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REPUBLIC OF SOUTH AFRICA
GOVERNMENT GAZETTE

STAATSKOERANT
VAN DIE REPUBLIEK VAN SUID-AFRIKA

REGULATION GAZETTE No. 2561

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[No. 5804

PROCLAMATION

*by the State President of the Republic of
South Africa*

No. R. 327, 1977

**DUTY OF COURT TO ISSUE AN ORDER FOR THE
SUSPENSION OR CANCELLATION OF A LICENCE
OR PERMIT OR DISQUALIFYING A PERSON
FROM OBTAINING A LEARNER'S OR DRIVER'S
LICENCE**

Whereas the State President has, in terms of section 26 (2) of the National Road Safety Act, 1972 (Act 9 of 1972), as amended, empowered to promulgate regulations to promote road safety in the Republic of South Africa;

And whereas the Executive Committee of the Province of Natal has not accepted a recommendation dated 29 January 1974 by the National Road Safety Council, established in terms of section 2 of the National Road Safety Act, 1972, that section 147 of the Road Traffic Ordinance, 1966 (Ordinance 21 of 1966, Natal), as amended, be amended to make it compulsory for any court before which a person is convicted of an offence referred to in section 140 (2) of such Ordinance to issue an order in accordance with the provisions of section 147 (1), (2) and (3) of such Ordinance;

And, whereas the recommendation by the said National Road Safety Council was accepted by the Minister of Transport on 16 March 1976 and referred to the Executive Committee of the Province of Natal in terms of section 26 (1) of the National Road Safety Act, 1972, in order to give effect thereto and, if the Executive Committee of the Province of Natal was not prepared to give effect thereto, afforded the said Executive Committee the opportunity to make representations in terms of section 26 (1) of the said Act in connection with the matter;

And whereas the Executive Committee of the Province of Natal was not prepared to give effect to the said recommendation and has made representations in connection therewith to the Minister of Transport;

PROKLAMASIE

*van die Staatspresident van die Republiek van
Suid-Afrika*

No. R. 327, 1977

**PLIG VAN HOF OM BEVEL UIT TE REIK VIR DIE
OPSKORTING OF INTREKKING VAN 'N LISENSIE
OF PERMIT OF OM 'N PERSOON ONBEVOEG TE
VERKLAAR OM 'N LEERLING- OF BESTUUR-
DERSLISENSIE TE VERKRY**

Nademaal die Staatspresident kragtens artikel 26 (2) van die Wet op Nasionale Verkeersveiligheid, 1972 (Wet 9 van 1972), soos gewysig, die bevoegdheid het om by proklamasie regulasies uit te vaardig om verkeersveiligheid in die Republiek van Suid-Afrika te bevorder;

En nademaal die Uitvoerende Komitee van die provinsie Natal nie 'n aanbeveling gedateer 29 Januarie 1974 van die Nasionale Verkeersveiligheidsraad, ingestel ingevolge artikel 2 van die Wet op Nasionale Verkeersveiligheid, 1972, dat artikel 147 van die Padverkeersordonnansie, 1966 (Ordonnansie 21 van 1966, Natal), soos gewysig, gewysig word om enige hof deur wie 'n persoon skuldig bevind word aan 'n misdryf genoem in artikel 140 (2) van sodanige Ordonnansie te verplig om 'n bevel uit te reik ooreenkomstig die bepalings van artikel 147 (1), (2) en (3) van sodanige Ordonnansie, aanvaar het nie;

En nademaal die Minister van Vervoer gemelde aanbeveling van genoemde Nasionale Verkeersveiligheidsraad op 16 Maart 1976 aanvaar het en ingevolge artikel 26 (1) van die Wet op Nasionale Verkeersveiligheid, 1972, na die Uitvoerende Komitee van die provinsie Natal verwys het om uitvoering daaraan te gee en, indien die Uitvoerende Komitee van die provinsie Natal nie bereid is om uitvoering daaraan te gee nie, gemelde Uitvoerende Komitee ingevolge artikel 26 (1) van gemelde Wet geleentheid gebied het om vertoë in verband met die aangeleentheid te rig;

En nademaal die Uitvoerende Komitee van die provinsie Natal nie bereid was om uitvoering aan gemelde aanbeveling te gee nie en vertoë in verband daarmee tot die Minister van Vervoer gerig het;

And whereas the Minister of Transport is, after consideration of the said representations, convinced that the said recommendation will promote road safety and has recommended to me, the State President, that regulations in terms of section 26 (2) of the National Road Safety Act, 1972, be promulgated to give effect to the recommendation of the said National Road Safety Council;

And whereas I have accepted the said recommendation by the Minister of Transport;

Now, therefore, in terms of the powers vested in me in terms of section 26 (2) of the said Act, I promulgate the following regulations in respect of the Province of Natal:

DUTY OF COURT TO ISSUE AN ORDER FOR THE SUSPENSION OR CANCELLATION OF A LICENCE OR PERMIT OR DISQUALIFYING A PERSON FROM OBTAINING A LEARNER'S OR DRIVER'S LICENCE

1. (1) In these regulations—

“Administrator” means the officer appointed in terms of the provisions of section 66 of the Republic of South Africa Constitution Act, 1961 (Act 32 of 1961), for the Province of Natal;

“driver's licence” means a driver's licence referred to in section 57 of the Road Traffic Ordinance;

“learner's licence” means a learner's licence referred to in section 57 of the Road Traffic Ordinance;

“licence” means a learner's or driver's licence referred to in section 57 of the Road Traffic Ordinance;

“permit” means a public driving permit referred to in section 78 (1) of the Road Traffic Ordinance;

“Road Traffic Ordinance” means the Road Traffic Ordinance, 1966 (Ordinance 21 of 1966, Natal).

(2) Any court before which a person is convicted of an offence referred to in section 140 (2) of the Road Traffic Ordinance shall, where such person is the holder of a licence or licence and permit and where such person has not previously been convicted of a contravention of that section or, in the opinion of the court, a similar offence in terms of an act which was in force in a province or the territory of South-West Africa issue an order that such licence or licence and permit be—

(a) suspended for such period, not being less than six months, as it may deem fit; or

(b) cancelled;

or, if such person is not the holder of any licence or permit, issue an order disqualifying such person from obtaining a learner's or driver's licence, either indefinitely or for a period of not less than six months.

(3) Any court before which a person is convicted of an offence referred to in subregulation (2), shall, where such person is the holder of a licence or a licence and permit and where such person has one previous conviction referred to in that regulation or section 147 (1) of the Road Traffic Ordinance, issue an order that such licence or licence and permit be—

(a) suspended for such period, not being less than 12 months, as it may deem fit; or

(b) cancelled;

or, if such person is not the holder of any licence or permit, issue an order disqualifying such person from obtaining a learner's or driver's licence, either indefinitely or for a period of not less than 12 months.

En nademaal die Minister van Vervoer na oorweging van gemelde vertoë oortuig is dat gemelde aanbeveling verkeersveiligheid sal bevorder en by my, die Staatspresident, aanbeveel het dat regulasies ingevolge artikel 26 (2) van die Wet op Nasionale Verkeersveiligheid, 1972, uitgevaardig word om gevolg aan die aanbeveling van gemelde Nasionale Verkeersveiligheidsraad te gee;

En nademaal ek gemelde aanbeveling van die Minister van Vervoer aanvaar het;

So is dit dat ek kragtens die bevoegdheid my verleen by artikel 26 (2) van genoemde Wet ten opsigte van die provinsie Natal die volgende regulasies uitvaardig:

PLIG VAN HOF OM BEVEL UIT TE REIK VIR DIE OPSKORTING OF INTREKKING VAN 'N LISENSIE OF PERMIT OF OM 'N PERSOON ONBEVOEG TE VERKLAAR OM 'N LEERLING- OF BESTUUR- DERSLISENSIE TE VERKRY

1. (1) In hierdie regulasies beteken—

“Administrateur” die amptenaar aangestel ingevolge die bepalings van artikel 66 van die Grondwet van die Republiek van Suid-Afrika, 1961 (Wet 32 van 1961), vir die provinsie Natal;

“bestuurderslisensie” 'n bestuurderslisensie in artikel 57 van die Padverkeersordonnansie genoem;

“leerlinglisensie” 'n leerlinglisensie in artikel 57 van die Padverkeersordonnansie genoem;

“lisensie” 'n leerling- of bestuurderslisensie in artikel 57 van die Padverkeersordonnansie genoem;

“Padverkeersordonnansie” die Padverkeersordonnansie, 1966 (Ordonnansie 21 van 1966, Natal); en

“permit” 'n openbare bestuurspermit in artikel 78 (1) van die Padverkeersordonnansie genoem.

(2) Enige hof deur wie 'n persoon skuldig bevind word aan 'n misdryf genoem in artikel 140 (2) van die Padverkeersordonnansie, waar sodanige persoon die houer is van 'n lisensie of 'n lisensie en permit en waar sodanige persoon nie voorheen skuldig bevind is aan 'n oortreding van daardie artikel of, na die mening van die hof, 'n soortgelyke oortreding ingevolge 'n wet wat in 'n provinsie of die gebied Suidwes-Afrika gegeld het, reik 'n bevel uit dat sodanige lisensie of lisensie en permit—

(a) opgeskort word vir 'n tydperk wat minstens ses maande moet wees, wat hy goed dink; of

(b) ingetrek word;

of, indien sodanige persoon nie die houer van 'n lisensie of permit is nie, reik die hof 'n bevel uit wat sodanige persoon onbevoeg verklaar om 'n leerling- of bestuurderslisensie te verkry, of vir 'n onbepaalde tydperk of vir 'n tydperk van minstens ses maande.

(3) Enige hof deur wie 'n persoon skuldig bevind word aan 'n oortreding in subregulasie (2) genoem, waar sodanige persoon die houer is van 'n lisensie of 'n lisensie en permit en waar sodanige persoon een vorige skuldigbevinding in vermelde regulasie of artikel 147 (1) van die Padverkeersordonnansie genoem teen hom het, reik 'n bevel uit dat sodanige lisensie of lisensie en permit—

(a) opgeskort word vir die tydperk, wat minstens 12 maande moet wees, wat hy goed dink; of

(b) ingetrek word;

of, indien sodanige persoon nie die houer van 'n lisensie of permit is nie, reik die hof 'n bevel uit wat sodanige persoon onbevoeg verklaar om 'n leerling- of bestuurderslisensie te verkry, of vir 'n onbepaalde tydperk of vir 'n tydperk van minstens 12 maande.

(4) Any court before which a person is convicted of an offence referred to in subregulation (2), shall, where such person is the holder of a licence or a licence and permit and where such person has two or more previous convictions referred to in that regulation or section 147 (1) of the Road Traffic Ordinance, issue an order that such licence or licence and permit be cancelled or, if such person is not the holder of any licence or permit, issue an order indefinitely disqualifying such person from obtaining a learner's or driver's licence.

2. A suspension, cancellation or declaration of disqualification in terms of regulation 1 will be regarded for all purposes as a suspension, cancellation or declaration of disqualification in terms of the Road Traffic Ordinance.

Given under my Hand and the Seal of the Republic of South Africa at Pretoria this Third day of November, One thousand Nine hundred and Seventy-seven.

N. DIEDERICHS, State President.

By Order of the State President-in-Council:

S. L. MULLER.

GOVERNMENT NOTICES

DEPARTMENT OF AGRICULTURAL ECONOMICS AND MARKETING

No. R. 2397

18 November 1977

DECIDUOUS FRUIT SCHEME.—CONTROL OF THE INTRODUCTION OF DECIDUOUS FRUIT INTO CERTAIN AREAS

Under the powers vested in me by section 79 (c) of the Marketing Act, 1968 (No. 59 of 1968), I, Hendrik Stephanus Johan Schoeman, Minister of Agriculture, do hereby make known that the Deciduous Fruit Board, referred to in section 3 of the Deciduous Fruit Scheme, published under Proclamation R. 288 of 1962, as amended, has, in terms of section 17 (s) of that Scheme—

(a) defined the areas specified in Schedule 2 hereto as the areas in respect of which the determinations referred to in paragraph (b) have been made;

(b) determined the quantities of deciduous fruit specified in Schedule 3 as the maximum quantities of deciduous fruit which may be introduced into the areas referred to in paragraph (a) during the periods referred to in that Schedule;

And I do hereby further, under the powers vested in me by section 75 (2) of the Marketing Act, 1968 (No. 59 of 1968), impose the prohibitions and prescribe the procedure, permits and conditions as set out in Schedules 1 and 4 hereto for the purpose of rendering effective the above decisions of the said Board.

This notice shall come into operation on the date of publication hereof in substitution of Government Notice R. 2559 of 31 December 1976, as amended which is hereby repealed.

H. S. J. SCHOEMAN, Minister of Agriculture.

SCHEDULE 1

DEFINITIONS

1. In this notice, unless inconsistent with the context, any word or expression to which a meaning has been assigned in the Deciduous Fruit Scheme, published by

(4) Enige hof deur wie 'n persoon skuldig bevind word aan 'n oortreding in subregulasie (2) genoem, waar sodanige persoon die houër is van 'n lisensie of 'n lisensie en permit en waar sodanige persoon twee of meer vorige skuldigbevindings in vermelde regulasie of artikel 147 van die Padverkeersordonnansie genoem, teen hom het, reik 'n bevel uit dat sodanige lisensie of lisensie en permit ingetrek word of, indien sodanige persoon nie die houër van 'n lisensie of permit is nie, reik die hof 'n bevel uit wat sodanige persoon vir 'n onbepaalde tydperk onbevoegd verklaar om 'n leerling- of bestuurderslisensie te verkry.

2. 'n Opskorting, intrekking of verklaring van onbevoegdheid kragtens regulasie 1 word vir alle doeleindes as 'n opskorting, intrekking of verklaring van onbevoegdheid kragtens die Padverkeersordonnansie beskou.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Pretoria, op hede die Derde dag van November Eenduisend Negehoernd Sewe-en-sewentig.

N. DIEDERICHS, Staatspresident.

Op las van die Staatspresident-in-rade:

S. L. MULLER.

GOEWERMENSKENNISGEWINGS

DEPARTEMENT VAN LANDBOU-EKONOMIE EN -BEMARKING

No. R. 2397

18 November 1977

SAGTEVRUGTESKEMA. — BEHEER OOR DIE INBRING VAN SAGTEVRUGTE IN SEKERE GEBIEDE

Kragtens die bevoegdheid my verleen by artikel 79 (c) van die Bemarkingswet, 1968 (No. 59 van 1968), maak ek, Hendrik Stephanus Johan Schoeman, Minister van Landbou, hierby bekend dat die Sagtevrugteraad, genoem in artikel 3 van die Sagtevrugteskema, afgekondig by Proklamasie R. 288 van 1962, soos gewysig, kragtens artikel 17 (s) van daardie Skema—

(a) die gebiede in Bylae 2 hiervan uiteengesit, omskryf het as die gebiede ten opsigte waarvan die in paragraaf (b) vermelde vasstellings gemaak is;

(b) die hoeveelhede sagtevrugte in Bylae 3 vermeld, vasgestel het as die maksimum hoeveelhede sagtevrugte wat gedurende die in daardie Bylae vermelde tydperke in die in paragraaf (a) vermelde gebiede ingebring mag word.

En voorts kragtens die bevoegdheid my verleen by artikel 75 (2) van die Bemarkingswet, 1968 (No. 59 van 1968), lê ek hierdie verbodsbepaling op en skryf ek hierby die prosedure, permitte en voorwaardes voor soos in Bylae 1 en 4 hiervan uiteengesit ten einde die bogemelde besluite van genoemde Raad doeltreffend te maak.

Hierdie kennisgewing tree op die datum van publikasie hiervan in werking ter vervanging van Goewermentskennisgewing R. 2559 van 31 Desember 1976, soos gewysig wat hierby herroep word.

H. S. J. SCHOEMAN, Minister van Landbou.

BYLAE 1

WOORDOMSKRYWING

1. In hierdie kennisgewing, tensy uit die samehang anders blyk, het 'n woord of uitdrukking waaraan in die Sagtevrugteskema, afgekondig by Proklamasie R. 288 van

Proclamation R. 288 of 1962, as amended, shall have a corresponding meaning, and—

“defined area” means the Table Bay Docks Area and the Port Elizabeth Docks Area as described in Schedule 2;

“peaches” means peaches excluding nectarines;

“week” means a period calculated from Monday to Sunday, both days inclusive.

