred to in subregulation (1) is to be repaired in the Republic for the purposes of restoring it to a safe condition, the owner thereof or the owner's representative in the Republic shall submit the container to a repair facility along with specifications in writing for such repair.

(3) On completion of the repair referred to in subregulation (2), the owner of the repair facility or any person authorized by the owner for that purpose shall issue a statement in writing to the owner of the container or the owner's representative in the Republic stating that the repair has been carried out at the repair facility in accordance with the written specifications submitted by the owner of the container or the owner's representative in the Republic.

(4) Every owner of a container or the owner's representative in the Republic who has submitted a container to a repair facility for repair pursuant to subregulation (2) shall keep for a period of at least two years a record of the repair specifications and of the statement issued under subregulation (3).

Authorized organizations

6. (1) The Authority may, on receipt of an application from an organization, other than an organization that is engaged in container ownership, leasing, repair, maintenance or manufacture, authorize the organization to carry out the testing, inspection and approval of containers for the purposes of the Convention.

(2) (a) Where an organization referred to in subregulation (1) makes an application pursuant to that subregulation, it shall give to the Authority the following information:

- (i) In the case of the testing, inspection and approval of containers—

- (aa) the name and description of the organization;
- (bb) a description of the geographical area covered by it;
- (cc) a description of the capability it has to perform the functions described in subregulation (1);

- (dd) a description of the technical personnel directly responsible for performing the functions described in subregulation (1), including the names and qualifications of such personnel, and a statement whether the employment is on a full time or part time basis;
 - (ee) the number of containers to be tested in a series;
 - (ff) the number and frequency of inspections to be carried out;
 - (gg) the methods to be used to evaluate the capability of the work force of a manufacturer;
 - (hh) the methods to be used to ensure production control;
 - (ii) the type of testing equipment to be employed;
 - (jj) a list of data that an owner may be required to submit; and
 - (kk) the guidelines to be used in the evaluation of the applications for approval; and
- (ii) any other information that is related to the approval of containers.
- (b) The organization shall advise the Authority should there at any time be any change to the information previously submitted in accordance with paragraph (a)(i) or (ii).
- (3) (a) No organization shall be authorized by the Authority under subregulation (1) unless it carries on business in the Republic.
- (b) Notwithstanding paragraph (a), where containers are manufactured outside the Republic, the Authority may authorize an organization that is not carrying on business in the Republic to perform, with respect to those containers, the functions referred to in subregulation (1) but such functions shall extend only to the cases specified by the Authority in that authorization.
- (4) An authorized organization shall, when the Authority so requests, publish a schedule of fees for services provided by it in the performance of any of the functions referred to in subregulation (1), such schedule to be based on the actual costs incurred by the organization.
- (5) At the end of every year, an authorized organization shall submit to the Authority a record of all approvals of containers made by it during that year.

Revocation of authorization

7. (1) Subject to subregulation (2), where an authorized organization does not comply with any requirement set out in regulation 6(2), (4) or (5), the Authority may withdraw the authorization granted under regulation 6(1).
- (2) Where the Authority proposes to revoke an authorization under subregulation (1), it shall—
- (a) give notice to the authorized organization referred to in that subregulation of its intention and the reasons for the revocation; and
 - (b) afford the authorized organization a reasonable opportunity of being heard.

Detention

8. (1) (a) An inspector may detain a container that does not carry a valid Safety Approval Plate as required by the Convention.
- (b) Where there is significant evidence that the condition of a container creates an obvious risk to safety, an inspector may detain the container until it is restored to a safe condition.
- (c) An inspector may authorize a container that has been detained to be transported after appropriate measures have been taken to protect the structural integrity of the container.
- (d) An inspector who detains a container shall forthwith affix to it a notice to that effect and shall send a written notice of the detention and the reasons therefor to the person who, according to the information at the inspector's disposal, is the owner of the container.
- (2) No person shall move or permit the moving of a container to which a notice of detention is affixed except in accordance with an authorization given pursuant to subregulation (1)(c).
- (3) (a) An inspector shall forthwith release a container that has been detained under subregulation (1)(a) where a valid Safety Approval Plate as required by the Convention has been affixed to the container.

(b) An inspector shall release a container that has been detained pursuant to subregulation (1)(b) and that is to continue in service, as soon as the container has been restored to a safe condition.

Inquiries

9. Where an accident or incident referred to in section 7(1) of the Act involves—

- (a) national defence, national security, the South African National Defence Force, a visiting force as defined in section 1(1) of the Defence Act, 1957 (Act No. 44 of 1957), or employees of the Department of Defence; or
- (b) property—
 - (i) under the control of the Minister of Defence; or
 - (ii) that is owned, occupied, possessed or controlled by a visiting force as defined in section 1(1) of the Defence Act, 1957,

the Authority shall obtain the concurrence of the Minister of Defence in the choice of the person or persons to be authorized to conduct an inquiry under that section.

Disposal of containers

10. (1) Where a container is detained under these regulations and is not repossessed by the person entitled thereto within 60 days from the date of such detention, the Authority may sell the container by public auction.

(2) Where the Authority sells a container pursuant to subregulation (1), the proceeds of the sale shall be used to defray the reasonable costs and expenditure incurred by the Authority in connection with the detention and sale of the container, and any balance remaining that is not claimed by a person entitled thereto within 30 days after the date of the sale shall be forfeited to the Maritime Fund established by section 54 of the South African Maritime Safety Authority Act, 1998 (Act No. 5 of 1998).