2. For the purposes of this notice—

(a) deciduous fruit accepted by the South African Railways and Harbours Administration for conveyance on behalf of a consignor to a defined area, shall be deemed to have been introduced by that consignor into the defined area concerned during the week in which the fruit was so accepted, except in the case of deciduous fruit which was so accepted on a Sunday, which fruit shall be deemed to have been so introduced during the immediately succeeding week;

(b) deciduous fruit presented by a consignor, with the approval of the Board, for approval for export in terms of the Agricultural Produce Export Control Act, 1971 (No. 51 of 1971), at an intake point other than a defined area shall be deemed to have been introduced into a defined area during the week in which it was so presented for approval at such intake point, except in the case of deciduous fruit which was so presented for approval at such intake point on a Sunday, which fruit shall be deemed to have been so introduced during the immediately succeeding week; and

(c) a quantity of packed deciduous fruit shall be converted to the cubic metre equivalent thereof, as follows:

Kind of fruit	Kind of pack	Number of containers equal to one cubic metre
Peaches.....	Single-layer tray.....	70,54
Plum.....	Single-layer tray.....	84,15
Plum.....	Double-layer tray.....	65,00
Grape.....	102-mm carton.....	59,62
Grape.....	114-mm carton.....	54,42
Pear.....	Tray.....	92,32
Pear.....	Case.....	23,84
Pear.....	Carton.....	31,48
Apple.....	Carton.....	18,88

SCHEDULE 2

AREAS

“Table Bay Docks Area”, i.e. the Cape Town harbour area under the control of the South African Railways and Harbours Administration;

“Port Elizabeth Docks Area”, i.e. the Port Elizabeth harbour area under the control of the South African Railways and Harbours Administration.

SCHEDULE 3

MAXIMUM QUANTITIES OF DECIDUOUS FRUIT

Deciduous Fruit

1. The maximum quantity of deciduous fruit which may in any week during the period 21 November 1977 to 31 July 1978 be introduced into the Table Bay Docks Area and the Port Elizabeth Docks Area shall be as follows:

Table Bay Docks Area: 65 000 cubic metres.

Port Elizabeth Docks Area: 15 000 cubic metres.

1962, soos gewysig, ’n betekenis geheg is, dieselfde betekenis, en beteken—

“omskrewe gebied” die Tafelbaai-dokkegebied en die Port Elizabeth-dokkegebied soos in Bylae 2 beskryf;

“perskes” nie ook kaalperskes nie;

“week” ’n tydperk gereken vanaf Maandag tot Sondag, albei dae ingesluit.

2. By die toepassing van hierdie kennisgewing—

(a) word sagtevrugte wat deur die Suid-Afrikaanse Spoorweë en Hawensadministrasie aangeneem is vir vervoer, ten behoeve van afsender na ’n omskrewe gebied, geag deur daardie afsender in die betrokke omskrewe gebied inbring te gewees het gedurende die week waarin dit aldus aangeneem is, behalwe in die geval van sagtevrugte wat aldus aangeneem is op ’n Sondag, watter vrugte geag word gedurende die onmiddellik daaropvolgende week aldus inbring te gewees het;

(b) word sagtevrugte wat met die goedkeuring van die Raad, by ’n innameplek anders as in ’n omskrewe gebied deur ’n afsender aangebied is vir goedkeuring vir uitvoer kragtens die Wet op Uitvoer van Landbouprodukte, 1971 (No. 51 van 1971), geag in ’n omskrewe gebied inbring te gewees het gedurende die week waarin dit by sodanige innameplek aldus vir goedkeuring aangebied is, behalwe in die geval van sagtevrugte wat by sodanige innameplek aldus aangebied is vir goedkeuring op ’n Sondag, watter vrugte geag word gedurende die onmiddellik daaropvolgende week inbring te gewees het;

(c) word ’n hoeveelheid verpakte sagtevrugte soos volg na die kubieke meter-ekwivalent daarvan omgerek:

Soort vrug	Soort verpakking	Aantal houers gelykstaande aan een kubieke meter
Perskes.....	Enkellaagkissie.....	70,54
Pruim.....	Enkellaagkissie.....	84,15
Pruim.....	Dubblaagkissie.....	65,00
Druive.....	102-mm-karton.....	59,62
Druive.....	114-mm-karton.....	54,42
Peer.....	Platkissie.....	92,32
Peer.....	Kis.....	23,84
Peer.....	Karton.....	31,48
Appel.....	Karton.....	18,88

BYLAE 2

GEBIEDE

“Tafelbaai-dokkegebied”, d.i. die Kaapstadse hawegebied onder die beheer van die Suid-Afrikaanse Spoorweë en Hawensadministrasie;

“Port Elizabeth-dokkegebied”, d.i. die Port Elizabethse hawegebied onder die beheer van die Suid-Afrikaanse Spoorweë en Hawensadministrasie.

BYLAE 3

MAKSIMUM HOEVEELHEDE SAGTEVRUGTE

Sagtevrugte

1. Die maksimum hoeveelheid sagtevrugte wat in enige week gedurende die tydperk 21 November 1977 tot 31 Julie 1978 in die Tafelbaai-dokkegebied en die Port Elizabeth-dokkegebied inbring mag word, is soos volg:

Tafelbaai-dokkegebied: 65 000 kubieke meter.

Port Elizabeth-dokkegebied: 15 000 kubieke meter.

Quantity of pears of certain cultivars

2. The maximum quantity of pears of the following cultivars which may be introduced into the Table Bay Docks area and the Port Elizabeth Docks Area during the period shown against each cultivar is as follows:

Cultivar	Quantity (Cartons)	Period
Bon Chrétien.....	650 000	1/1/78-31/7/78
Beurre Hardy.....	390 000	20/2/78-31/7/78
Beurre Bosc.....	350 000	27/2/78-31/7/78
Winter Nelis.....	150 000	3/4/78-31/7/78

Peaches of count 28

3. The maximum quantity of peaches of count 28 which may in any week during the period 21 November 1977 to 31 July 1978 be introduced into the Table Bay Docks Area and the Port Elizabeth Docks Area shall be 7 000 single-layer trays: Provided that during the period 28 November 1977 to 18 December 1977 no peaches of count 28 may be introduced into the Table Bay Docks Area and the Port Elizabeth Docks area.

Quantity of apples of certain cultivars

4. The maximum quantity of apples of the following cultivars which may be introduced into the Table Bay Docks Area and the Port Elizabeth Docks Area during the period 13 March 1978 to 31 July 1978 is as follows:

Cultivar	Quantity (cartons)
Dunn's Seedling.....	700 000
Starking.....	2 500 000
Golden Delicious.....	3 500 000
Winter Pearmain.....	700 000
Granny Smith.....	8 000 000

Count codes 7 and 8 of certain cultivars

5. Subject to the provisions of clause 4 the maximum quantities of apples of count codes 7 and 8 of the following cultivars which may be introduced into the Table Bay Docks Area and the Port Elizabeth Docks Area during the period 21 November 1977 to 31 July 1978 is as follows:

Cultivar	Count Code 7	Count Code 8
	Cartons	Cartons
Dunn's Seedling.....	280 000	280 000
Starking.....	675 000	500 000
Golden Delicious.....	910 000	910 000
Winter Pearmain.....	280 000	315 000
Granny Smith.....	1 920 000	1 280 000

SCHEDULE 4

PROHIBITIONS, CONDITIONS AND PERMITS

Prohibition

1. No person shall during the period 21 November 1977 to 31 July 1978 introduce—

- (a) deciduous fruit of any class;
- (b) pears of the cultivars Bon Chrétien, Beurre Hardy, Beurre Bosc and Winter Nelis;
- (c) peaches of count 28;
- (d) apples of the cultivars Dunn's Seedling, Starking, Golden Delicious, Winter Pearmain and Granny Smith;
- (e) apples of count codes 7 and 8 of the cultivars Dunn's Seedling, Starking, Golden Delicious, Winter Pearmain and Granny Smith;

into the defined area except under authority of a permit issued by the Board or otherwise in accordance with the conditions subject to which such permit has been issued.

Hoeveelheid pere van sekere cultivars

2. Die maksimum hoeveelheid pere van ondergenoemde cultivars wat gedurende die tydperk teenoor elke cultivar aangedui in Tafelbaai- en Port Elizabeth-dokkegebied ingebring mag word, is soos volg:

Cultivar	Hoeveelheid (Kartonne)	Tydperk
Bon Chrétien.....	650 000	1/1/78-31/7/78
Beurre Hardy.....	390 000	20/2/78-31/7/78
Beurre Bosc.....	350 000	27/2/78-31/7/78
Winter Nelis.....	150 000	3/4/78-31/7/78

Telling 28 perskes

3. Die maksimum hoeveelheid perskes van 'n telling van 28 wat in enige week gedurende die tydperk 21 November 1977 tot 31 Julie 1978 in die Tafelbaai- en Port Elizabeth-dokkegebied ingebring mag word, is 7 000 enkellaagkissies: Met dien verstande dat geen perskes van telling 28 gedurende die tydperk 28 November 1977 tot 18 Desember 1977 in die Tafelbaai- en Port Elizabeth-dokkegebied ingebring mag word nie.

Hoeveelheid appels van sekere cultivars

4. Die maksimum hoeveelheid appels van ondergenoemde cultivars wat gedurende die tydperk 13 Maart 1978 tot 31 Julie 1978 in die Tafelbaai- en Port Elizabeth-dokkegebied ingebring mag word, is soos volg:

Cultivar	Hoeveelheid (kartonne)
Dunn's Seedling.....	700 000
Starking.....	2 500 000
Golden Delicious.....	3 500 000
Winter Pearmain.....	700 000
Granny Smith.....	8 000 000

Tellingkodes 7 en 8 van sekere cultivars

5. Behoudens die bepalings van klousule 4 is die maksimum hoeveelheid appels van tellingkodes 7 en 8 ondergenoemde cultivars wat gedurende die tydperk 21 November 1977 tot 31 Julie 1978 in die Tafelbaai- en Port Elizabeth-dokkegebied ingebring mag word, soos volg:

Cultivar	Tellingkode 7	Tellingkode 8
	Kartonne	Kartonne
Dunn's Seedling.....	280 000	280 000
Starking.....	675 000	500 000
Golden Delicious.....	910 000	910 000
Winter Pearmain.....	280 000	315 000
Granny Smith.....	1 920 000	1 280 000

BYLAE 4

VERBODSBEPALINGS, VOORWAARDES EN PERMITTE

Verbodsbepaling

1. Niemand mag gedurende die tydperk 21 November 1977 tot 31 Julie 1978—

- (a) sagtevrugte van enige klas;
- (b) pere van die cultivars Bon Chrétien, Beurre Hardy, Beurre Bosc en Winter Nelis;
- (c) perskes van 'n telling van 28;
- (d) appels van die cultivars Dunn's Seedling, Starking, Golden Delicious, Winter Pearmain en Granny Smith;
- (e) appels van tellingkodes 7 en 8 van die cultivars Dunn's Seedling, Starking, Golden Delicious, Winter Pearmain en Granny Smith;

in die omskrewe gebied inbring nie, behalwe op gesag van 'n permit deur die Raad uitgereik of anders as ooreenkomstig die voorwaardes waaronder daardie permit uitgereik is.

Applications for permits

2. Any person who intends to—

(a) introduce deciduous fruit into the defined area shall apply in writing to the Board for a permit: Provided that submission to the Board in accordance with the provisions of Government Notice R. 2047, dated 7 October 1977, of a notice contemplated in that Government Notice, shall be deemed to be an application for a permit to introduce into the defined area during each of the weeks in respect of which notice has been so given, the quantities of deciduous fruit of the different classes as indicated on the notice forms;

(b) introduce Bon Chrétien pears into the defined area shall apply in writing to the Board for a permit, stating the number of 15-kg cartons of Bon Chrétien pears which he packed during the preceding season for export, the tonnage which he delivered to canners and his expected production (tonnage) during the 1978 season;

(c) introduce pears of the cultivars Beurre Hardy, Beurre Bosc and Winter Nelis into the defined area during the said periods, shall apply in writing to the Board for a permit: Provided that submission to the Board in accordance with the provisions of Government Notice R. 2047 dated 7 October 1977 of a notice contemplated in that Government Notice, shall be deemed to be an application for a permit to introduce into the defined area during the said periods the quantity of pears of the said cultivars as indicated on the notice form in respect of the said periods;

(d) introduce peaches of count 28 into the defined area shall apply in writing to the Board for a permit: Provided that submission to the Board in accordance with the provisions of Government Notice R. 2047 dated 7 October 1977 of a notice contemplated in that Government Notice, shall be deemed to be an application for a permit to introduce into the defined area during each of the weeks in respect of which such notice has been given, a quantity of count 28 equivalent to 10% of the quantity of peaches indicated on the notice form;

(e) introduce apples of the said cultivars into the defined area shall apply in writing to the Board for a permit: Provided that submission to the Board in accordance with the provisions of Government Notice R. 2047 dated 7 October 1977 of a notice contemplated in that Government Notice, shall be deemed to be an application for a permit to introduce into the defined area during the period 13 March 1978 to 31 July 1978 the quantity of apples of the said cultivars indicated on the notice form in respect of the said period;

(f) introduce apples of count codes 7 and 8 of the said cultivars into the defined area shall apply in writing to the Board for a permit: Provided that submission to the Board in accordance with the provisions of Government Notice R. 2047 dated 7 October 1977 of a notice contemplated in that Government Notice, shall be deemed to be an application for a permit to introduce into the defined area during the weeks in respect of which such notice has been given, the quantities of apples of the said count codes indicated on the notice form.

Aansoeke om permitte

2. Iemand wat voornemens is om—

(a) sagtevrugte in die omskrewe gebied in te bring moet skriftelik by die Raad om 'n permit aansoek doen: Met dien verstande dat voorlegging aan die Raad, ooreenkomstig die bepalings van Goewermentskennisgewing R. 2047 van 7 Oktober 1977, van 'n kennisgewing in daardie Goewermentskennisgewing beoog, geag word 'n aansoek om 'n permit te wees om gedurende elk van die weke ten opsigte waarvan aldus kennis gegee is, die hoeveelhede sagtevrugte van die verskillende klasse wat op die kennisgewingvorms aangetoon is, in omskrewe gebied in te bring.

(b) Bon Chrétienpere in die omskrewe gebied in te bring moet skriftelik by die Raad om 'n permit aansoek doen met die vermelding van die aantal 15-kg-kartonne Bon Chrétienpere wat hy in die voorafgaande seisoen vir uitvoer verpak het, die tonnemaat wat hy aan inmakers gelewer het en sy verwagte produksie (tonnemaat) in die 1978-seisoen;

(c) pere van die cultivars Beurre Hardy, Beurre Bosc en Winter Nelis gedurende die genoemde tydperke in die omskrewe gebied in te bring, moet skriftelik by die Raad om 'n permit aansoek doen: Met dien verstande dat die voorlegging aan die Raad ooreenkomstig die bepalings van Goewermentskennisgewing R. 2047 van 7 Oktober 1977 van 'n kennisgewing in daardie Goewermentskennisgewing beoog, geag word 'n aansoek om 'n permit te wees om gedurende genoemde tydperke die hoeveelheid pere van bedoelde cultivars wat op die kennisgewingvorm ten opsigte van genoemde tydperke aangetoon is, in die omskrewe gebied in te bring;

(d) perskes van telling 28 in die omskrewe gebied in te bring, moet skriftelik by die Raad om 'n permit aansoek doen: Met dien verstande dat die voorlegging aan die Raad ooreenkomstig die bepalings van Goewermentskennisgewing R. 2047 van 7 Oktober 1977, van 'n kennisgewing in daardie Goewermentskennisgewing beoog, geag word 'n aansoek om 'n permit te wees om gedurende elk van die weke ten opsigte waarvan aldus kennis gegee is, 'n hoeveelheid van telling 28 gelykstaande aan 10 persent van die hoeveelheid perskes wat op die kennisgewingvorm aangetoon is, in die omskrewe gebied in te bring.

(e) appels van gemelde cultivars in die omskrewe gebied in te bring moet skriftelik by die Raad om 'n permit aansoek doen: Met dien verstande dat die voorlegging aan die Raad ooreenkomstig die bepalings van Goewermentskennisgewing R. 2047 van 7 Oktober 1977, van die kennisgewing in daardie Goewermentskennisgewing beoog, geag word 'n aansoek om 'n permit te wees om gedurende die tydperk 13 Maart 1978 tot 31 Julie 1978 die hoeveelheid appels van bedoelde cultivars wat op die kennisgewingvorm ten opsigte van genoemde tydperk aangetoon is in die omskrewe gebied in te bring;

(f) appels van tellingkodes 7 en 8 van die gemelde cultivars in die omskrewe gebied in te bring moet skriftelik by die Raad om 'n permit aansoek doen: Met dien verstande dat die voorlegging aan die Raad ooreenkomstig die bepalings van Goewermentskennisgewing R. 2047 van 7 Oktober 1977, van 'n kennisgewing in daardie Goewermentskennisgewing beoog, geag word 'n aansoek om 'n permit te wees om gedurende die weke ten opsigte waarvan aldus kennis gegee is, die hoeveelhede appels van bedoelde tellingkodes wat op die kennisgewingvorm aangetoon is, in die omskrewe gebied in te bring.