Title and commencement

11. These regulations are called the Safe Containers Convention Regulations, 2000, and come into operation on 2000.

BOARD NOTICES RAADSKENNISGEWINGS

BOARD NOTICE 131 OF 1999

PAN SOUTH AFRICAN LANGUAGE BOARD ACT, 1995

DESIGNATION OF A PROVINCIAL LANGUAGE COMMITTEE: GAUTENG

The Board formally recognises the Provincial Language Committee established for Gauteng in terms of section 8(8)(a) of the Pan South African Language Board Act, 1995 (Act No. 59 of 1995), constituted as follows:

MEMBERS

1. Mr. P.L. Boshego
2. Ms. Q. Setshedi
3. To be finalised
4. Ms. P.W. Shariff
5. Prof. J. Swanepoel (Ms.)
6. Mr. X.E. Mabaso
7. Ms. J. Malobolo
8. Prof. Z. Mda (Mr.)
9. Mr. N. Thwala
10. Ms. H. Morgan
11. Mr. M.M.A.E. Dockrat
12. Ms. J. Tlotleng
13. To be finalised

LANGUAGE

Sepedi
Sesotho
siSwati
English
Afrikaans
Xitsonga
isiNdebele
isiXhosa
isiZulu
Sign Language
Heritage Language
Setswana
Tshivenda

The Chief Executive Officer
PANSALB
Private Bag X08
Arcadia
0007

Telephone: 012 341 9638
Fax: 012 341 5938
E-mail: Nkosana@pansalb.org.za

RAADSKENNISGEWING 131 VAN 1999**WET OP DIE PAN-SUID-AFRIKAANSE TAALRAAD, 1995****AANWYSING VAN 'N PROVINSIALE TAALKOMITEE: GAUTENG**

Die Raad verleen formeel erkenning aan die Provinsiale Taalkomitee vir Gauteng, wat ingevolge artikel 8(8)(a) van die Wet op die Pan-Suid-Afrikaanse Taalraad, 1995 (Wet No. 59 van 1995) ingestel is, bestaande uit die volgende lede :

LEDE

1. Mnr. P.L. Boshego
2. Me. Q. Setshedi
3. Uitsluitsel moet nog verkry word
4. Me. P.W. Shariff
5. Prof. J. Swanepoel (Me.)
6. Mnr. X.E. Mabaso
7. Me. J. Malobolo
8. Prof. Z. Mda (Mnr.)
9. Mnr. N. Thwala
10. Me. H. Morgan
11. Mnr. M.M.A.E. Dockrat
12. Me. J. Tlotleng
13. Uitsluitsel moet nog verkry word

TAAL

Sepedi
Sesotho
siSwati
Engels
Afrikaans
Xitsonga
isiNdebele
isiXhosa
isiZulu
Gebaretaal
Erfenistale
Setswana
Tshivenda

Die Hoof - Uitvoerende Beampte
PANSAT
Privaatsak X08
Arcadia
0007

Telefoon : 012 341 9638
Faks : 012 - 341 5938
E-pos : Nkosana@pansalb.org.za

BOARD NOTICE 131 OF 1999**UMTSETFO WEBHODI WETILWIMI TALABAMNYAMA ENINGIZIMU AFRIKA, 1995****KUBHEKWA KWEKOMIDI YETELULWIMI LWESIFUNDZA: GAUTENG**

LeBhodi ngalokusemtsetfweni yemukela liKomidi leTelulwimi lweSifundza lelisungulelwe iGauteng ngekwemibandzela yesigaba 8(8)(a) seMtsetfo weBhodi yeTilwimi talabaMnyama eNingizimu Afrika, 1995 (uMtsetfo Namba 59 wa 19995, lebungwe ngalamalunga lalandzelako:

EMALUNGA**LULWIMI**

- | | | |
|-----|-------------------------|-------------------|
| 1. | Mnz. PL Boshego | Sepedi |
| 2. | Nkh. Q Setshedi | Sesotho |
| 3. | Litawatiswa | siSwati |
| 4. | Nkh. PW Shariff | siNgisi |
| 5. | Prof J. Swanepoel (Nkh) | siBhunu |
| 6. | Mnz. XE Mabaso | Xitsonga |
| 7. | Nkh. J. Malobolo | siNdebele |
| 8. | Prof Z. Mda (Mnz) | siXhosa |
| 9. | Mnz. M. Thwala | siZulu |
| 10. | Nkh. H. Morgan | Lulwimitimphawu |
| 11. | Mnz. MMAE Dockrat | Heritage Language |
| 12. | Nkh. J. Tlotleng | Setswana |
| 13. | Litawatiswa | Tshivenda |

The Chief Executive Officer
 PANSALB
 Private Bag X08
 Arcadia
 0007

Lucingo: 012 341 9638
 Ifaksi: 012 341 5938
 E-mail: nkosana@pansalb.org.za

BOARD NOTICE 131 OF 1999**UMTHETHO KA-1995 WEBHODI YEZILIMI ZONKE ZASENINGIZIMU AFRIKA****UKUKHETHWA KWEKOMITI LEZOLIMI ZESIFUNDA: GAUTENG**

Ibhodi lamukele ngokomthetho iKomiti Lezilimi Lesifunda elisungulelwe isifundazwe saGauteng ngokwezimiso zesigaba 8 (8) (a) umthetho ka-1995 weBhodi Yezilimi Zonke zaseNingizimu Afrika (Umthetho nombolo 59 ka-995), emisewe yahlelwa ngokulandelayo:

AMALUNGA

Dkt. P.L Boshogo
Nkoskz Q Setshedi
Kusazokhethwa
Nkoskz P.W Shariff
Solwazi J. Swanepoel (wesifazane)
Umnum X.E Mabaso
Nkoskz J Malobolo
Solwazi Z. Mda
Umnum N Thwala
Nkoskz H Morgan
Umnum M.M.A.E. Dockart
Nkoskz J Tlotleng
Kusazokhetwa

Ongamele Kusigungu Ngokwesikhundla

PANSALB

Ucingo Lwangasese X08
Arcadia
007

Ucingo : (012) 341 9638
Isihlanza magama : (012) 341 5938
E- mail : nkosana@pansalb.org.za

ULIMI

Sepedi
Sesotho
isiSwati
English
Afrikaans
Xitsonga
isiNdebele
isiXhosa
isiZulu
Ulimi lwezimpawu
Izilimi Zendabuko
Setswana
Tshivenda

BOARD NOTICE 132 OF 1999**TARIFF OF FEES****FEDERATION OF INSTITUTES OF
PROFESSIONAL LAND SURVEYORS OF
SOUTHERN AFRICA**

The Council of the Federation of Institutes of Professional Land Surveyors of Southern Africa hereby publishes for general information a tariff of fees which will be applicable from 1st November 1999.

The tariff of fees, excluding VAT and fees payable to the Surveyor – General, to which professional land surveyors are entitled, in respect of the creation of land rights in terms of the Land Survey Act, 1997 (Act No.8 of 1997), in absence of an agreement concerning fees for such a creation of land rights between a professional land surveyor and his / her client, are as follows:

**1. CREATION OF LAND RIGHTS IN TOWNSHIPS,
SUBDIVISION OF PROPERTIES AND CONSOLIDATION
OF PROPERTIES.**

1.1 Additional charges during the creation of a diagram

- (a) For each servitude endorsement on a diagram or general plan: R65
- (b) For the second and each subsequent property, when a number of separate properties are subdivided: R190
- (c) Where the pieces of land have more than five sides: 10% for each of 10 such additional sides and thereafter 5% for each further additional side.
- (d) For the creation of the outside figure represented on a general plan: Fees as if it were a separate creation of a land right.

2. CREATION OF CURVILINEAR BOUNDARIES

For each subdivision which abuts on the curvilinear boundary: R185 plus R85 for each 50 metres or part thereof.

3. CREATION OF SERVITUDES

3.1 For the creation of servitude areas: The fees specified in paragraph 8: Provided that where the servitude lies within a subdivision being created, the additional beacons necessary to define the servitude are regarded as additional sides in terms of paragraph 1.1(c)

3.2 For the creation of servitude lines represented on separate diagrams: The fees specified in paragraph 8 for the area of a square piece of land, each side of which is equal to one quarter of the length of such

RAADSKENNISGEWING 132 VAN 1999**TARIEF VAN GELDE****FEDERASIE VAN INSTITUTE VAN
PROFESSIONELE LANDMETERS IN
SUIDELIKE AFRIKA**

Die Federasie van Institute van Professionele Landmeters van Suidelike Afrika maak hierby vir algemene inligting van die volgende tarief van gelde bekend wat vanaf 1de November 1999 van toepassing sal wees..

Die tarief van gelde, uitgeslote BTW en fooie betaalbaar aan die Landmeter – Generaal, waarop 'n professionele landmeter geregtig is ten opsigte van die skepping van regte in grond in terme van die Opmetingswet, 1997 (Wet No. 8 van 1997), by ontstentenis van 'n ooreenkoms aangaande gelde vir sodanige skepping van regte in grond tussen 'n professionele landmeter en sy / haar klient, is as volg:

**1. SKEPPING VAN REGTE IN GROND IN DORPE,
ONDERVERDELINGS VAN EIENDOMME EN
KONSOLIDASIE VAN EIENDOMME.**

1.1 Bykomende gelde by die opstel van 'n diagram

- (a) Vir elke serwitutendossement op 'n diagram of algemene plan: R60
- (b) Vir die tweede en elke daaropvolgende eiendom, wanneer 'n aantal afsonderlike eiendomme onderverdeel word: R180
- (c) Waar die stukke grond meer as vyf grense het: 10% vir elke van 10 sulke bykomende grense en daarna 5% vir elke verdere bykomende grens.
- (d) Vir die skepping van die buitefiguur voorgestel op 'n algemene plan: Gelde asof dit 'n afsonderlike skepping van 'n reg in grond is.

2. SKEPPING VAN KROMLYNIGE GRENSE

Vir elke onderverdeling wat teen die kromlynige grens geleë is: R185 plus R85 vir elke 50 meter of deel daarvan.

3. SKEPPING VAN SERWITUTE

3.1 Vir die skepping van serwitutgebiede: Gelde soos in paragraaf 8 gespesifiseer: Met dien verstande dat wanneer 'n serwitut binne 'n onderverdeling geleë is, die bykomende bakens noodsaaklik om die serwitute te definieer as bykomende grense ingevolge paragraaf 1.1 (c) beskou word.

3.2 Vir die skepping van lyn serwitute wat op afsonderlike kaarte voorgestel word: Gelde soos in paragraaf 8 gespesifiseer vir die oppervlakte van 'n vierkantige stuk grond, waarvan die sye

lines. (When a servitude crosses a property, the length should be taken as being the distance between the property boundaries.)

- 3.3 For two or more adjacent lines represented on the same servitude diagram: 35% of the fees specified in subparagraph 3.2 for the creation of the second and each subsequent line.

- 3.4 Creation of existing visible power line servitudes:

(a) Basic charge:

Distance between consecutive bend points of power line:

Metres	R
0 to 20	560
Over 20 to 50	670
Over 50 to 100	735
Over 100 to 150	780
Over 150 to 250	825
Over 250 to 350	885
Over 350 to 500	995
Over 500 to 750	1 070
Over 750 to 1 000	1 175
Over 1 000 to 1 500	1 335
Over 1 500 to 2 000	1 510
Over 2 000 to 3 000	1 720
Over 3 000 to 4 000	1 940
Over 4 000 to 5 000	2 140
Over 5 000 to 7 500	2 365
Over 7 500 to 10 000	2 680
Over 10 000 to 12 500	3 035
Over 12 500 to 15 000	3 315
Over 15 000 to 20 000	3 690
Over 20 000 to 30 000	4 125

Plus R395 for every additional 10 000 metres or part thereof

(b) Additional charges:

- (i) For the second and each subsequent line which is represented on the same servitude diagram: R65 per bend point if only calculated or R135 per bend if calculated and beacons.

- (ii) For each property for which a separate servitude diagram is required: R148

4 TRAVELLING, TRANSPORT AND SUBSISTENCE

- 4.1 For all travelling required for the execution of a survey: R2,50 per kilometre to a maximum of 100 Km.
- 4.2 For the professional land surveyor's time occupied by journeys to and from the site: R280 per hour to a maximum of 100 Km.
- 4.3 For travelling beyond 100 km, travelling cost and time charge shall be negotiated with the client.
- 4.4 For all assistants and labourers who are necessary, 0,15% of their gross annual remuneration per hour to a maximum of R280 per hour.
- 4.5 For accommodation supplied by the professional land surveyor away from his/her registered address: Actual expenses for himself/herself and each of his/her assistants and labourers.

elk gelyk is aan een kwart van die lengte van die servituutlyne. (Wanneer 'n servituut 'n eiendom oorkruis, word die lengte beskou as die afstand tussen die eiendomsgrense)

- 3.3 Vir twee of meer aanliggende lyne op dieselfde servituutkaart: 35% van die gelde in paragraaf 3.2 gespesifiseer vir die opmeting van die tweede en daaropvolgende lyne:

- 3.4 Skepping van bestaande sigbare kraglynserwite:

(a) Basiese gelde:

Afstande tussen opeenvolgende kraglynbuigpunte:

Meter	R
0 tot 20	560
Bo 20 tot 50	670
Bo 50 tot 100	735
Bo 100 tot 150	780
Bo 150 tot 250	825
Bo 250 tot 350	885
Bo 350 tot 500	955
Bo 500 tot 750	1 070
Bo 750 tot 1 000	1 175
Bo 1 000 tot 1 500	1 335
Bo 1 500 tot 2 000	1 510
Bo 2 000 tot 3 000	1 720
Bo 3 000 tot 4 000	1 940
Bo 4 000 tot 5 000	2 140
Bo 5 000 tot 7 500	2 365
Bo 7 500 tot 10 000	2 680
Bo 10 000 tot 12 500	3 035
Bo 12 500 tot 15 000	3 315
Bo 15 000 tot 20 000	3 690
Bo 20 000 tot 30 000	4 125

Plus R395 vir elke bykomende 10 000 meter of deel daarvan

(b) Bykomende vorderings:

- (i) Vir die tweede en daaropvolgende kraglyne wat op dieselfde servituutkaart voorgestel word: R65 per buigpunt indien slegs bereken of R135 per buigpunt indien bereken en gebaken.
- (ii) Vir elke eiendom waarvoor 'n afsonderlike servituutkaart benodig word: R148

4. REIS, VERVOER EN VERBLYF

- 4.1 Vir alle reise wat benodig word vir die uitvoering van 'n opmeting: R2,50 per kilometer tot 'n maksimum van 100 Km.
- 4.2 Vir 'n professionele landmeter se tyd wat in beslag geneem word deur reise na en van die terrein: R280 per uur tot 'n maksimum van 100Km.
- 4.3 Vir reise verder as 100 Km moet reiskostes en tyd kostes onderhandel word met die kliënt.
- 4.4 Vir alle assistente en arbeiders wat noodsaaklikewys vervoer moet word: 0,15% van hul bruto jaarlikse vergoeding per uur tot 'n maksimum van R280 per uur.
- 4.5 Vir verblyf wat deur die professionele landmeter weg van sy/haar geregistreerde adres verskaf word: Werklike uitgawes vir homself en elk van sy/haar assistente en arbeiders.

5. CLEARING OF LINES

Clearing of vegetation : R280 per hour in respect of time necessarily spent on supervising.

6. DIAGRAMS

For the preparation of a diagram that is not prepared in terms of Par. 8:

- (a) R160 for a diagram of five sides or less, plus
- (b) R10 for each additional side above five, plus
- (c) R65 for each component clause of a consolidated diagram, plus
- (d) R65 for each servitude endorsement, plus
- (e) Fees calculated in terms of paragraph 8 in respect of the time spent compiling or checking the data.