Permits for deciduous fruit

3. A permit for introducing deciduous fruit into the defined area shall be on the form prescribed in Annexure A and shall be issued on condition that—

(a) the Board shall have the right to increase or to reduce the quantity of deciduous fruit specified in the permit;

(b) the Board may cancel the permit if the Perishable Products Export Control Board, referred to in Section 1 of the Perishable Products Export Control Act, 1926 (No. 53 of 1926), finds it impossible to accept for shipment in terms of that Act any deciduous fruit for which the permit has been issued or if the South African Railways and Harbours Administration is unable to accommodate such deciduous fruit in the pre-cooling sheds at Table Bay Docks or Port Elizabeth Docks;

(c) the quantity specified in any permit shall automatically be increased by a quantity equal to any quantity of deciduous fruit which has been introduced into the defined area on authority of such permit, but which has been rejected for export in terms of the Agricultural Produce Export Control Act, 1971 (No. 51 of 1971);

(d) the permit shall be transferable;

(e) the quantity of deciduous fruit specified in the permit shall not include pears of the cultivars referred to in clause 1 (b), peaches of count 28 apples of the cultivars referred to in clause 1 (d), and apples of the count codes of the cultivars referred to in 1 (e) unless the holder of the permit has at his disposal an additional permit contemplated in clause 4, 5, 6, 7 or 8 of this Schedule to introduce such classes of deciduous fruit into the defined area.

Permits for Bon Chrétien pears

4. A permit for introducing Bon Chrétien pears into the defined area shall be on the form prescribed in Annexure B and shall be issued on condition that—

(a) the Board shall have the right to increase or to reduce the quantity specified in the permit;

(b) the permit shall not be transferable;

(c) the permit shall be suspended during any week in respect of which the holder does not have at his disposal a permit contemplated in clause 3 of this Schedule.

Permits for pears of certain cultivars

5. A permit for introducing pears of the cultivars Beurre Hardy, Beurre Bosc and Winter Nelis into the defined area shall be on the form prescribed in Annexure C and shall be issued on condition that—

(a) the permit shall not be transferable;

(b) the permit shall be suspended during any week in respect of which the holder does not have at his disposal a permit contemplated in clause 3 of this Schedule.

Permits for peaches of count 28

6. A permit for introducing peaches of count 28 into the defined area shall be on the form prescribed in Annexure D and shall be issued on condition that—

(a) the Board shall have the right to increase or to reduce the quantity specified in the permit;

(b) the permit shall not be transferable;

(c) the permit shall be suspended during any week in respect of which the holder does not have at his disposal a permit contemplated in clause 3 of this Schedule.

Permitte vir sagtevrugte

3. 'n Permit vir die inbring van sagtevrugte in die omskrewe gebied moet op die vorm wees in Aanhangsel A voorgeskryf en word uitgereik op die voorwaarde dat—

(a) die Raad die reg het om die hoeveelheid sagtevrugte in die permit aangedui te vermeerder of te verminder;

(b) die Raad die permit kan kanselleer as die Raad van Toesig op die Uitvoer van Bederfbare Produkte, genoem in artikel 1 van die Wet op Reëling van Uitvoer van Bederfbare Produkte, 1926 (No. 53 van 1926), dit onmoontlik vind om die sagtevrugte waarvoor die permit uitgereik is, ingevolge daardie Wet vir verskeping aan te neem of as die Suid-Afrikaanse Spoorweë en Hawensadministrasie nie sodanige sagtevrugte in die voorverkoelloodse by die Tafelbaai-dokke of Port Elizabeth-dokke kan inneem nie;

(c) die hoeveelheid in die permit aangedui outomaties verhoog word met 'n hoeveelheid gelykstaande met enige hoeveelheid sagtevrugte wat op gesag van daardie permit in die omskrewe gebied ingebring is maar wat kragtens die Wet op Uitvoer van Landbouprodukte, 1971 (No. 51 van 1971), vir uitvoer afgekeur is;

(d) die permit oordraagbaar is;

(e) die hoeveelheid sagtevrugte in die permit aangedui, nie pere van die cultivars in klousule 1 (b) gemeld, perskes van telling 28 en appels van die cultivars in klousule 1 (d) gemeld en appels van die tellingkodes en cultivars vir 1 (e) gemeld insluit nie, tensy die houer van die permit oor 'n bykomstige permit beoog in klousule 4, 5, 6, 7 of 8 van hierdie Bylae beskik om sodanige klasse sagtevrugte in die omskrewe gebied in te bring.

Permitte vir Bon Chrétien-pere

4. 'n Permit vir die inbring van Bon Chrétien-pere in die omskrewe gebied, moet op die vorm wees in Aanhangsel B voorgeskryf en word uitgereik op die voorwaarde dat—

(a) die Raad die reg het om die hoeveelheid in die permit aangedui te vermeerder of te verminder;

(b) die permit nie oordraagbaar is nie;

(c) die permit opgeskort is gedurende enige week ten opsigte waarvan die houer nie oor 'n permit beoog in klousule 3 van hierdie Bylae beskik nie.

Permitte vir sekere cultivars pere

5. 'n Permit vir die inbring van pere van die cultivars Beurre Hardy, Beurre Bosc en Winter Nelis in die omskrewe gebied moet op die vorm wees in Aanhangsel C voorgeskryf en word uitgereik op die voorwaarde dat—

(a) die permit nie oordraagbaar is nie;

(b) die permit opgeskort is gedurende enige week ten opsigte waarvan die houer nie oor 'n permit beoog in klousule 3 van hierdie Bylae beskik nie.

Permitte vir telling 28 perskes

6. 'n Permit vir die inbring van perskes van 'n telling van 28 in die omskrewe gebied moet op die vorm wees in Aanhangsel D voorgeskryf en word uitgereik op die voorwaarde dat—

(a) die Raad die reg het om die hoeveelheid in die permit aangedui, te vermeerder of te verminder;

(b) die permit nie oordraagbaar is nie;

(c) die permit opgeskort is gedurende enige week ten opsigte waarvan die houer nie oor 'n permit beoog in klousule 3 van hierdie Bylae beskik nie.

Permits for apples of certain cultivars

7. A permit for introducing apples of the cultivars Dunn's Seedling, Starking, Golden Delicious, Winter Pearmain and Granny Smith into the defined area shall be on the form prescribed in Annexure E and shall be issued on condition that—

- (a) the permit shall not be transferable;
- (b) the permit shall be suspended during any week in respect of which the holder does not have at his disposal a permit contemplated in clause 3 of this Schedule.

Permits for apples of count codes 7 and 8

8. A permit for introducing apples of count codes 7 and 8 of the cultivars Dunn's Seedling, Starking, Golden Delicious, Winter Pearmain and Granny Smith into the defined area shall be on the form prescribed in Annexure F and shall be issued on condition that—

- (a) the permit shall not be transferable;
- (b) the permit shall be suspended during any week in respect of which the holder does not have at his disposal a permit contemplated in clause 3 of this Schedule.

ANNEXURE A

PERMIT

To introduce deciduous fruit into the docks area of.....
 To: Week ending on.....
 Intake week No.....
 Permit No.....
 Date.....

You are hereby authorised, subject to the conditions detailed below, to introduce during the week stated above into the Table Bay Docks Area/Port Elizabeth Docks Area only the undermentioned number of cubic metres of deciduous fruit.

Cubic metres in words					Cubic metres in figures
Thousands	Hundreds	Tens	Units	Decimal	
.....
.....	

Per pro Deciduous Fruit Board,

This permit is issued subject to any conditions prescribed in terms of section 75 (2) (b) of the Marketing Act, 1968 (No. 59 of 1968).

ANNEXURE B

PERMIT

To introduce Bon Chrétien pears into the Table Bay Docks Area/Port Elizabeth Docks Area:

To:

Period	Pack	Number
1/1/78-31/7/78.....	Export carton.....	.....

You are hereby authorised to introduce during the period stated above into the Table Bay Docks Area/Port Elizabeth Docks Area only the above-stated number of cartons of Bon Chrétien pears.

Per pro Deciduous Fruit Board,

This permit is issued subject to any conditions prescribed in terms of section 75 (2) (b) of the Marketing Act, 1968 (No. 59 of 1968).

Permitte vir sekere cultivars appels

7. 'n Permit vir die inbring van appels van die cultivars Dunn's Seedling, Starking, Golden Delicious, Winter Pearmain en Granny Smith in die omskrewe gebied moet op die vorm wees in Aanhangel E voorgeskryf en word uitgereik op die voorwaardes dat—

- (a) die permit nie oordraagbaar is nie;
- (b) die permit opgeskort is gedurende enige week ten opsigte waarvan die houer nie oor 'n permit beoog in klousule 3 van hierdie Bylae beskik nie.

Permitte vir tellingkodes 7 en 8 appels

8. 'n Permit vir die inbring van appels van tellingkodes 7 en 8 van die cultivars Dunn's Seedling, Starking, Golden Delicious, Winter Pearmain en Granny Smith in die omskrewe gebied moet op die vorm wees in Aanhangel F voorgeskryf en word uitgereik op die voorwaarde dat—

- (a) die permit nie oordraagbaar is nie;
- (b) die permit opgeskort is gedurende enige week ten opsigte waarvan die houer nie oor 'n permit beoog in klousule 3 van hierdie Bylae beskik nie.

AANHANGSEL A

PERMIT

Om sagtevrugte in te bring in die dokkegebied van:

Aan: Week eindigende op.....
 Innameweek No.....
 Permit No.....
 Datum.....

U word hiermee gemagtig, onderworpe aan die voorwaardes hieronder uiteengesit, om slegs ondervermelde getal kubieke meter sagtevrugte gedurende bovermelde week in die Tafelbaai-dokkegebied/Port Elizabeth-dokkegebied in te bring.

Kubieke meters in woorde					Kubieke meters in syfers
Duisende	Honderde	Tiene	Eenhede	Desimaal	
.....
.....	

Per pro Sagtevrugteraad,

Hierdie permit word uitgereik behoudens die voorwaardes wat kragtens artikel 75 (2) (b) van die Bemarkingswet, 1968 (No. 59 van 1968), voorgeskryf is.

AANHANGSEL B

PERMIT

Om Bon Chrétienpere in te bring in die Tafelbaai-dokkegebied/Port Elizabeth-dokkegebied:

Aan:

Tydperk	Verpakking	Getal
1/1/78-31/7/78.....	Uitvoerkarton.....	.....

U word hierby gemagtig om slegs bovermelde getal kartonne Bon Chrétienpere gedurende bovermelde tydperk in die Tafelbaai-dokkegebied/Port Elizabeth-dokkegebied in te bring.

Per pro Sagtevrugteraad,

Hierdie permit word uitgereik behoudens die voorwaardes wat kragtens artikel 75 (2) (b) van die Bemarkingswet, 1968 (No. 59 van 1968), voorgeskryf is.

ANNEXURE C

PERMIT

To introduce Beurre Hardy, Beurre Bosc and Winter Nelis pears into the Table Bay Docks Area/Port Elizabeth Docks Area:

To:

Cultivar	Period	Pack	Number
Beurre Hardy.....	20/2/78-31/7/78	Export carton	.....
Beurre Bosc.....	27/2/78-31/7/78	.....	.....
Winter Nelis.....	3/4/78-31/7/78	.....	.....

You are hereby authorised to introduce during the periods stated above into the Table Bay Docks Area/Port Elizabeth Docks Area only the above-stated number of cartons of the cultivars specified.

Per pro Deciduous Fruit Board,
.....

This permit is issued subject to any conditions prescribed in terms of section 75 (2) (b) of the Marketing Act, 1968 (No. 59 of 1968).

ANNEXURE D

PERMIT

To introduce peaches of count 28 into the Table Bay Docks Area/Port Elizabeth Docks Area:

To:

The quantity of single-layer trays of peaches of count 28 which you are hereby authorised to introduce into the Table Bay Docks Area/Port Elizabeth Docks Area during each week in the periods 14 November 1977 to 27 November 1977 and 19 December 1977 to 31 July 1978 shall be equivalent to ten per cent (10%) of the total number of single-layer trays of peaches for each such week which you introduce into such area.

Per pro Deciduous Fruit Board,
.....

This permit is issued subject to any conditions prescribed in terms of section 75 (2) (b) of the Marketing Act, 1968 (No. 59 of 1968).

ANNEXURE E

PERMIT

To introduce apples of the cultivars Dunn's Seedling, Starking, Golden Delicious, Winter Pearmain and Granny Smith, into the Table Bay Docks Area/Port Elizabeth Docks Area during the period 13 March 1978 to 31 July 1978:

To:

You are hereby authorised to introduce into the Table Bay Docks Area/Port Elizabeth Docks Area during the period stated above only the following number of cartons of apples of the cultivars stated hereunder.

Cultivar	Cartons
Dunn's Seedling.....
Starking.....
Golden Delicious.....
Winter Pearmain.....
Granny Smith.....

Per pro Deciduous Fruit Board,
.....

This permit is issued subject to any conditions prescribed in terms of section 75 (2) (b) of the Marketing Act, 1968 (No. 59 of 1968).

AANHANGSEL C

PERMIT

Om Beurre Hardy-, Beurre Bosc- en Winter Nelispeere in te bring in die Tafelbaai-dokkegebied/Port Elizabeth-dokkegebied:

Aan:

Cultivar	Tydperk	Verpakking	Getal
Beurre Hardy.....	20/2/78-31/7/78	Uitvoerkarton	.....
Beurre Bosc.....	27/2/78-31/7/78	.....	.....
Winter Nelis.....	3/4/78-31/7/78	.....	.....

U word hierby gemagtig om slegs bovermelde getal kartonne van genoemde cultivars gedurende bovermelde tydperke in die Tafelbaai-dokkegebied/Port Elizabeth-dokkegebied in te bring.

Per pro Sagtevrugteraad,
.....

Hierdie permit word uitgereik behoudens die voorwaardes wat kragtens artikel 75 (2) (b) van die Bemarkingswet, 1968 (No. 59 van 1968), voorgeskryf is.

AANHANGSEL D

PERMIT

Om perskes van telling 28 in te bring in die Tafelbaai-dokkegebied/Port Elizabeth-dokkegebied:

Aan:

U word hierby gemagtig om slegs gedurende elke week in die tydperke 14 November 1977 tot 27 November 1977 en 19 Desember 1977 tot 31 Julie 1978, 'n hoeveelheid enkellaagkissies perskes van telling 28 gelykstaande aan tien persent (10%) van die totale getal enkellaagkissies perskes vir elke sodanige week wat u in die Tafelbaai-dokkegebied/Port Elizabeth-dokkegebied, inbring, in sodanige gebied in te bring.

Per pro Sagtevrugteraad,
.....

Hierdie permit word uitgereik behoudens die voorwaardes wat kragtens artikel 75 (2) (b) van die Bemarkingswet, 1968 (No. 59 van 1968), voorgeskryf is.

AANHANGSEL E

PERMIT

Om appels van die cultivars Dunn's Seedling, Starking, Golden Delicious, Winter Pearmain, Granny Smith in te bring in die Tafelbaai-dokkegebied/Port Elizabeth-dokkegebied gedurende die tydperk 13 Maart 1978 tot 31 Julie 1978:

Aan:

U word hierby gemagtig om slegs ondergemelde getal kartonne appels van die ondergemelde cultivars gedurende bovermelde tydperk in die Tafelbaai-dokkegebied/Port Elizabeth-dokkegebied in te bring.

Cultivar	Kartonne
Dunn's Seedling.....
Starking.....
Golden Delicious.....
Winter Pearmain.....
Granny Smith.....

Per pro Sagtevrugteraad,
.....

Hierdie permit word uitgereik behoudens die voorwaardes wat kragtens artikel 75 (2) (b) van die Bemarkingswet, 1968 (No. 59 van 1968), voorgeskryf is.

ANNEXURE F

PERMIT

To introduce apples of count codes 7 and 8 into the Table Bay Docks Area/Port Elizabeth Docks Area:

To:

You are hereby authorised to introduce into the Table Bay Docks Area/Port Elizabeth Docks Area during the period 21 November 1977 to 31 July 1978 only a quantity of cartons of apples of count codes 7 and 8 equivalent to the following percentages of the total number of cartons of apples of the following cultivars which you introduce into such area.

	Count Code 7	Count Code 8
	%	%
Dunn's Seedling.....	40	40
Starking.....	30	25
Golden Delicious.....	28	25
Winter Pearmain.....	40	45
Granny Smith.....	25	15

Per pro Deciduous Fruit Board,

This permit is issued subject to any conditions prescribed in terms of section 75 (2) (b) of the Marketing Act, 1968 (No. 59 of 1968).

DEPARTMENT OF BANTU ADMINISTRATION AND DEVELOPMENT

No. R. 2375

18 November 1977

CORRECTION NOTICE

The following correction should be made to Schedule A to Government Notice 295 dated 27 February 1959, as amended by Government Notice R. 1225 dated 8 July 1977:

Substitute the figure "11896" for the figure "11396" where it appears in paragraph 3.