7. ABNORMAL CIRCUMSTANCES

The fees specified in paragraphs 1, 2, 3 and 8 may be increased for any or all of the following prevailing circumstances:

7.1

- (a) Difficult access to the site of the survey;
- (b) Poor availability of trigonometrical beacons;
- (c) Difficult geotechnical conditions;
- (d) Difficult topography;
- (e) Essential connections to other beacons of the property;
- (f) Inefficient and uneconomical township layouts;
- (g) Garden walls, vegetation or building obstruct the survey;

to a maximum of 60% of the amount in respect of paragraph 8;

7.2

- (a) Boundaries through party walls.

8. TIME TARIFF

8.1 For the creation of one or more land rights included in the same process: see Annexure A..

8.2 For all work of a consulting nature:

- (a) R430 per hour for a professional land surveyor with more than five years experience;
- (b) R320 per hour for a professional land surveyor with less than five years experience.

8.3 For all other work of a technical nature:

- (a) R320 per hour for a professional land surveyor;
- (b) 0,15% of the gross annual remuneration per hour for an assistant or labourer.

B. J. Mellon

President : Federation of Institutes of Professional Land Surveyors of Southern Africa

5. OOPMAAK VAN LYNE

Verwydering van plantegroei : R280 per uur ten opsigte van tyd spandeer aan toesighouding.

6. DIAGRAMME

Vir die vervaardiging van 'n diagram wat nie in terme van Par 8 vervaardig word nie:

- (a) R160 vir 'n diagram met vyf of minder sye, plus
- (b) R10 vir elke sy meer as vyf, plus
- (c) R65 vir elke komponentsklousule van 'n gekonsolideerde diagram, plus
- (d) R65 vir elke servituutendossement; plus
- (e) Gelde bereken ingevolge paragraaf 8 ten opsigte van die tyd spandeer aan die samestelling of kontrolering van die data.

7. ABNORMALE OMSTANDIGHED

Die gelde in paragrawe 1, 2, 3 en 8 gespesifiseer kan ten opsigte van enige of al die volgende heersende omstandighede verhoog word:

7.1

- (a) Moeilike toegang tot die terrein van die opmeting;
 - (b) Swak beskikbaarheid van trigonometrie bakens;
 - (c) Moeilike geotegniese toestande;
 - (d) Moeilike topografie;
 - (e) Noodsaaklike verbinding met ander bakens van die eiendom;
 - (f) Ondoeltreffende en onekonomiese dorpsgebied uitlegte;
 - (g) Tuinmure, plantegroei of gebou belemmer die opmeting;
- tot 'n maksimum van 60% van die bedrag volgens paragraaf 8;

7.2

- (a) Grense deur gemeenskaplike mure.

8. TYDTARIEF

8.1 Vir die skepping van een of meer regte in grond gedurende dieselfde proses: sien Aanhangel A.

8.2 Vir alle werk van 'n konsulerende aard:

- (a) R430 per uur vir 'n professionele landmeter met meer as vyf jaar ondervinding;
- (b) R320 per uur vir 'n professionele landmeter met minder as vyf jaar ondervinding.

8.3 Vir alle ander werk van 'n tegniese aard:

- (a) R320 per uur vir 'n professionele landmeter;
- (b) 0,15% van die bruto jaarlikse vergoeding per uur vir 'n assistent of arbeider.

B. J. Mellon

President : Federasie van Institute van Professionele Landmeters van Suidelike Afrika

AREA / OPPERVLAKTE

NUMBER OF 5 PIECES	SQUARE METRES VIERKANTE METER				HECTARES / HEKTAAR																
	0 -	401 -	701 -	1 500 -	1 -	5 -	10 -	25 -	50 -	100 -	200 -	300 -	500 -	750 -	1 000 -	1 500 -	2 000 -	3 000 -	5 000 -	7 500 -	
AANTAL STUKKE	400	700	1 500	9 999	5	10	25	50	100	200	300	500	750	1 000	1 500	2 000	3 000	5 000	7 500	more	
1	2 213	2 544	2 876	3 208	3 540	3 835	4 130	4 573	5 089	5 605	6 195	6 711	7 228	7 685	8 142	8 585	9 042	9 735	10 281	11 077	
2	1 696	1 951	2 205	2 578	2 950	3 356	3 665	4 204	4 683	5 199	5 826	6 379	6 859	7 382	7 832	8 349	8 798	9 440	10 008	10 849	
3	1 450	1 668	1 886	2 246	2 606	3 024	3 380	3 884	4 351	4 892	5 507	6 072	6 588	7 134	7 582	8 122	8 619	9 243	9 819	10 723	
4	1 272	1 463	1 654	1 988	2 323	2 784	3 166	3 651	4 112	4 665	5 236	5 808	6 343	6 936	7 381	7 936	8 492	9 108	9 724	10 624	
5	1 136	1 306	1 476	1 785	2 095	2 581	3 003	3 452	3 909	4 469	5 045	5 620	6 195	6 788	7 260	7 823	8 416	9 027	9 667	10 564	
6	1 033	1 192	1 351	1 630	1 935	2 397	2 822	3 294	3 749	4 314	4 892	5 494	6 097	6 689	7 180	7 749	8 366	8 973	9 629	10 524	
7	959	1 110	1 261	1 519	1 821	2 265	2 693	3 182	3 635	4 204	4 783	5 405	6 026	6 619	7 122	7 695	8 330	8 934	9 602	10 496	
8	903	1 049	1 194	1 435	1 735	2 166	2 596	3 098	3 549	4 121	4 702	5 338	5 974	6 566	7 079	7 655	8 302	8 905	9 582	10 474	
9	860	1 001	1 141	1 371	1 668	2 090	2 521	3 032	3 483	4 056	4 638	5 285	5 933	6 524	7 046	7 624	8 281	8 883	9 566	10 458	
10	826	963	1 100	1 319	1 615	2 028	2 460	2 980	3 429	4 005	4 587	5 244	5 900	6 491	7 019	7 599	8 264	8 865	9 554	10 444	
11	794	928	1 061	1 271	1 564	1 971	2 411														
12	768	898	1 028	1 231	1 522	1 924	2 370														
13	746	873	1 001	1 197	1 486	1 883	2 335														
14	727	852	977	1 168	1 455	1 849	2 305														
15	710	834	957	1 143	1 428	1 819	2 279														
16	696	817	939	1 121	1 405	1 793	2 257														
17	683	803	923	1 101	1 384	1 770	2 237														
18	672	791	909	1 084	1 366	1 750	2 219														
19	662	779	897	1 069	1 350	1 731	2 203														
20	653	769	885	1 055	1 335	1 715	2 189														
22	637	751	866	1 031	1 309	1 686	2 164														
24	624	737	850	1 011	1 288	1 662	2 144														
26	618	730	843	1 002	1 279	1 652	2 135														
28	611	723	836	993	1 269	1 642	2 126														
30	599	711	823	978	1 252	1 625	2 111														
32	589	701	813	964	1 238	1 610	2 098														
35	568	680	791	937	1 208	1 580	2 073														
40	552	664	775	917	1 186	1 558	2 053														
45	540	652	763	901	1 169	1 541	2 038														
50	530	642	753	888	1 156	1 527	2 026														
55	519	631	744	878	1 144	1 515	2 016														
60	509	623	736	869	1 135	1 506	2 008														
70	495	609	723	856	1 120	1 491	1 995														
75	489	604	718	850	1 115	1 485	1 990														
80	481	598	713	844	1 109	1 480	1 985														
90	469	589	703	835	1 101	1 471	1 978														
100	459	582	696	827	1 094	1 464	1 972														

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NUMBER OF PIECES	SQUARE METRES VIERKANTE METER					HECTARES / HEKTAAR				
	0	401	701	1 500	9 999	1	5	10	25	
AANTAL STUKKE	400	700	1 500	9 999		5	10	25		
120	438	562	679	811		1 084	1 453			
125	433	558	676	807		1 082	1 451			
140	419	543	660	790		1 076	1 446			
150	410	534	652	781		1 074	1 443			
175	389	511	629	762		1 068	1 437			
200	372	494	611	748		1 063	1 433			
225	355	475	590	737		1 060	1 429			
250	342	459	573	728		1 057	1 426			
275	328	443	555	721		1 055	1 424			
300	316	429	539	715		1 053	1 422			
325	303	414	521	710		1 051				
350	292	400	506	706		1 050				
375	282	389	493	702		1 049				
400	274	379	482	698		1 048				
450	260	362	463	693		1 046				
500	248	349	447	689		1 045				
550	239	338	435	685		1 044				
600	232	329	424	682		1 043				
700	220	314	408	677		1 041				
800	211	304	396	674		1 040				
1 000	198	289	379	669		1 039				

**THE FEDERATION OF PROFESSIONAL LAND SURVEYORS OF SOUTHERN AFRICA AND
THE SOUTH AFRICAN INSTITUTE OF ARCHITECTS**

TARIFF OF FEES

The Federation of Institutes of Professional Land Surveyors of Southern Africa and The South African Institute of Architects hereby publishes for general information the following tariff of fees which will be applicable from the 1st November 1999.

The tariff of fees to which Land Surveyors and Architects are entitled, in respect of work carried out in terms of the Sectional Titles Act (Act No. 95 of 1986), in the absence of an agreement concerning fees for such work between an Architect or Land Surveyor and his/her client, are as follows:

1. For sheet 1:
 - 1.1 An amount of *R700-00* ; plus
 - 1.2 *R30-00* per building being described; plus
 - 1.3 *R30-00* for a caveat, if applicable; plus
 - 1.4 *R30-00* for each reference to previous phases, if applicable.
2. For sheet 2 (Block Plan), excluding the determination of cadastral boundaries:
 - 2.1 An amount of *R700-00*; plus
 - 2.2 *R50-00* per building depicted thereon; plus
 - 2.3 *R1-75* per square metre of the total area of the depicted common property buildings; plus
 - 2.4 *R2-00* per square metre for all sections *not exceeding 250 square metres* of floor area as depicted on the participation quota schedule; plus
 - 2.5 For each section *exceeding 250 square metres* of floor area as depicted on the participation quota schedule an amount of *R500-00* plus *R1-00* for each square metre exceeding 250 square metres; plus
 - 2.6 An amount of *R700-00* if exclusive use areas on the ground are depicted on this sheet.
3. For floor plans:
 - 3.1 A amount of *R2225-00* plus *R30-00* for every section over 50; plus
 - 3.2 *R6-00* per square metre for all sections *not exceeding 250 square metres* of floor area as depicted on the participation quota schedule; plus
 - 3.3 For each section *exceeding 250 square metres* of floor area as depicted on the participation quota schedule an amount of *R1590-00* plus *R2-50* for each square metre exceeding 250 square metres.
4. For the participation quota schedule:
 - 4.1 An amount of *R700-00*; plus
 - 4.2 *R2-50* per section depicted thereon.