(File F54/1183/4)

No. R. 2389

18 November 1977

CONTRIBUTIONS PAYABLE UNDER THE CONTRIBUTIONS IN RESPECT OF BANTU LABOUR ACT, 1972 (ACT 29 OF 1972)

The Schedule to Government Notice R. 2210, dated 28 October 1977, is hereby corrected as follows:

A. In the Afrikaans text:

1. *Item 2 (e).*—Substitute the following for item (e):
“(e) R1,20 per maand vir elke werknemer ten opsigte van wie die werkgewer huisvesting wat deur 'n bevoegde owerheid goedgekeur is, verskaf, uitgesonderd die werknemers bedoel in subparagraaf (f);”.

2. *Item 3.*—Substitute “R1” for “R1,20”.

B. In the English text:

Item 3.—Substitute “R1” for “R1,20”.

No. R. 2390

18 November 1977

REGULATIONS GOVERNING COMMUNITY COUNCILS IN THE BANTU AFFAIRS ADMINISTRATION AREA OF THE WEST RAND BANTU AFFAIRS ADMINISTRATION BOARD 1977.—AMENDMENT OF GOVERNMENT NOTICE R. 2151 DATED 21 OCTOBER 1977

I, Willem Adriaan Cruywagen, Deputy Minister of Bantu Affairs, do hereby, on behalf of the Minister of Bantu Administration and Development by virtue of the

AANHANGSEL F

PERMIT

Om appels van tellingkodes 7 en 8 in te bring in die Tafelbaai-dokkegebied/Port Elizabeth-dokkegebied:

Aan:

U word hierby gemagtig om slegs 'n hoeveelheid kartonne appels van tellingkodes 7 en 8 gelykstaande aan ondervermelde persentasies van die totale getal kartonne appels van ondervermelde cultivars wat u in Tafelbaai-dokkegebied/Port Elizabeth-dokkegebied gedurende die tydperk 21 November 1977 tot 31 Julie 1978 inbring, in sodanige gebied in te bring.

	Tellingkode 7	Tellingkode 8
	%	%
Dunn's Seedling.....	40	40
Starking.....	30	25
Golden Delicious.....	28	25
Winter Pearmain.....	40	45
Granny Smith.....	25	15

Per pro Sagtevrugteraad,

Hierdie permit word uitgereik behoudens die voorwaardes wat kragtens artikel 75 (2) (b) van die Bemarkingswet, 1968 (No. 59 van 1968), voorgeskryf is.

DEPARTEMENT VAN BANTOE-ADMINISTRASIE EN -ONTWIKKELING

No. R. 2375

18 November 1977

VERBETERINGSKENNISGEWING

Die volgende verbetering moet in Bylae A van Goewermentskennisgewing 295, gedateer 27 Februarie 1959, soos gewysig deur Goewermentskennisgewing R. 1225, gedateer 8 Julie 1977, aangebring word:

Vervang die syfer “11396” waar dit in paragraaf 3 voorkom, deur die syfer “11896”.

(Lêer F54/1183/4)

No. R. 2389

18 November 1977

BYDRAES BETAALBAAR KRAGTENS DIE WET OP BYDRAES TEN OPSIGTE VAN BANTOE-ARBEID, 1972 (WET 29 VAN 1972)

Die Bylae van Goewermentskennisgewing R. 2210 van 28 Oktober 1977 word hierby as volg verbeter:

A. In die Afrikaanse teks:

1. *Item 2 (e).*—Vervang item (e) deur die volgende:
“(e) R1,20 per maand vir elke werknemer ten opsigte van wie die werkgewer huisvesting wat deur 'n bevoegde owerheid goedgekeur is, verskaf, uitgesonderd die werknemers bedoel in subparagraaf (f);”.

2. *Item 3.*—Vervang “R1,20” deur “R1”.

B. In die Engelse teks:

Item 3.—Vervang “R1,20” deur “R1”.

No. R. 2390

18 November 1977

REGULASIES BETREFFENDE GEMEENSKAPSGEBIED IN DIE BANTOESAKE-ADMINISTRASIEGEBIED VAN DIE WES-RANDSE BANTOESAKE-ADMINISTRASIERAAD, 1977.—WYSIGING VAN GOEWERMENTSKENNISGEWING R. 2151 VAN 21 OKTOBER 1977

Ek, Willem Adriaan Cruywagen, Adjunk-minister van Bantoesake, wysig hierby, namens die Minister van Bantoe-administrasie en -ontwikkeling kragtens die bevoegdheid

powers vested in him by section 11 (1) of the Community Councils Act, 1977 (Act 125 of 1977), amend Government Notice R. 2151 dated 21 October 1977, in accordance with the accompanying Schedule.

W. A. CRUYWAGEN, Deputy Minister of Bantu Affairs.
(FILE A2/14/2/J8/1)

SCHEDULE

1. Chapter 1 is amended by the substitution in the definition of "registered occupier" in Regulation 1 for "the wife of any person to whom such a site or residential permit or certificate of occupation has been issued" of "the wife of any person to whom such a site, residential or lodger's permit or certificate of occupation has been issued".

2. Chapter 5 of the Afrikaans version is amended by the substitution in Regulation 19 (2) (a) for "28" of "21".

DEPARTMENT OF BANTU EDUCATION

No. R. 2381 18 November 1977

AMENDMENT OF NOTICE REGARDING THE IMPOSITION, PAYMENT AND COLLECTION OF A LEVY FOR THE BENEFIT OF THE BOITHUSONG PUBLIC IN-SERVICE TRAINING CENTRE, BLOEMFONTEIN, IN TERMS OF THE BANTU EMPLOYEES' IN-SERVICE TRAINING ACT, 1976 (ACT 86 OF 1976)

I, Andries Petrus Treurnicht, Deputy Minister of Bantu Education, acting on behalf of and on the instructions of the Minister of Bantu Education, hereby amend the notice published under Government Notice R. 1929, dated 23 September 1977, by virtue of the powers vested in the said Minister by section 14 (4) of the Bantu Employees' In-Service Training Act, 1976 (Act 86 of 1976), as follows:

1. The following subparagraph is hereby substituted for subparagraph (i) of paragraph 1 (2):

"(i) Employers in the building industry who contribute towards the Building Industries Recruitment and Training Fund;"

A. P. TREURNICHT, Deputy Minister of Bantu Education.

DEPARTMENT OF COMMERCE

No. R. 2396 18 November 1977

NATIONAL SUPPLIES PROCUREMENT ACT, 1970

CONDITIONS RELATING TO THE DISPOSAL OR USE OF MOTOR VEHICLE FUEL

I, Jan Christiaan Heunis, Minister of Economic Affairs, do hereby in terms of sections 2 and 6 of the National Supplies Procurement Act, 1970 (Act 89 of 1970) amend Government Notice R. 1974 of 22 October 1976, as amended by Government Notice R. 2489 of 10 December 1976, by the substitution for paragraph 2 (1) (b) (iii) of the following paragraphs:

(iii) 12h00 to 18h00 on Friday 23 December 1977;

(iv) 06h00 to 18h00 on Saturday 24 December 1977;

(v) 12h00 to 18h00 on Friday 30 December 1977;

(vi) 06h00 to 18h00 on Saturday 31 December 1977;

hom verleen by artikel 11 (1) van die Wet op Gemeenskapsrade, 1977 (Wet 125 van 1977), Goewermentskennisgewing R. 2151 van 21 Oktober 1977 ooreenkomstig bygaande Bylae.

W. A. CRUYWAGEN, Adjunk-minister van Bantoesake.
(LÊER A2/14/2/J8/1)

BYLAE

1. Hoofstuk 1 word gewysig deur in die woordomskraving van "geregisteerde bewoner" in Regulasie 1 "die eggenote van 'n persoon aan wie sodanige perseel- of woonpermit of sertifikaat van bewoning uitgereik is" deur "die eggenote van 'n persoon aan wie sodanige perseel-, woon- of loseerderspermit of sertifikaat van bewoning uitgereik is" te vervang.

2. Hoofstuk 5 van die Afrikaanse weergawe word gewysig deur in Regulasie 19 (2) (a) "28" met "21" te vervang.

DEPARTEMENT VAN BANTOE-ONDERWYS

No. R. 2381 18 November 1977

WYSIGING VAN KENNISGEWING BETREFFENDE DIE OPLEGGING, BETALING EN INVORDERING VAN 'N HEFFING TEN BEHOEWE VAN DIE BOITHUSONG- OPENBARE INDIENSOPLEIDINGSENTRUM, BLOEMFONTEIN, KRAGTENS DIE WET OP INDIENSOPLEIDING VAN BANTOE-WERKNEMERS, 1976 (WET 86 VAN 1976)

Ek, Andries Petrus Treurnicht, Adjunk-minister van Bantoe-onderwys, handelende namens en in opdrag van die Minister van Bantoe-onderwys, wysig hierby die kennisgewing gepubliseer by Goewermentskennisgewing R. 1929 van 23 September 1977, kragtens die bevoegdheids aan genoemde Minister verleen by artikel 14 (4) van die Wet op Indiensopleiding van Bantoe-werknemers, 1976 (Wet 86 van 1976), soos volg:

1. Subparagraaf (i) van paragraaf 1 (2) word hierby deur die volgende subparagraaf vervang:

"(i) Werkgewers in die bounywerheid wat bydra tot die Bounywerheids Werwings- en Opleidingsfonds;"

A. P. TREURNICHT, Adjunk-minister van Bantoe-onderwys.

DEPARTEMENT VAN HANDEL

No. R. 2396 18 November 1977

WET OP VERKRYGING VAN LANDS-VOORRADE, 1970

VOORWAARDES MET BETREKKING TOT DIE BESKIKKING OOR OF DIE GEBRUIK VAN MOTORVOERTUIGBRANDSTOF

Ek, Jan Christiaan Heunis, Minister van Ekonomiese Sake, wysig hierby kragtens artikels 2 en 6 van die Wet op die Verkryging van Landsvoorraad, 1970 (Wet 89 van 1970), Goewermentskennisgewing R. 1974 van 22 Oktober 1976, soos gewysig deur Goewermentskennisgewing R. 2489 van 10 Desember 1976, deur die vervanging van paragraaf 2 (1) (b) (iii) deur die volgende paragrafe:

(iii) 12h00 tot 18h00 op Vrydag 23 Desember 1977;

(iv) 06h00 tot 18h00 op Saterdag 24 Desember 1977;

(v) 12h00 tot 18h00 op Vrydag 30 Desember 1977;

(vi) 06h00 tot 18h00 op Saterdag 31 Desember 1977;

(vii) in the Republic of South Africa also during the hours 18h00 on Wednesday 30 November 1977 to 06h00 on Thursday 1 December 1977;

(viii) in all districts referred to in Schedule A to the Status of Bophuthatswana Act, 1977 (Act 89 of 1977), also during the hours—

(a) 08h00 to 18h00 on Saturday 3 December 1977; and

(b) 08h00 to 18h00 on Sunday 4 December 1977.

J. C. HEUNIS, Minister of Economic Affairs.

(vii) in die Republiek van Suid-Afrika ook gedurende die ure 18h00 op Woensdag 30 November 1977 tot 06h00 op Donderdag 1 Desember 1977;

(viii) in al die distrikte na verwys in Bylae A van die Wet op die Status van Bophuthatswana, 1977 (Wet 89 van 1977), ook gedurende die ure—

(a) 08h00 tot 18h00 op Saterdag 3 Desember 1977; en

(b) 08h00 tot 18h00 op Sondag 4 Desember 1977.

J. C. HEUNIS, Minister van Ekonomiese Sake.

DEPARTMENT OF CUSTOMS AND EXCISE

No. R. 2377

18 November 1977

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE 1 (No. 1/4/5)

Under section 48 of the Customs and Excise Act, 1964—

(1) Part 4 of Schedule 1 to the said Act is hereby amended to the extent set out in the Schedule hereto; and

(2) this amendment insofar as it relates to paragraph (d) of Note 7 shall be deemed to have come into operation on 30 March 1977.

O. P. F. HORWOOD, Minister of Finance.

DEPARTEMENT VAN DOEANE EN AKSYNS

No. R. 2377

18 November 1977

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE 1 (No. 1/4/5)

Kragtens artikel 48 van die Doeane- en Aksynswet, 1964—

(1) word Deel 4 van Bylae 1 by genoemde Wet hierby gewysig in die mate in die Bylae hiervan aangetoon; en

(2) word hierdie wysiging vir sover dit betrekking het op paragraaf (d) van Opmerking 7 geag op 30 Maart 1977 in werking te getree het.

O. P. F. HORWOOD, Minister van Finansies.

SCHEDULE

I Surcharge Item	II Tariff Heading and Description	III Rate of Surcharge
Note 7	By the substitution for Note 7 to Part 4 of Schedule No. 1 of the following: "7. Any rate of surcharge specified in this Part in respect of any goods shall not apply to any such goods— (a) which are entered in terms of item 312.01/48.01 of Schedule No. 3 or items 401.00, 402.00, 405.04, 405.05 (II), 405.07, 406.00, 407.00, 408.00, 409.00, 410.03/30.03 (2), 411.00/89.01 and 89.02, 412.02, 412.03, 412.04, 412.06, 412.07, 412.08, 412.09, 412.10, 412.11, 412.12, 412.13, 412.15, 412.16, 412.17, 460.23, 470.00, 480.00 and 490.00 of Schedule No. 4, (b) provided for in paragraphs (i) to (iv) of the proviso to section 38 (1) (a), (c) imported in such quantities, at such times, for such purposes and subject to such conditions as the Secretary for Industries may allow by specific permit, (d) being components imported separately as original equipment (for example, as a reserve supply for replacing components which are damaged or short-shipped or as components not forming part of imported unassembled, complete or incomplete vehicles) for use in terms of the provisions of item 317.03 or 317.04 of Schedule No. 3, and (e) being printed books, newspapers, journals and periodicals, imported by post, of a value for duty purposes not exceeding R10 per parcel."	
175.00	By the substitution for tariff heading No. 74.00 of the following: "74.00 Copper and articles thereof (excluding goods of sub-headings Nos. 74.07.20.30, 74.09.20, 74.10.10, 74.11.10.10, 74.15.10, 74.15.20, 74.15.60, 74.16.10 and 74.19.30.90)	15%"

Notes.—

- The following goods are exempted from the payment of surcharge:
 - Colostomy, ileostomy, ureterostomy and ileal bladder appliances, disposable colostomy or ileostomy drainage bags and specially prepared skin adhesives for use with the afore-mentioned articles.
 - Motor vehicle components imported separately as original equipment.
 - Printed books, newspapers, journals and periodicals, imported by post, of a value for duty purposes not exceeding R10 per parcel.
- Tubes and pipes, of copper, with an external cross-sectional dimension not exceeding 115 mm are made subject to the payment of surcharge.

BYLAE

I Bobelasting- item	II Tariefpos en Beskrywing	III Skaal van Bobelasting
Opmerking 7	Deur Opmerking 7 by Deel 4 van Bylae No. 1 deur die volgende te vervang: "7. Enige skaal van bobelasting in hierdie Deel vermeld ten opsigte van enige goedere is nie van toepassing nie op enige sodanige goedere— (a) wat geklaar word kragtens item 312.01/48.01 van Bylae No. 3 of items 401.00, 402.00, 405.04, 405.05 (II), 405.07, 406.00, 407.00, 408.00, 409.00, 410.03/30.03 (2), 411.00/89.01 en 89.02, 412.02, 412.03, 412.04, 412.06, 412.07, 412.08, 412.09, 412.10, 412.11, 412.12, 412.13, 412.15, 412.16, 412.17, 460.23, 470.00, 480.00 en 490.00 van Bylae No. 4, (b) waarvoor in paragrawe (i) tot (iv) van die voorbehoudsbepaling by artikel 38 (1) (a) voorsiening gemaak word, (c) ingevoer in die hoeveelhede, op die tye, vir die doeleindes en onderworpe aan die voorwaardes wat die Sekretaris van Nywerheidswese by bepaalde permit toelaat, (d) wat komponente is wat afsonderlik ingevoer word as oorspronklike toerusting (byvoorbeeld, as 'n reserwevoorraad om komponente wat beskadig of kortverskeep is te vervang of as komponente wat nie deel uitmaak van ingevoerde ongemonteerde, volledige of onvolledige voertuie nie) vir gebruik kragtens die bepaling van item 317.03 of 317.04 van Bylae No. 3, en (e) wat bedrukte boeke, koerante, joernale en tydskrifte is, wat per pos ingevoer word, met 'n waarde vir belastingdoeleindes van hoogstens R10 per pakket." Deur tariefpos No. 74.00 deur die volgende te vervang: "74.00 Koper en artikels daarvan (uitgesonderd goedere van subposte Nos. 74.07.20.30, 74.09.20, 74.10.10, 74.11.10.10, 74.15.10, 74.15.20, 74.15.60, 74.16.10 en 74.19.30.90)	15%

Opmerkings.—

- Die volgende goedere word van die betaling van bobelasting vrygestel:
 - Kolostomie-, ileostomie-, ureterostomie- en ileumblaastoestelle, wegdoenbare kolostomie- of ileostomiedreineringsakkies en velkleefstowwe spesiaal voorberei vir gebruik met die voormelde artikels.
 - Motorvoertuigkomponente afsonderlik ingevoer as oorspronklike toerusting.
 - Bedrukte boeke, koerante, joernale en tydskrifte, wat per pos ingevoer word, met 'n waarde vir belastingdoeleindes van hoogstens R10 per pakket.
- Buise en pype, van koper, met 'n buitewarsdeursnee-afmeting van hoogstens 115 mm, word aan die betaling van bobelasting onderhewig gemaak.

DEPARTMENT OF HEALTH

No. R. 2353

18 November 1977

PROMULGATION OF SMOKE CONTROL ZONE ORDER IN TERMS OF SECTION 20 (1) OF ACT 45 OF 1965

In terms of section 20 (1) of the Atmospheric Pollution Prevention Act, 1965 (Act 45 of 1965); and after consultation with the National Air Pollution Advisory Committee, I, Schalk Willem van der Merwe, Minister of Health, hereby promulgate the following Order which was confirmed by me on 30 September 1977 and which shall apply to the area of jurisdiction of the Municipality of Nigel with effect from 30 June 1978:

MUNICIPALITY OF NIGEL.—THIRD SMOKE CONTROL ZONE ORDER

The Municipality of Nigel hereby, under and by virtue of the powers vested in it by section 20 of the Atmospheric Pollution Prevention Act, 1965, makes the following Order:

1. The area defined in the Schedule hereto is hereby declared to be a Smoke Control Zone.

2. In this Smoke Control Zone no owner or occupier of any premises referred to in clause 3 shall cause or permit the emanation or emission from such premises of smoke of such a density or content as will obscure light to an extent greater than 20 per cent.

DEPARTEMENT VAN GESONDHEID

No. R. 2353

18 November 1977

AFKONDIGING VAN ROOKBEHEERSTREEKBEVEL INGEVOLGE ARTIKEL 20 (1) VAN WET 45 VAN 1965

Kragtens artikel 20 (1) van die Wet op Voorkoming van Lugbesoedeling, 1965 (Wet 45 van 1965), en na oorlegpleging met die Nasionale Adviserende Komitee op Lugbesoedeling, kondig ek, Schalk Willem van der Merwe, Minister van Gesondheid, hierby die volgende Bevel af wat op 30 September 1977 deur my bekragtig is en wat met ingang van 30 Junie 1978 op die regsgebied van die Munisipaliteit van Nigel van toepassing is:

MUNISIPALITEIT VAN NIGEL.—DERDE ROOKBEHEERSTREEKBEVEL

Die Munisipaliteit van Nigel vaardig kragtens die bevoegdheid hom verleen by artikel 20 van die Wet op Voorkoming van Lugbesoedeling, 1965, hierby die volgende Bevel uit:

1. Die gebied soos in die Bylae hiervan omskryf, word hierby tot 'n Rookbeheerstreek verklaar.

2. Geen eienaar of okkupeerder van 'n perseel in klouule 3 genoem, mag in hierdie Rookbeheerstreek die voorkoming of uitlating van rook van so 'n digtheid of inhoud dat dit lig in groter mate as 20 persent verdonker, uit sodanige perseel veroorsaak of toelaat nie.

3. This Order shall apply to all premises or buildings in use zones classified as special residential, general residential, general business, special business, restricted business, general industrial, special industrial, restricted industrial zones and zones for special, undetermined, agricultural, institutional, educational and municipal purposes.

4. The Town Council of Nigel may from time to time exempt from the provisions of clause 2 hereof any make, type, class or model of household fuelburning appliance designed to burn any solid or liquid fuel on condition that—

(a) such appliance is installed, maintained and operated in accordance with the manufacturer's instructions supplied with the appliance;

(b) such appliance is operated so as to minimise the emission of smoke;

(c) the exemption may be withdrawn at any time at the sole discretion of the Town Council of Nigel.

5. Smoke Control Zone Orders 1 and 2, published by Government Notices R. 483 and R. 248, dated 14 March 1975 and 13 February 1976, respectively, are repealed as from the date on which this Order comes into force.

6. This Order shall come into effect on 30 June 1978.

7. This Order shall be called the Third Smoke Control Zone Order.

SCHEDULE

All premises and/or buildings situated within the area of jurisdiction of the Town Council of Nigel, as published under Administrator's Notices 72, dated 24 June 1936, 407, dated 30 May 1961, and 437, dated 7 April 1976; excluding the industrial townships Pretoriusstad with extensions, Vorsterskroon with extensions, as well as the townships Duduza and Cerutiville.

DEPARTMENT OF JUSTICE

No. R. 2365

18 November 1977

RULES REGULATING THE CONDUCT OF THE PROCEEDINGS OF THE SEVERAL PROVINCIAL AND LOCAL DIVISIONS OF THE SUPREME COURT OF SOUTH AFRICA

The Chief Justice, after consultation with the Judges President of the several divisions of the Supreme Court of South Africa has, in terms of section 43 (2) (a) of the Supreme Court Act, 1959 (Act 59 of 1959), with the approval of the State President, made the following amendment to the rules regulating the conduct of the proceedings of the provincial and local divisions of the Supreme Court of South Africa promulgated by Government Notice R. 48, dated 12 January 1965:

The substitution for rule 70 (1) of the following:

“(1) (a) It shall be competent for any taxing master to tax any bill of costs for services actually rendered by an attorney in his capacity as such in connection with litigious work and such bill shall be taxed in accordance with the provisions of the appended tariff: Provided that the taxing master shall not tax costs in instances where some other official is empowered so to do.

(b) The provisions relating to taxation existing prior to the promulgation of this subrule shall continue to apply to any work done or to be done pursuant to a mandate accepted by a practitioner prior to such date.”

3. Hierdie Bevel is van toepassing op alle persele of geboue in gebruikstreke geklassifiseer as spesiale woon-, algemene woon-, algemene besigheid-, spesiale besigheid-, beperkte besigheid-, algemene nywerheid-, spesiale nywerheid-, beperkte nywerheidstreke en streke vir spesiale, onbepaalde, landbou-, inrigtings-, onderrig- en munisipale doeleindes.

4. Die Stadsraad van Nigel kan van tyd tot tyd enige fabriek, tipe, klas of model huishoudelike brandstofverbruikende toestel wat ontwerp is om enige vaste of vloeibare brandstof te verbrand, vrystel van die bepalinge van klousule 2 hiervan op voorwaarde dat—

(a) sodanige toestel ingerig en in stand gehou word en aan die gang bly ooreenkomstig die vervaardiger se voorskrifte wat saam met die toestel verskaf is;

(b) sodanige toestel op so 'n wyse aan die gang bly dat die uitlating van rook tot 'n minimum beperk word;

(c) die vrystelling te eniger tyd na die uitsluitlike goeddunke van die Stadsraad van Nigel ingetrek kan word.

5. Rookbeheerstreekbevele 1 en 2 afgekondig by Gowermentskennisgewings R. 483 en R. 248 van 14 Maart 1975 en 13 Februarie 1976, onderskeidelik, word herroep vanaf die datum waarop hierdie Bevel van krag word.

6. Hierdie Bevel tree in werking op 30 Junie 1978.

7. Hierdie Bevel heet die Derde Rookbeheerstreekbevel.

BYLAE

Alle persele en/of geboue geleë binne die regsgebied van die Stadsraad van Nigel, soos afgekondig by Administrateurskennisgewings 72, gedateer 24 Junie 1936, 407, gedateer 30 Mei 1961, en 437, gedateer 7 April 1976; uitgesonderd die nywerheidsdorpe Pretoriusstad met uitbreidings, Vorsterskroon met uitbreidings, sowel as die dorpe Duduza en Cerutiville.

DEPARTEMENT VAN JUSTISIE

No. R. 2365

18 November 1977

REÛLS WAARBY DIE VERRIGTINGS VAN DIE VERSKILLENDE PROVINSIALE EN PLAASLIKE AFDELINGS VAN DIE HOOGGEREGSHOF VAN SUID-AFRIKA GEREÛL WORD

Die Hoof-regter het, na oorlegpleging met die Regters-president van die onderskeie afdelings van die Hooggereshof van Suid-Afrika en met die goedkeuring van die Staatspresident, die reëls waarby die verrigtings van die provinsiale en plaaslike afdelings van die Hooggereshof van Suid-Afrika gereël word, afgekondig by Gowermentskennisgewing R. 48 van 12 Januarie 1965, soos volg kragtens artikel 43 (2) (a) van die Wet op die Hooggereshof, 1959 (Wet 59 van 1959), gewysig:

Die vervanging van reël 70 (1) deur die volgende:

“(1) (a) 'n Takseermeester kan enige kosterekening vir dienste in verband met hofwerk werklik deur 'n prokureur in sy hoedanigheid van prokureur gelewer, takseer, en sodanige rekening word getakseer ooreenkomstig die bepalinge van onderstaande tarief: Met dien verstande dat die takseermeester nie koste mag takseer nie in gevalle waar 'n ander beamppte gemagtig is om dit te doen.

(b) Die bepalinge betreffende taksasie soos wat dit van krag was voor die afkondiging van hierdie subreël gaan voort om van toepassing te wees op enige werk wat verrig is of verrig moet word ooreenkomstig 'n opdrag wat voor sodanige datum deur die praktisyn aanvaar is.”

No. R. 2366

18 November 1977

THE LAW SOCIETY OF THE TRANSVAAL

It is hereby notified that the following new Rule 3 was framed in terms of section 21 (1) of Act 41 of 1975 by the Council of The Law Society of the Transvaal and approved by the Chief Justice of South Africa in terms of section 21 (3) of Act 41 of 1975:

“3. (a) It shall be competent for the Council or any committee appointed by the Council for that purpose, at the request of any person or practitioner, to assess the fees payable by such person to a practitioner who, in terms of the provisions of section 3 (1) of the Act is a member of the particular Society, in respect of the performance on behalf of such person of any work other than litigious work by the practitioner in his capacity as such: Provided that the Council or the committee shall not assess fees in instances where a state official is empowered to do so or where the work concerned is already covered by a statutory tariff.

(b) With a view to affording the practitioner reasonable and adequate remuneration for the services rendered by him, the Council or the committee, as the case may be, shall, on every assessment, allow all such fees as appear to it to have been reasonable for the performance of the work concerned, and in so doing shall take cognisance of the following:

- (i) The amount and importance of the work done;
- (ii) the complexity of the matter or the difficulty or novelty of the work or the questions raised;
- (iii) the skill, labour, specialised knowledge and responsibility involved on the part of the practitioner;
- (iv) the number and importance of the documents prepared or perused, without necessarily having regard to length;
- (v) the place where and circumstances in which the services or any part thereof were rendered;
- (vi) the time expended by the practitioner;
- (vii) where money or property is involved, its amount or value;
- (viii) the importance of the matter to the client;
- (ix) the quality of the work done;
- (x) the experience or seniority of the practitioner;
- (xi) any tariff of fees approved by the Society for the sole purpose of serving as a guide to practitioners;
- (xii) any tariff of fees prescribed by the Council in accordance with the provisions of section 15 (d) of the Act; and

whether the fees have been incurred or increased through overcaution, negligence or mistake on the part of the practitioner.

(c) At the assessment of any practitioner's fees, the Council or the committee, as the case may be, may call for the production of such books, documents, papers or accounts as in its opinion are necessary to enable it properly to determine any matter arising upon such assessment.

(d) The Council or the committee, as the case may be, shall not proceed to the assessment of the fees unless the Secretary of the Society has duly given notice by prepaid registered post to both the practitioner and the person liable to pay the fees, stating the time and place of such assessment and recording that he is entitled to be present and represented thereat: Provided that such notice shall not be necessary if both the practitioner and such person have consented in writing to assessment in their absence.

No. R. 2366

18 November 1977

PROKUREURSORDE VAN TRANSVAAL

Hiermee word kennis gegee dat die volgende nuwe Reël 3 opgestel kragtens artikel 21 (1) van Wet 41 van 1975 deur die Raad van Die Prokureursorde van Transvaal goedgekeur is in terme van artikel 21 (3) van Wet 41 van 1975 deur die Hoof-regter van Suid-Afrika:

“3. (a) Die Raad of enige komitee deur die Raad aangestel vir daardie doel kan, op versoek van enige persoon of praktisyn, die gelde bereken wat deur sodanige persoon betaalbaar is aan 'n praktisyn wat ingevolge die bepalings van artikel 3 (1) van die Wet 'n lid van die betrokke prokureursorde is, ten opsigte van die verrigting ten behoeve van sodanige persoon van enige ander werk as hofwerk deur die praktisyn in sy hoedanigheid van praktisyn: Met dien verstande dat die Raad of die komitee nie gelde bereken nie in gevalle waar 'n staatsampenaar gemagtig is om dit te doen of waar die betrokke werk reeds deur 'n statutêre tarief gedek word.

(b) Ten einde aan die praktisyn redelike en toereikende vergoeding te bied vir die dienste deur hom gelewer, moet die Raad of die komitee, na gelang van die geval, by elke berekening alle sodanige gelde toelaat as wat vir hom redelik skyn te gewees het vir die verrigting van die betrokke werk, en by sodanige berekening moet hy die volgende in aanmerking neem:

- (i) Die hoeveelheid en belangrikheid van die werk wat gedoen is;
- (ii) die ingewikkeldheid van die aangeleentheid of die moeilikheid of nuutheid van die werk of die vraagstukke wat geopper is;
- (iii) die bekwaamheid, arbeid, gespesialiseerde kennis en verantwoordelikheid daarby betrokke van die kant van die praktisyn;
- (iv) die getal en belangrikheid van die dokumente wat opgestel of deurgelees is, sonder om noodwendig op die lengte daarvan te let;
- (v) die plek waar en die omstandighede waarin die dienste of enige deel daarvan gelewer is;
- (vi) die tyd wat die praktisyn daaraan bestee het;
- (vii) waar geld of eiendom betrokke is, die bedrag of waarde daarvan;
- (viii) die belangrikheid van die aangeleentheid vir die klient;
- (ix) die gehalte van die werk wat gedoen is;
- (x) die ondervinding of senioriteit van die praktisyn;
- (xi) enige tarief van gelde deur die orde goedgekeur vir die uitsluitlike doel om as 'n riglyn vir praktisyns te dien;
- (xii) enige tarief van gelde deur die Raad voorgeskryf ooreenkomstig die bepalings van artikel 15 (d) van die Wet; en

of betaling van die gelde meegebring of die gelde verhoog is deur oorversigtigheid, nalatigheid of dwaling van die kant van die praktisyn.

(c) By die berekening van 'n praktisyn se gelde kan die Raad of die komitee, na gelang van die geval, die voorlegging vereis van sodanige boeke, dokumente, geskryfte of rekenings as wat na sy mening nodig is om hom in staat te stel om behoorlik te besluit oor enige aangeleentheid wat by sodanige berekening ter sprake kom.

(d) Die Raad of die komitee, na gelang van die geval, gaan nie oor tot die berekening van die gelde nie tensy die Sekretaris van die Orde behoorlik en per vooruitbetaalde geregistreerde pos aan sowel die praktisyn as die persoon wat vir die betaling van die gelde aanspreeklik is, kennis gegee het, met vermelding van die tyd en plek van sodanige berekening en met vermelding dat hy geregtig is om daarby teenwoordig te wees en verteenwoordig te word: Met dien verstande dat sodanige kennisgewing nie nodig is nie indien beide die praktisyn en sodanige persoon skriftelik toegestem het tot berekening in hulle afwesigheid.

At the assessment the Council or the committee, as the case may be, shall permit the practitioner and such person to submit their representations and arguments either orally or in writing. After receiving such representations and arguments, the Council or the committee, as the case may be, shall be entitled to reserve its decision. As soon as the Council or the committee, as the case may be, has arrived at its decision, it shall deliver to both the practitioner and such person either by hand or prepaid registered post, a copy of the fee list submitted for assessment, duly endorsed with the allocatur of the Council or the committee, as the case may be, under the hand of the Secretary of the Society. Subject to the provisions of section 21 (5) of the Act the fees determined in terms of the allocatur shall be deemed to be a reasonable fee payable to the practitioner for the services rendered.

(e) The Council or the committee, as the case may be, shall be entitled in its discretion at any time, to depart from any of the provisions of subrule (b) above, in extraordinary or exceptional cases, where strict adherence to such provisions would be inequitable.

(f) This rule shall not apply to any work done pursuant to a mandate accepted by an attorney prior to the date of promulgated of this rule whether the work is actually done before or after the said date."