5. For exclusive use plans:
 - 5.1 For exclusive use areas where the boundaries thereof are determined by buildings or physical features:
 - 5.1.1 An amount of **R700-00** per exclusive use areas sheet; plus
 - 5.1.2 **R6-40** per square metre of the total area of the depicted exclusive use areas.
 - 5.2 For exclusive use area where the boundaries thereof are not determined by buildings nor physical features:
 - 5.2.1 An amount of **R700-00** per exclusive use areas sheet; plus
 - 5.2.2 **R12-50** per square metre of the total area of the depicted exclusive use areas.
 - 5.2.3 For these exclusive use areas which are *greater than 200 square metres*, paragraphs 1.1 and 1.2(c) of the Tariff of Fees published for work done in terms of the Land Survey Act (No. 8 of 1997) may be used for the determination of this amount.
6. For cross-sections:
 - 6.1 An amount of **R440-00** per building where cross-sections are considered necessary; plus
 - 6.2 **R35-00** per floor shown on such cross section; plus
 - 6.3 **R5-60** per section depicted thereon.
7. For certification in terms of Section 7 (2) of the Act, a minimum fee of **R2 500-00**.
8. For any matter relating to the preparation of a draft sectional plan not herein provided (for example, preparation of Section 27A exclusive use area plan and schedule) the following fees will be charged:
 - 8.1 For a principal or partner **R430-00** per hour;
 - 8.2 for qualified staff **R320-00** per hour;
 - 8.3 for other staff **R190-00** per hour.
9. If the buildings are occupied, or if difficulties of access arise, the fees specified in paragraphs 2 and 3 shall be increased by a further minimum of **15%**.
10. If circumstances beyond the Land Surveyor or Architect occur (abnormal circumstances, for example, inaccessibility, difficult / irregular buildings, curvilinear walls, obstructions, etc.), the fees specified in paragraphs 2 and 3 may be increased by a further **15%**.
11. Direct expenses incurred such as plan printing costs and material and dispatching costs shall be recovered at cost **plus 100%**.

Note: The above recommended tariff of fees is exclusive of Value Added Tax plus office fees.

B. J. Mellon

President: Federation of Institutes of Professional Land Surveyors of Southern Africa

For purposes of reference, all Proclamations, Government Notices, General Notices and Board Notices published are included in the following table of contents which thus forms a weekly index. Let yourself be guided by the Gazette numbers in the righthand column:

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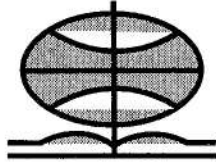
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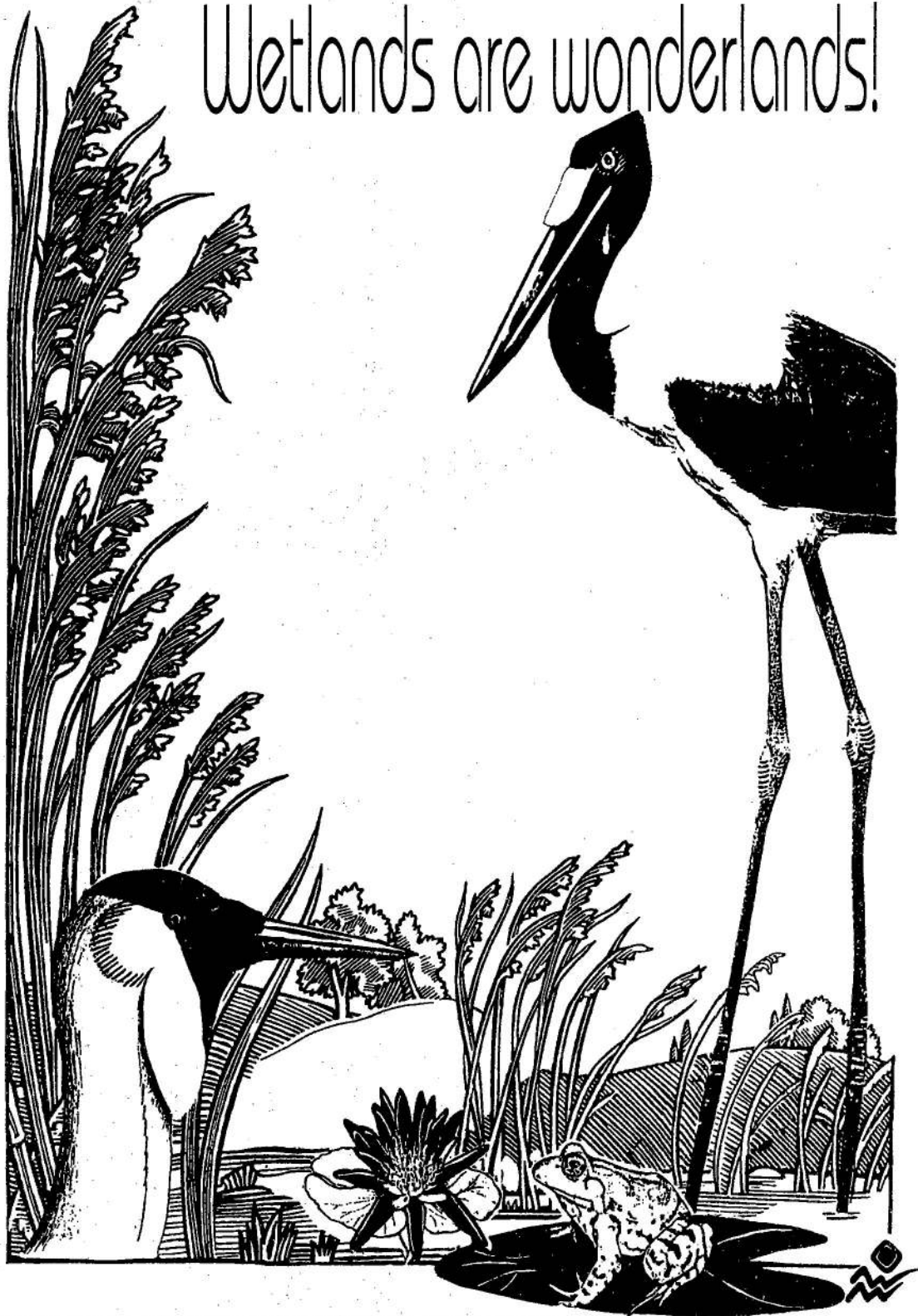
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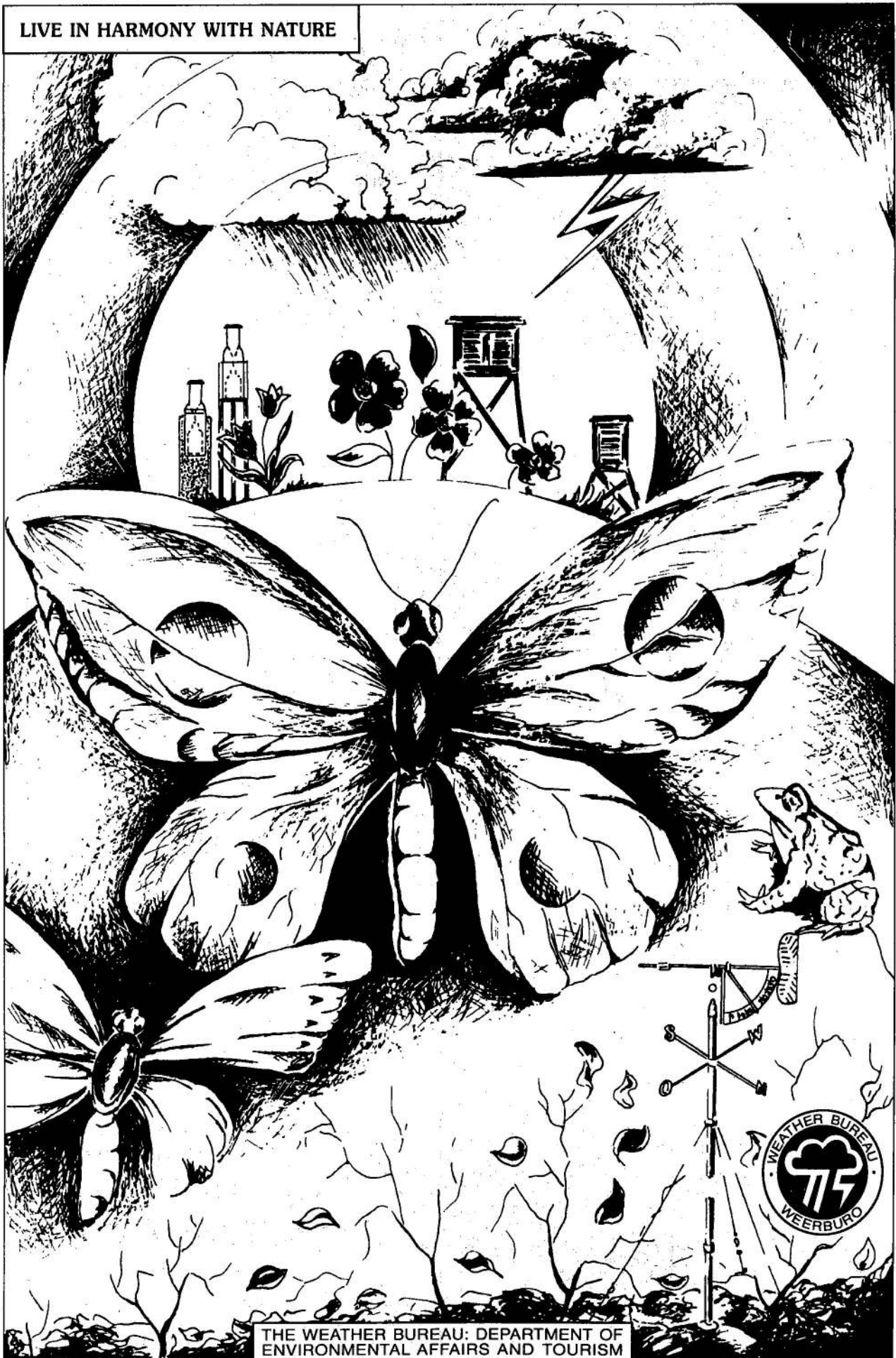


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Printed by and obtainable from the Government Printer, Bosman Street, Private Bag X85, Pretoria, 0001
Publications: Tel: (012) 334-4507, 334-4508, 334-4509, 334-4510
Advertisements: Tel: (012) 334-4673, 334-4674, 334-4504
Subscriptions: Tel: (012) 334-4735, 334-4736, 334-4737
Cape Town Branch: Tel: (021) 465-7531

Gedruk deur en verkrygbaar by die Staatsdrukker, Bosmanstraat, Privaatsak X85, Pretoria, 0001
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