No. R. 2367

18 November 1977

THE LAW SOCIETY OF THE CAPE OF GOOD HOPE

It is hereby notified that the subjoined insertion of Rule 17 framed in terms of section 21 (1) of Act 41 of 1975 by the Council of The Law Society of the Cape of Good Hope was agreed to by the majority of the members of the Society present or represented at the Special General Meeting of the Society held at Cape Town on 7 May 1976, and have in terms of section 21 (3) of Act 41 of 1975 been approved by the Chief Justice of South Africa in consultation with the Judges President of the Cape of Good Hope Provincial Division, Eastern Cape Division and Northern Cape Division of the Supreme Court of South Africa as well as the Chief Justice of the Supreme Court of the Transkei:

"17.1 It shall be competent for the Council or any committee appointed by the Council for that purpose, at the request of any person or practitioner, to assess the fees payable by such person to a practitioner who, in terms of the provisions of section 3 (1) of the Act is a member of the particular Society, in respect of the performance on behalf of such person of any work other than litigious work by the practitioner in his capacity as such; provided that the Council or the committee shall not assess fees in instances where a state official is empowered to do so or where the work concerned is already covered by a statutory tariff.

17.2 With a view to affording the practitioner reasonable and adequate remuneration for the services rendered by him, the Council or the committee, as the case may be, shall, on every assessment, allow all such fees as appear to it to have been reasonable for the performance of the work concerned, and in so doing shall take cognisance of the following:

17.2.1 The amount and importance of the work done;

17.2.2 the complexity of the matter or the difficulty or novelty of the work or the questions raised;

By die berekening moet die Raad of die komitee, na gelang van die geval, die praktisyn en sodanige persoon toelaat om hulle vertoë en argumente mondeling of skriftelik in oorweging te gee. Die Raad of die komitee, na gelang van die geval, is na ontvangs van sodanige vertoë en argumente geregtig om sy besluit voor te behou. Sodra die Raad of die komitee, na gelang van die geval, tot 'n besluit gekom het, moet hy aan beide die praktisyn en sodanige persoon, per hand of per vooruitbetaalde geregistreerde pos, 'n eksemplaar lewer van die geldelyst wat vir berekening ingedien is, behoorlik geëndosseer met die allocatur van die Raad of die komitee, na gelang van die geval, onder die hand van die Sekretaris van die Orde. Behoudens die bepalings van artikel 21 (5) van die Wet word die gelde wat ingevolge die allocatur vasgestel is, geag redelike gelde te wees betaalbaar aan die praktisyn vir die dienste gelewer.

(e) Die Raad of die komitee, na gelang van die geval, is geregtig om te eniger tyd na sy goeddunke af te wyk van enige van die bepalings van subreël (b) hierbo, in buitengewone of uitsonderlike gevalle waar die strenge nakoming van sodanige bepalings onbillik sou wees.

(f) Hierdie reël is nie van toepassing nie op enige werk gedoen ooreenkomstig 'n opdrag wat voor die datum van afkondiging van hierdie reël deur 'n prokureur aanvaar is, ongeag of die werk werklik voor of na genoemde datum gedoen word."

No. R. 2367

18 November 1977

DIE WETSGENOOTSKAP VAN DIE KAAP DIE GOEIE HOOP

Hiermee word kennis gegee dat die volgende byvoeging van Reël 17 opgestel kragtens artikel 21 (1) van Wet 41 van 1975 deur die Raad van Die Wetsgenootskap van die Kaap die Goeie Hoop aangeneem is deur die meerderheid van lede van die Genootskap teenwoordig of verteenwoordig op die spesiale algemene vergadering van die Genootskap gehou te Kaapstad op 7 Mei 1976 goedgekeur is in terme van artikel 21 (3) van Wet 41 van 1975 deur die Hoof-regter van Suid-Afrika in oorleg met die Regter-president van die Kaap die Goeie Hoop Provinsiale Afdeling, Die Oos-Kaapse Afdeling en die Noord-Kaapse Afdeling van die Hooggeregshof van Suid-Afrika asook deur die Hoof-regter van die Hooggeregshof van Transkei:

"17.1 Die Raad of enige komitee deur die Raad aangestel vir daardie doel kan, op versoek van enige persoon of praktisyn, die gelde bereken wat deur sodanige persoon betaalbaar is aan 'n praktisyn wat ingevolge die bepalings van artikel 3 (1) van die Wet 'n lid van die betrokke prokureursorde is, ten opsigte van die verrigting ten behoeve van sodanige persoon van enige ander werk as hofwerk deur die praktisyn in sy hoedanigheid van praktisyn: Met dien verstande dat die Raad of die komitee nie gelde bereken nie in gevalle waar 'n staats-amptenaar gemagtig is om dit te doen of waar die betrokke werk reeds deur 'n statutêre tarief gedek word.

17.2 Ten einde aan die praktisyn redelike en toereikende vergoeding te bied vir die dienste deur hom gelewer, moet die Raad of die komitee, na gelang van die geval, by elke berekening alle sodanige gelde toelaat as wat vir hom redelik skyn te gewees het vir die verrigting van die betrokke werk, en by sodanige berekening moet hy die volgende in aanmerking neem:

17.2.1 Die hoeveelheid en belangrikheid van die werk wat gedoen is;

17.2.2 die ingewikkeldheid van die aangeleentheid of die moeilikheid of nuttheid van die werk of die vraagstukke wat geopper is;

17.2.3 the skill, labour, specialised knowledge and responsibility involved on the part of the practitioner;

17.2.4 the number and importance of the documents prepared or perused, without necessarily having regard to length;

17.2.5 the place where and circumstances in which the services or any part thereof were rendered;

17.2.6 the time expended by the practitioner;

17.2.7 where money or property is involved, its amount or value;

17.2.8 the importance of the matter to the client;

17.2.9 the quality of the work done;

17.2.10 the experience or seniority of the practitioner;

17.2.11 any tariff of fees approved by the Society for the sole purpose of serving as a guide to practitioners;

17.2.12 any tariff of fees prescribed by the Council in accordance with the provisions of section 15 (d) of the Act; and

whether the fees have been incurred or increased through overcaution, negligence or mistake on the part of the practitioner.

17.3 At the assessment of any practitioner's fees, the Council or the committee, as the case may be, may call for the production of such books, documents, papers or accounts as in its opinion are necessary to enable it properly to determine any matter arising upon such assessment.

17.4 The Council or the committee, as the case may be, shall not proceed to the assessment of the fees unless the Secretary of the Society has duly given notice by prepaid registered post to both the practitioner and the person liable to pay the fees, stating the time and place of such assessment and recording that he is entitled to be present and represented thereat; provided that such notice shall not be necessary if both the practitioner and such person have consented in writing to assessment in their absence. At the assessment the Council or the committee, as the case may be, shall permit the practitioner and such person to submit their representations and arguments either orally or in writing. After receiving such representations and arguments, the Council or the committee, as the case may be, shall be entitled to reserve its decision. As soon as the Council or the committee, as the case may be, has arrived at its decision, it shall deliver to both the practitioner and such person either by hand or prepaid registered post, a copy of the fee list submitted for assessment, duly endorsed with the allocatur of the Council or the committee, as the case may be, under the hand of the Secretary of the Society. Subject to the provisions of section 21 (5) of the Act the fees determined in terms of the allocatur shall be deemed to be a reasonable fee payable to the practitioner for the services rendered.

17.5 The Council or the committee, as the case may be, shall be entitled in its discretion at any time, to depart from any of the provisions of subrule (b) above, in extraordinary or exceptional cases, where strict adherence to such provisions would be inequitable.

17.6 This rule shall not apply to any work done pursuant to a mandate accepted by an attorney prior to the date of promulgation of this rule whether the work is actually done before or after the said date."

17.2.3 Die bekwaamheid, arbeid, gespesialiseerde kennis en verantwoordelikheid daarby betrokke van die kant van die praktisyn;

17.2.4 die getal en belangrikheid van die dokumente wat opgestel of deurgelees is, sonder om noodwendig op die lengte daarvan te let;

17.2.5 Die plek waar en die omstandighede waarin die dienste of enige deel daarvan gelewer is;

17.2.6 die tyd wat die praktisyn daaraan bestee het;

17.2.7 waar geld of eiendom betrokke is, die bedrag of waarde daarvan;

17.2.8 die belangrikheid van die aangeleentheid vir die klient;

17.2.9 die gehalte van die werk wat gedoen is;

17.2.10 die ondervinding of senioriteit van die praktisyn;

17.2.11 enige tarief van gelde deur die orde goedgekeur vir die uitsluitlike doel om as 'n riglyn vir praktisyne te dien;

17.2.12 enige tarief van gelde deur die Raad voorgeskryf ooreenkomstig die bepalings van artikel 15 (d) van die Wet; en

of betaling van die gelde meegebring of die gelde verhoog is deur oorversigtigheid, nalatigheid of dwaling van die kant van die praktisyn.

17.3 By die berekening van 'n praktisyn se gelde kan die Raad of die komitee, na gelang van die geval, die voorlegging vereis van sodanige boeke, dokumente, geskifte of rekenings as wat na sy mening nodig is om hom in staat te stel om behoorlik te besluit oor enige aangeleentheid wat by sodanige berekening ter sprake kom.

17.4 Die Raad of die komitee, na gelang van die geval, gaan nie oor tot die berekening van die gelde tensy die Sekretaris van die Orde behoorlik en per vooruitbetaalde geregistreerde pos aan sowel die praktisyn as die persoon wat vir die betaling van die gelde aanspreeklik is, kennis gegee het, met vermelding van die tyd en plek van sodanige berekening en met vermelding dat hy geregtig is om daarby teenwoordig te wees en verteenwoordig te word: Met dien verstande dat sodanige kennisgewing nie nodig is nie indien beide die praktisyn en sodanige persoon skriftelik toegestem het tot praktisyn en sodanige persoon skriftelik toegestem het tot berekening in hulle afwesigheid. By die berekening moet die Raad of die komitee, na gelang van die geval, die praktisyn en sodanige persoon toelaat om hulle vertoë en argumente mondeling of skriftelik in oorweging te gee. Die Raad of die komitee, na gelang van die geval, is na ontvangs van sodanige vertoë en argumente geregtig om sy besluit voor te behou. Sodra die Raad of die komitee, na gelang van die geval, tot 'n besluit gekom het, moet hy aan beide die praktisyn en sodanige persoon, per hand of per vooruitbetaalde geregistreerde pos, 'n eksemplaar lewer van die geldelys wat vir berekening ingedien is, behoorlik geëndosseer met die allocatur van die Raad of die komitee, na gelang van die geval, onder die hand van die Sekretaris van die Orde. Behoudens die bepalings van artikel 21 (5) van die Wet word die gelde wat ingevolge die allocatur vasgestel is, geag redelike gelde te wees betaalbaar aan die praktisyn vir die dienste gelewer.

17.5 Die Raad of die komitee, na gelang van die geval, is geregtig om te eniger tyd na sy goëddunke af te wyk van enige van die bepalings van subreël (b) hierbo, in buitengewone of uitsonderlike gevalle waar die strenge nakoming van sodanige bepalings onbillik sou wees.

17.6 Hierdie reël is nie van toepassing nie op enige werk gedoen ooreenkomstig 'n opdrag wat voor die datum van afkondiging van hierdie reël deur 'n prokureur aanvaar is, ongeag of die werk werklik voor of na genoemde datum gedoen word."

No. R. 2368

18 November 1977

NATAL LAW SOCIETY

It is hereby notified that the following new Rule 94 framed in terms of section 21 (1) of Act 41 of 1975 by the Council of The Natal Law Society was agreed to by the majority of members of the Society present or represented at the special general meeting of the Society held at Durban on 14 May 1976 and has in terms of section 21 (3) of Act 41 of 1975 been approved by the Chief Justice of South Africa:

"94. (a) It shall be competent for the Council or any committee appointed by the Council for that purpose, at the request of any person or practitioner, to assess the fees payable by such person to a practitioner who, in terms of the provisions of section 3 (1) of the Act is a member of the particular Society, in respect of the performance on behalf of such person of any work other than litigious work by the practitioner in his capacity as such. Provided that the Council or the committee shall not assess fees in instances where a state official is empowered to do so or where the work concerned is already covered by a statutory tariff.

(b) With a view to affording the practitioner reasonable and adequate remuneration for the services rendered by him, the Council or the committee, as the case may be, shall, on every assessment, allow all such fees as appear to it to have been reasonable for the performance of the work concerned, and in so doing shall take cognisance of the following:

- (i) The amount and importance of the work done;
- (ii) the complexity of the matter or the difficulty or novelty of the work or the questions raised;
- (iii) the skill, labour, specialised knowledge and responsibility involved on the part of the practitioner;
- (iv) the number and importance of the documents prepared or perused, without necessarily having regard to length;
- (v) the place where and circumstances in which the services or any part thereof were rendered;
- (vi) the time expended by the practitioner;
- (vii) where money or property is involved, its amount or value;
- (viii) the importance of the matter to the client;
- (ix) the quality of the work done;
- (x) the experience or seniority of the practitioner;
- (xi) any tariff of fees approved by the Society for the sole purpose of serving as a guide to practitioners;
- (xii) any tariff of fees prescribed by the Council in accordance with the provisions of section 15 (d) of the Act; and

whether the fees have been incurred or increased through overcaution, negligence or mistake on the part of the practitioner.

(c) At the assessment of any practitioner's fees, the Council or the committee, as the case may be, may call for the production of such books, documents, papers or accounts as in its opinion are necessary to enable it properly to determine any matter arising upon such assessment.

(d) The Council or the committee, as the case may be, shall not proceed to the assessment of the fees unless the Secretary of the Society has duly given notice by prepaid registered post to both the practitioner and the person liable to pay the fees, stating the time and place of such assessment and recording that he is entitled to be present

No. R. 2368

18 November 1977

NATALSE WETSGENOOTSKAP

Hiermee word kennisgegee dat die volgende nuwe Reël 94 opgestel kragtens artikel 21 (1) van Wet 41 van 1975 deur die Raad van Die Natalse Wetsgenootskap, aange- neem is deur die meerderheid van lede van die Genootskap teenwoordig of verteenwoordig op die spesiale algemene vergadering gehou te Durban op 14 Mei 1976 en goed- gekeur is in terme van artikel 21 (3) van Wet 41 van 1975 deur die Hoof-regter van Suid-Afrika:

"94. (a) Die Raad of enige komitee deur die Raad aan- gestel vir daardie doel kan, op versoek van enige persoon of praktisyn, die gelde bereken wat deur sodanige persoon betaalbaar is aan 'n praktisyn wat ingevolge die bepalings van artikel 3 (1) van die Wet 'n lid van die betrokke prokureursorde is, ten opsigte van die verrigting ten behoeve van sodanige persoon van enige ander werk as hofwerk deur die praktisyn in sy hoedanigheid van praktisyn: Met dien verstande dat die Raad of die komitee nie gelde bereken nie in gevalle waar 'n staats- amptenaar gemagtig is om dit te doen of waar die betrokke werk reeds deur 'n statutêre tarief gedek word.

(b) Ten einde aan die praktisyn redelike en toereikende vergoeding te bied vir die dienste deur hom gelewer, moet die Raad of die komitee, na gelang van die geval, by elke berekening alle sodanige gelde toelaat as wat vir hom redelik skyn te gewees het vir die verrigting van die betrokke werk, en by sodanige berekening moet hy die volgende in aanmerking neem:

- (i) Die hoeveelheid en belangrikheid van die werk wat gedoen is;
- (ii) die ingewikkeldheid van die aangeleentheid of die moeilikheid of nuutheid van die werk of die vraagstukke wat geopper is;
- (iii) die bekwaamheid, arbeid, gespesialiseerde kennis en verantwoordelikheid daarby betrokke van die kant van die praktisyn;
- (iv) die getal en belangrikheid van die dokumente wat opgestel of deurgelees is, sonder om noodwendig op die lengte daarvan te let;
- (v) die plek waar en die omstandighede waarin die dienste of enige deel daarvan gelewer is;
- (vi) die tyd wat die praktisyn daaraan bestee het;
- (vii) waar geld of eiendom betrokke is, die bedrag of waarde daarvan;
- (viii) die belangrikheid van die aangeleentheid vir die kliënt;
- (ix) die gehalte van die werk wat gedoen is;
- (x) die ondervinding of senioriteit van die praktisyn;
- (xi) enige tarief van gelde deur die Orde goedgekeur vir die uitsluitlike doel om as 'n riglyn vir praktisyne te dien;
- (xii) enige tarief van gelde deur die Raad voorgeskryf ooreenkomstig die bepalings van artikel 15 (d) van die Wet; en

of betaling van die gelde meegebring of die gelde verhoog is deur oorsigtigheid, nalatigheid of dwaling van die kant van die praktisyn.

(c) By die berekening van 'n praktisyn se gelde kan die Raad of die komitee, na gelang van die geval, die voorlegging vereis van sodanige boeke, dokumente, geskrifte of rekenings as wat na sy mening nodig is om hom in staat te stel om behoorlik te besluit oor enige aangeleentheid wat by sodanige berekening ter sprake kom.

(d) Die Raad of die komitee, na gelang van die geval, gaan nie oor tot die berekening van die gelde nie tensy die Sekretaris van die Orde behoorlik en per vooruit- betaalde geregistreerde pos aan sowel die praktisyn as die persoon wat vir die betaling van die gelde aansprek- lik is, kennis gegee het, met vermelding van die tyd en

and represented thereat: Provided that such notice shall not be necessary if both the practitioner and such person have consented in writing to assessment in their absence. At the assessment the Council or the committee, as the case may be, shall permit the practitioner and such person to submit their representations and arguments either orally or in writing. After receiving such representations and arguments, the Council or the committee, as the case may be, shall be entitled to reserve its decision. As soon as the Council or the committee, as the case may be, has arrived at its decision, it shall deliver to both the practitioner and such person either by hand or prepaid registered post, a copy of the fee list submitted for assessment, duly endorsed with the allocatur of the Council or the committee, as the case may be, under the hand of the Secretary of the Society. Subject to the provisions of section 21 (5) of the Act the fees determined in terms of the allocatur shall be deemed to be a reasonable fee payable to the practitioner for the services rendered.

(e) The Council or the committee, as the case may be, shall be entitled in its discretion at any time, to depart from any of the provisions of subrule (b) above, in extraordinary or exceptional cases, where strict adherence to such provisions would be inequitable.

(f) This rule shall not apply to any work done pursuant to a mandate accepted by an attorney prior to the date of promulgation of this rule whether the work is actually done before or after the said date."

No. R. 2369

18 November 1977

LAW SOCIETY OF SOUTH-WEST AFRICA

It is hereby notified that the following new Rule 56 framed in terms of section 21 (1) of Act 41 of 1975 by the Council of The Law Society of South West Africa was agreed to by the majority of members of the Society present or represented at the special general meeting of the Society held at Windhoek on 12 May 1976 and has in terms of section 21 (3) of Act 41 of 1975 been approved by the Chief Justice of South Africa:

56. (a) It shall be competent for the Council or any committee appointed by the Council for that purpose, at the request of any person or practitioner, to assess the fees payable by such person to a practitioner who, in terms of the provision of section 3 (1) of the Act is a member of the particular Society, in respect of the performance on behalf of such person of any work other than litigious work by the practitioner in his capacity as such: Provided that the Council or the committee shall not assess fees in instances where a state official is empowered to do so or where the work concerned is already covered by a statutory tariff.

(b) With a view to affording the practitioner reasonable and adequate remuneration for the services rendered by him, the Council or the committee, as the case may be, shall, on every assessment, allow all such fees as appear to it to have been reasonable for the performance of the work concerned, and in so doing shall take cognisance of the following:

- (i) The amount and importance of the work done;
- (ii) the complexity of the matter or the difficulty or novelty of the work or the questions raised;
- (iii) the skill, labour, specialised knowledge and responsibility involved on the part of the practitioner;

plek van sodanige berekening en met vermelding dat hy geregtig is om daarby teenwoordig te wees en verteenwoordig te word: Met dien verstande dat sodanige kennisgewing nie nodig is nie indien beide die praktisyn en sodanige persoon skriftelik toegestem het tot berekening in hulle afwesigheid. By die berekening moet die Raad of die komitee, na gelang van die geval, die praktisyn en sodanige persoon toelaat om hulle vertoë en argumente mondeling of skriftelik in oorweging te gee. Die Raad of die komitee, na gelang van die geval, is na ontvangs van sodanige vertoë en argumente geregtig om sy besluit voor te behou. Sodra die Raad of die komitee, na gelang van die geval, tot 'n besluit gekom het, moet hy aan beide die praktisyn en sodanige persoon, per hand of per vooruitbetaalde geregistreerde pos, 'n eksemplaar lewer van die geldelys wat vir berekening ingedien is, behoorlik geëndosseer met die allocatur van die Raad of die komitee, na gelang van die geval, onder die hand van die Sekretaris van die Orde. Behoudens die bepaling van artikel 21 (5) van die Wet word die gelde wat ingevolge die allocatur vasgestel is, geag redelike gelde te wees betaalbaar aan die praktisyn vir die dienste gelewer.

(e) Die Raad of die komitee, na gelang van die geval, is geregtig om te eniger tyd na sy goeddunke af te wyk van enige van die bepalinge van subreël (b) hierbo, in buitengewone of uitsonderlike gevalle waar die strenge nakoming van sodanige bepalinge onbillik sou wees.

(f) Hierdie reël is nie van toepassing nie op enige werk gedoen ooreenkomstig 'n opdrag wat voor die datum van afkondiging van hierdie reël deur 'n prokureur aanvaar is, ongeag of die werk werklik voor of na genoemde datum gedoen word."

No. R. 2369

18 November 1977

PROKUREURSORDE VAN SUID-WES AFRIKA

Hiermee word kennis gegee dat die volgende nuwe Reël 56 opgestel kragtens artikel 21 (1) van Wet 41 van 1975 deur die Raad van Die Prokureursorde van Suid-Wes Afrika, aangeneem is deur die meerderheid van lede van die Prokureursorde teenwoordig of verteenwoordig op die spesiale algemene vergadering gehou te Windhoek op 12 Mei 1976 en goedgekeur is in terme van artikel 21 (3) van Wet 41 van 1975 deur die Hoof-regter van Suid-Afrika:

56. (a) Die Raad of enige komitee deur die Raad aangestel vir daardie doel kan, op versoek van enige persoon of praktisyn, die gelde bereken wat deur sodanige persoon betaalbaar is aan 'n praktisyn wat ingevolge die bepalinge van artikel 3 (1) van die Wet 'n lid van die betrokke prokureursorde is, ten opsigte van die verrigting ten behoeve van sodanige persoon van enige ander werk as hofwerk deur die praktisyn in sy hoedanigheid van praktisyn: Met dien verstande dat die Raad of die komitee nie gelde bereken nie in gevalle waar 'n staatsampenaar gemagtig is om dit te doen of waar die betrokke werk reeds deur 'n statutêre tarief gedek word.

(b) Ten einde aan die praktisyn redelike en toereikende vergoeding te bied vir die dienste deur hom gelewer, moet die Raad of die komitee, na gelang van die geval, by elke berekening alle sodanige gelde toelaat as wat vir hom redelik skyn te gewees het vir die verrigting van die betrokke werk, en by sodanige berekening moet hy die volgende in aanmerking neem:

- (i) Die hoeveelheid en belangrikheid van die werk wat gedoen is;
- (ii) die ingewikkeldheid van die aangeleentheid of die moeilikheid of nuutheid van die werk of die vraagstukke wat geopper is;
- (iii) die bekwaamheid, arbeid, gespesialiseerde kennis en verantwoordelikheid daarby betrokke van die kant van die praktisyn;

(iv) the number and importance of the documents prepared or perused, without necessarily having regard to length;

(v) the place where and circumstances in which the services or any part thereof were rendered;

(vi) the time expended by the practitioner;

(vii) where money or property is involved, its amount or value;

(viii) the importance of the matter to the client;

(ix) the quality of the work done;

(x) the experience or seniority of the practitioner;

(xi) any tariff of fees approved by the Society for the sole purpose of serving as a guide to practitioners;

(xii) any tariff of fees prescribed by the Council in accordance with the provisions of section 15 (d) of the Act; and whether the fees have been incurred or increased through overcaution, negligence or mistake on the part of the practitioner.

(c) At the assessment of any practitioner's fees, the Council or the committee, as the case may be, may call for the production of such books, documents, papers or accounts as in its opinion are necessary to enable it properly to determine any matter arising upon such assessment.

(d) The Council or the committee, as the case may be, shall not proceed to the assessment of the fees unless the Secretary of the Society has duly given notice by prepaid registered post to both the practitioner and the person liable to pay the fees, stating the time and place of such assessment and recording that he is entitled to be present and represented thereat; provided that such notice shall not be necessary if both the practitioner and such person have consented in writing to assessment in their absence. At the assessment the Council or the committee, as the case may be, shall permit the practitioner and such person to submit their representations and arguments either orally or in writing. After receiving such representations and arguments, the Council or the committee, as the case may be, shall be entitled to reserve its decision. As soon as the Council or the committee, as the case may be, has arrived at its decision, it shall deliver to both the practitioner and such person either by hand or prepaid registered post, a copy of the fee list submitted for assessment, duly endorsed with the allocatur of the Council or the committee, as the case may be, under the hand of the Secretary of the Society. Subject to the provisions of section 21 (5) of the Act the fees determined in terms of the allocatur shall be deemed to be a reasonable fee payable to the practitioner for the services rendered.

(e) The Council or the committee, as the case may be, shall be entitled in its discretion at any time, to depart from any of the provisions of subrule (b) above, in extraordinary or exceptional cases, where strict adherence to such provisions would be inequitable.

(f) This rule shall not apply to any work done pursuant to a mandate accepted by an attorney prior to the date of promulgation of this rule whether the work is actually done before or after the said date."

(iv) die getal en belangrikheid van die dokumente wat opgestel of deurgelees is, sonder om noodwendig op die lengte daarvan te let;

(v) die plek waar en die omstandighede waarin die dienste of enige deel daarvan gelewer is;

(vi) die tyd wat die praktisyn daaraan bestee het;

(vii) waar geld of eiendom betrokke is, die bedrag of waarde daarvan;

(viii) die belangrikheid van die aangeleentheid vir die kliënt;

(ix) die gehalte van die werk wat gedoen is;

(x) die ondervinding of senioriteit van die praktisyn;

(xi) enige tarief van gelde deur die orde goedgekeur vir die uitsluitlike doel om as 'n riglyn vir praktisyns te dien;

(xii) enige tarief van gelde deur die Raad voorgeskryf ooreenkomstig die bepalinge van artikel 15 (d) van die Wet; en of betaling van die gelde meegebring of die gelde verhoog is deur oorversigtigheid, nalatigheid of dwaling van die kant van die praktisyn.

(c) By die berekening van 'n praktisyn se gelde kan die Raad of die komitee, na gelang van die geval, die voorlegging vereis van sodanige boeke, dokumente, geskryfte of rekenings as wat na sy mening nodig is om hom in staat te stel om behoorlik te besluit oor enige aangeleentheid wat by sodanige berekening ter sprake kom.

(d) Die Raad of die komitee, na gelang van die geval, gaan nie oor tot die berekening van die gelde nie tensy die Sekretaris van die Orde behoorlik en per voor uitbetaalde geregistreerde pos aan sowel die praktisyn as die persoon wat vir die betaling van die gelde aanspreeklik is, kennis gegee het, met vermelding van die tyd en plek van sodanige berekening en met vermelding dat hy geregtig is om daarby teenwoordig te wees en verteenwoordig te word: Met dien verstande dat sodanige kennisgewing nie nodig is nie indien beide die praktisyn en sodanige persoon skriftelik toegestem het tot berekening in hulle afwesigheid. By die berekening moet die Raad of die komitee, na gelang van die geval, die praktisyn en sodanige persoon toelaat om hulle vertoë en argumente mondeling of skriftelik in oorweging te gee. Die Raad of die komitee, na gelang van die geval, is na ontvangs van sodanige vertoë en argumente geregtig om sy besluit voor te behou. Sodra die Raad of die komitee, na gelang van die geval, tot 'n besluit gekom het, moet hy aan beide die praktisyn en sodanige persoon, per hand of per vooruitbetaalde geregistreerde pos, 'n eksemplaar lewer van die geldelyst wat vir berekening ingedien is, behoorlik geëndosseer met die allocatur van die Raad of die komitee, na gelang van die geval, onder die hand van die Sekretaris van die Orde. Behoudens die bepalinge van artikel 21 (5) van die Wet word die gelde wat ingevolge die allocatur vasgestel is, geag redelike gelde te wees betaalbaar aan die praktisyn vir die dienste gelewer.

(e) Die Raad of die komitee, na gelang van die geval, is geregtig om te eniger tyd na sy goeddunke af te wyk van enige van die bepalinge van subreël (b) hierbo, in buitengewone of uitsonderlike gevalle waar die strenge nakoming van sodanige bepalinge onbillik sou wees.

(f) Hierdie reël is nie van toepassing nie op enige werk gedoen ooreenkomstig 'n opdrag wat voor die datum van afkondiging van hierdie reël deur 'n prokureur aanvaar is, ongeag of die werk werklik voor of na genoemde datum gedoen word."

DEPARTMENT OF LABOUR

No. R. 2363

18 November 1977

INDUSTRIAL CONCILIATION ACT, 1956**DIAMOND CUTTING INDUSTRY OF SOUTH AFRICA.—MAIN AGREEMENT**

The undermentioned corrections to Government Notice R. 1509 which appears in *Government Gazette* 5701 of 5 August 1977, are published for general information:

In the English version of the Schedule—

(1) in clause 1 (2) (a) substitute the words "wages are" for the words "wage sare";

(2) in clause 3 in the definition of "Journeyman" in subparagraph (e) thereof, delete the words "and/or cutting" where they appear for the second time;

(3) in clause 5 (4) (g) substitute the word "control" for the word "contral";

(4) in clause 6 (8) (b) substitute the word "hours" for the word "houers";

(5) in clause 7 (7) substitute the word "in" for the word "is";

(6) in clause 7 (10) (a) (iii) substitute the word "his" for the word "bis";

(7) in clause 7 (11) (a) substitute the word "request" for the word "requist";

(8) in clause 26 (3) (a) substitute the word "prescribed" for the word "prescribe"; and

(9) in clause 27 (4) substitute the word "fee" for the word "free".

No. R. 2364

18 November 1977

INDUSTRIAL CONCILIATION ACT, 1956**DIAMOND CUTTING INDUSTRY OF SOUTH AFRICA.—UNEMPLOYMENT BENEFIT FUND AGREEMENT**

The undermentioned corrections to Government Notice R. 1513 which appears in *Government Gazette* 5701 of 5 August 1977, are published for general information:

In the English version of the Schedule—

(1) in clause 1 substitute the word "in" for the word "for"; and

(2) in clause 15 (9) (b) substitute the words "on more" for the words "one more".

No. R. 2371

18 November 1977

WAGE ACT, 1957**AMENDMENT TO WAGE DETERMINATION 316.—WATCH PATROL SERVICES, CERTAIN TRANSVAAL AREAS AND SASOLBURG**

In terms of section 15 (6) of the Wage Act, 1957, I, Stephanus Petrus Botha, Minister of Labour, hereby amend Wage Determination 316, Watch Patrol Services, Certain Transvaal Areas and Sasolburg, published under Government Notice R. 3748 of 14 November 1969, as amended by Government Notice R. 2472 of 21 December 1973, in accordance with the Schedule hereto and fix the second Monday after the date of publication of this notice as the date from which the said amendments shall be binding.

S. P. BOTHA, Minister of Labour.

DEPARTEMENT VAN ARBEID

No. R. 2363

18 November 1977

WET OP NYWERHEIDSVERSOENING, 1956**DIAMANTSLYPNYWERHEID VAN SUID-AFRIKA.—HOOFDOORENKOMS**

Onderstaande verbeterings van Goewermentskennisgewing R. 1509 wat in *Staatskoerant* 5701 van 5 Augustus 1977 verskyn, word vir algemene inligting gepubliseer:

In die Engelse teks van die Bylae—

(1) in klousule 1 (2) (a) vervang die woorde "wage sare" deur die woorde "wages are";

(2) in klousule 3 in die woordskrywing van "Journeyman" in subparagraaf (e) daarvan, skrap die woorde "and/or cutting" waar dit vir die tweede keer voorkom;

(3) in klousule 5 (4) (g) vervang die woord "contral" deur die woord "control";

(4) in klousule 6 (8) (b) vervang die woord "houers" deur die woord "hours";

(5) in klousule 7 (7) vervang die woord "is" deur die woord "in";

(6) in klousule 7 (10) (a) (iii) vervang die woord "bis" deur die woord "his";

(7) in klousule 7 (11) (a) vervang die woord "requist" deur die woord "request";

(8) in klousule 26 (3) (a) vervang die woord "prescribe" deur die woord "prescribed"; en

(9) in klousule 27 (4) vervang die woord "free" deur die woord "fee".

No. R. 2364

18 November 1977

WET OP NYWERHEIDSVERSOENING, 1956**DIAMANTSLYPNYWERHEID VAN SUID-AFRIKA.—WERKLOOSHEIDSBYSTANDSFONDS-OORENKOMS**

Onderstaande verbeterings van Goewermentskennisgewing R. 1513 wat in *Staatskoerant* 5701 van 5 Augustus 1977 verskyn, word vir algemene inligting gepubliseer:

In die Engelse teks van die Bylae—

(1) in klousule 1, vervang die woord "for" deur die woord "in"; en

(2) in klousule 15 (9) (b) vervang die woorde "one more" deur die woorde "on more".

No. R. 2371

18 November 1977

LOONWET, 1957**WYSIGING VAN LOONVASTELLING 316.—WAGPATROLLIEDIENSTE, SEKERE TRANSVAALSE GEBIEDE EN SASOLBURG**

Kragtens artikel 15 (6) van die Loonwet, 1957, wysig ek, Stephanus Petrus Botha, Minister van Arbeid, hierby Loonvastelling 316, Wagpatrolliedienste, Sekere Transvaalse Gebiede en Sasolburg, gepubliseer by Goewermentskennisgewing R. 3748 van 14 November 1969, soos gewysig by Goewermentskennisgewing R. 2472 van 21 Desember 1973, ooreenkomstig die Bylae hiervan en bepaal die tweede Maandag na die datum van publikasie van hierdie kennisgewing as die datum waarop genoemde wysigings bindend word.

S. P. BOTHA, Minister van Arbeid.

SCHEDULE

1. The following new clause 3 (1) is substituted for the existing clause 3 (1):

“(1) The minimum wage which an employer shall pay to each member of the undermentioned classes of his employees shall be as set out hereunder:

	In the Magisterial District of Klerksdorp		In all other areas	
	Per week	Per month	Per week	Per month
	R	R	R	R
(a) <i>Induna</i> .—During the first 12 months after this amendment comes into force.....	22,85	99,00	24,46	106,00
Thereafter.....	25,38	110,00	27,46	119,00
(b) <i>Watchman</i> .—During the first 12 months after this amendment comes into force.....	19,85	86,00	21,46	93,00
Thereafter.....	22,15	96,00	23,77	103,00

(c) *Casual employee*.—In respect of every day or part of a day of employment, not less than one fifth of the weekly wage prescribed for an employee in the same area who performs the same class of work as a casual employee is required to do: Provided that where the employer requires a casual employee to work for a period of not more than four consecutive hours on any day, his wage may be reduced by not more than fifty per cent.”

2. The expression “fifteen cents” is substituted for the expression “ten cents” in clause 3 (5) (a).

3. The expressions “75 cents” and “15 cents” are substituted for the expressions “fifty cents” and “ten cents”, respectively, in clause 3 (5) (b).

4. The expressions “1,65” and “7,15” are substituted for the expressions “0,80” and “3,47”, respectively, in clause 4 (6) (d) (i).

5. The expressions “0,85” and “3,68” are substituted for the expressions “0,40” and “1,73”, respectively, in clause 4 (6) (d) (ii).

6. The expressions “2,50” and “10,83” are substituted for the expressions “1,20” and “5,20”, respectively, in clause 4 (6) (d) (iii).

7. The expression “35 cents” is substituted for the expression “25 cents” in clause 8.

No. R. 2372 18 November 1977
WAGE ACT, 1957

AMENDMENT TO WAGE DETERMINATION 314.—WATCH PATROL SERVICES, CAPE

In terms of section 15 (6) of the Wage Act, 1957, I, Stephanus Petrus Botha, Minister of Labour, hereby amend Wage Determination 314, Watch Patrol Services, Cape, published under Government Notice R. 3465 of 3 October 1969, as amended by Government Notice R. 2471 of 21 December 1973, in accordance with the Schedule hereto and fix the second Monday after the date of publication of this notice as the date from which the said amendments shall be binding.

S. P. BOTHA, Minister of Labour.

SCHEDULE

1. The following is substituted for clause 3 (1):

“(1) The minimum wage which an employer shall pay to each member of the undermentioned classes of his employees shall be as set out hereunder:

- (a) *Cargo guard*.—50c for each hour or part of an hour worked on any day.
- (b) *Ship guard*.—50c for each hour or part of an hour of the ordinary hours of work worked on any day.
- (c) *Inspector*.—R69,23 per week (R300 per month).
- (d) *Induna*.—R25,85 per week (R112 per month) during the first 12 months after this amendment comes into force and R28,61 per week (R124 per month) thereafter.
- (e) *Watchman*.—R22,62 per week (R98 per month) during the first 12 months after this amendment comes into force and R24,92 per week (R108 per month) thereafter.

BYLAE

1. Vervang klousule 3 (1) deur 'n nuwe klousule 3 (1) wat soos volg lui:

“(1) Die minimum loon wat 'n werkgever aan elke lid van ondergenoemde klasse van werknemers moet betaal is dié hieronder uiteengesit:

	In die landdrosdistrik Klerksdorp		In alle ander gebiede	
	Per week	Per maand	Per week	Per maand
	R	R	R	R
(a) <i>Indoena</i> .—Gedurende die eerste 12 maande nadat hierdie wysiging in werking tree.....	22,85	99,00	24,46	106,00
Daarna.....	25,38	110,00	27,46	119,00
(b) <i>Wag</i> .—Gedurende die eerste 12 maande nadat hierdie wysiging in werking tree.....	19,85	86,00	21,46	93,00
Daarna.....	22,15	96,00	23,77	103,00

(c) *Los werknemer*.—Ten opsigte van elke dag of gedeelte van 'n dag diens, minstens een vyfde van die weekloon voorgeskryf vir 'n werknemer in dieselfde gebied wat dieselfde klas werk verrig as dié wat van dié los werknemer vereis word: Met dien verstande dat waar die werkgever van 'n los werknemer vereis om vir 'n tydperk van hoogstens vier agtereenvolgende ure op enige dag te werk, sy loon met hoogstens 50 persent verminder mag word.”

2. In klousule 3 (5) (a), vervang die uitdrukking “tien sent” deur die uitdrukking “15 sent”.

3. In klousule 3 (5) (b), vervang die uitdrukkings “vyftig sent” en “tien sent” deur onderskeidelik die uitdrukkings “75 sent” en “15 sent”.

4. In klousule 4 (6) (d) (i), vervang die uitdrukkings, “0,80” en “3,47” deur onderskeidelik die uitdrukkings “1,65” en “7,15”.

5. In klousule 4 (6) (d) (ii), vervang die uitdrukkings “0,40” en “1,73” deur onderskeidelik die uitdrukkings “0,85” en “3,68”.

6. In klousule 4 (6) (d) (iii), vervang die uitdrukkings “1,20” en “5,20” deur onderskeidelik die uitdrukkings “2,50” en “10,83”.

7. In klousule 8, vervang die uitdrukking “25 sent” deur die uitdrukking “35 sent”.

No. R. 2372 18 November 1977
LOONWET, 1957

WYSIGING VAN LOONVASTSTELLING 314.—WAGPATROLLIEDIENSTE, KAAP

Kragtens artikel 15 (6) van die Loonwet, 1957, wysig ek, Stephanus Petrus Botha, Minister van Arbeid, hierby Loonvaststelling 314, Wagpatrolliedienste, Kaap, gepubliseer by Goewermentskennisgewing R. 3465 van 3 Oktober 1969, soos gewysig by Goewermentskennisgewing R. 2471 van 21 Desember 1973, ooreenkomstig die Bylae hiervan en bepaal die tweede Maandag na die datum van publikasie van hierdie kennisgewing as die datum waarop genoemde wysigings bindend word.

S. P. BOTHA, Minister van Arbeid.

BYLAE

1. Vervang klousule 3 (1) deur die volgende:

“(1) Die minimum loon wat 'n werkgever aan elke lid van ondergenoemde klasse van werknemers moet betaal, is dié hieronder uiteengesit:

- (a) *Vragwag*.—50c per uur of gedeelte van 'n uur wat hy op enige dag werk.
- (b) *Skeeps wag*.—50c per uur of gedeelte van 'n uur van die gewone werke wat hy op enige dag werk.
- (c) *Inspekteur*.—R69,23 per week (R300 per maand).
- (d) *Indoena*.—R25,85 per week (R112 per maand) gedurende die eerste 12 maande nadat hierdie wysiging in werking tree en R28,61 per week (R124 per maand) daarna.
- (e) *Wag*.—R22,62 per week (R98 per maand) gedurende die eerste 12 maande nadat hierdie wysiging in werking tree en R24,92 per week (R108 per maand) daarna.

(f) *Casual employee*.—In respect of every day or part of a day of employment, not less than one fifth of the weekly wage prescribed for an employee who performs the same class of work as a casual employee is required to do: Provided that where the employer requires a casual employee to work for a period of not more than four consecutive hours on any day, his wage may be reduced by not more than 50 per cent.”

2. The expression “15 cents” is substituted for the expression “10 cents” in clause 3 (5) (a).

3. The expressions “75 cents” and “15 cents” are substituted for the expressions “50 cents” and “10 cents”, respectively, in clause 3 (5) (b).

4. The expressions “1,65” and “7,15” are substituted for the expressions “0,80” and “3,47”, respectively, in clause 4 (6) (d) (i).

5. The expressions “0,85” and “3,68” are substituted for the expressions “0,40” and “1,73”, respectively, in clause 4 (6) (d) (ii).

6. The expressions “2,50” and “10,83” are substituted for the expressions “1,20” and “5,20”, respectively, in clause 4 (6) (d) (iii).

7. The expression “35 cents” is substituted for the expression “25 cents” in clause 8.

No. R. 2373

18 November 1977

WAGE ACT, 1957

AMENDMENT TO WAGE DETERMINATION 313.—WATCH PATROL SERVICES, EAST LONDON AND PORT ELIZABETH

In terms of section 15 (6) of the Wage Act, 1957, I, Stephanus Petrus Botha, Minister of Labour, hereby amend Wage Determination 313, Watch Patrol Services, East London and Port Elizabeth, published under Government Notice R. 3403 of 26 September 1969, as amended by Government Notice R. 2470 of 21 December 1973, in accordance with the Schedule hereto and fix the second Monday after the date of publication of this notice as the date from which the said amendments shall be binding.

S. P. BOTHA, Minister of Labour.

SCHEDULE

1. The following clause is substituted for clause 3 (1):

“(1) The minimum wage which an employer shall pay to each member of the undermentioned classes of his employees shall be as set out hereunder:

- (a) *Cargo guard*.—50c for each hour or part of an hour worked on any day.
- (b) *Ship guard*.—50c for each hour or part of an hour of the ordinary hours of work worked on any day.
- (c) *Inspector*.—R69,23 per week (R300 per month).

	In the Magisterial District of East London		In the Magisterial District of Port Elizabeth	
	Per week	Per month	Per week	Per month
	R	R	R	R
(d) <i>Induna</i> .—During the first 12 months after the coming into force of this amendment.....	22,15	96,00	24,46	106,00
Thereafter.....	24,46	106,00	27,23	118,00
(e) <i>Watchman</i> .—During the first 12 months after the coming into force of this amendment.....	19,38	84,00	21,46	93,00
Thereafter.....	21,46	93,00	23,77	103,00

(f) *Casual employee*.—In respect of every day or part of a day of employment, not less than one fifth of the weekly wage prescribed for an employee in the same area performing the same class of work as the casual employee is required to do: Provided that where the employer requires a casual employee to work for a period of not more than four consecutive hours on any day, his wage may be reduced by not more than 50 per cent.”

2. The expression “15 cents” is substituted for the expression “10 cents” in clause 3 (5) (a).

(f) *Los werknemer*.—Ten opsigte van elke dag of gedeelte van 'n dag diens, minstens een-vyfde van die weekloon voorgeskryf vir 'n werknemer wat dieselfde klas werk verrig as dié wat van die los werknemer vereis word: Met dien verstande dat waar die werkgewer van 'n los werknemer vereis om vir 'n tydperk van hoogstens vier agtereenvolgende ure op enige dag te werk, sy loon met hoogstens 50 persent verminder mag word.”

2. In klousule 3 (5) (a), vervang die uitdrukking “10 sent” deur die uitdrukking “15 sent”.

3. In klousule 3 (5) (b), vervang die uitdrukking “50 sent” en “10 sent” deur onderskeidelik die uitdrukking “75 sent” en “15 sent”.

4. In klousule 4 (6) (d) (i), vervang die uitdrukking “0,80” en “3,47” deur onderskeidelik die uitdrukking “1,65” en “7,15”.

5. In klousule 4 (6) (d) (ii), vervang die uitdrukking “0,40” en “1,73” deur onderskeidelik die uitdrukking “0,85” en “3,68”.

6. In klousule 4 (6) (d) (iii), vervang die uitdrukking “1,20” en “5,20” deur onderskeidelik die uitdrukking “2,50” en “10,83”.

7. In klousule 8, vervang die uitdrukking “25 sent” met die uitdrukking “35 sent”.

No. R. 2373

18 November 1977

LOONWET, 1957

WYSIGINGS VAN LOONVASTELLING 313.—WAGPATROLLIEDIENSTE, OOS-LONDEN EN PORT ELIZABETH

Kragtens artikel 15 (6) van die Loonwet, 1957, wysig ek, Stephanus Petrus Botha, Minister van Arbeid, hierby Loonvastelling 313, Wagpatroliedienste, Oos-Londen en Port Elizabeth, gepubliseer by Goewermentskennisgewing R. 3403 van 26 September 1969, soos gewysig by Goewermentskennisgewing R. 2470 van 21 Desember 1973, ooreenkomstig die Bylae hiervan en bepaal die tweede Maandag na die datum van publikasie van hierdie kennisgewing as die datum waarop genoemde wysigings bindend word.

S. P. BOTHA, Minister van Arbeid.

BYLAE

1. Vervang klousule 3 (1) deur die volgende:

“(1) Die minimum loon wat 'n werkgewer aan elke lid van ondergenoemde klasse van sy werknemers moet betaal, is dié hieronder uiteengesit:

- (a) *Vragwag*.—50c per uur of gedeelte van 'n uur wat hy op enige dag werk.
- (b) *Skeeps wag*.—50c per uur of gedeelte van 'n uur van die gewone werkeure wat hy op enige dag werk.
- (c) *Inspekteur*.—R69,23 per week (R300 per maand).

	In die landdrosdistrik Oos-Londen		In die landdrosdistrik Port Elizabeth	
	Per week	Per maand	Per week	Per maand
	R	R	R	R
(d) <i>Indoena</i> .—Gedurende die eerste 12 maande nadat hierdie wysiging in werking tree.....	22,15	96,00	24,46	106,00
Daarna.....	24,46	106,00	27,23	118,00
(e) <i>Wag</i> .—Gedurende die eerste 12 maande nadat hierdie wysiging in werking tree.....	19,38	84,00	21,46	93,00
Daarna.....	21,46	93,00	23,77	103,00

(f) *Los werknemer*.—Ten opsigte van elke dag of gedeelte van 'n dag diens, minstens een-vyfde van die weekloon voorgeskryf vir 'n werknemer in dieselfde gebied wat dieselfde klas werk verrig as dié wat van die los werknemer vereis word: Met dien verstande dat, waar die werkgewer van 'n los werknemer vereis om vir 'n tydperk van hoogstens vier agtereenvolgende ure op enige dag te werk, sy loon met hoogstens 50 persent verminder mag word.”

2. In klousule 3 (5) (a), vervang die uitdrukking “10 sent” deur die uitdrukking “15 sent”.

3. The expressions "75 cents" and "15 cents" are substituted for the expressions "50 cents" and "10 cents", respectively, in clause 3 (5) (b).
4. The expressions "1,65" and "7,15" are substituted for the expressions "0,80" and "3,47", respectively, in clause 4 (6) (d) (i).
5. The expressions "0,85" and "3,68" are substituted for the expressions "0,40" and "1,73", respectively, in clause 4 (6) (d) (ii).
6. The expressions "2,50" and "10,83" are substituted for the expressions "1,20" and "5,20", respectively in clause 4 (6) (d) (iii).
7. The expression "35 cents" is substituted for the expression "25 cents" in clause 8.

No R. 2374

18 November 1977

WAGE ACT, 1957

AMENDMENT TO WAGE DETERMINATION 312.—WATCH PATROL SERVICES, DURBAN, PIETERMARITZBURG AND PINETOWN

In terms of section 15 (6) of the Wage Act, 1957, I, Stephanus Petrus Botha, Minister of Labour, hereby amend Wage Determination 312, Watch Patrol Services, Durban, Pietermaritzburg and Pinetown, published under Government Notice R. 3363 of 19 September 1969, as amended by Government Notice R. 2469 of 21 December 1973, in accordance with the Schedule hereto and fix the second Monday after the date of publication of this notice as the date from which the said amendments shall be binding.

S. P. BOTHA, Minister of Labour.

SCHEDULE

1. The following is substituted for clause 3 (1):

"(1) The minimum wage which an employer shall pay to each member of the undermentioned classes of his employees shall be as set out hereunder:

- (a) *Cargo guard*.—50c for each hour or part of an hour worked on any day.
- (b) *Ship guard*.—50c for each hour or part of an hour of the ordinary hours of work worked on any day.
- (c) *Inspector*.—R69,23 per week (R300 per month).

	In the Magisterial Districts of Durban and Pinetown		In the Magisterial District of Pietermaritzburg	
	Per week	Per month	Per week	Per month
	R	R	R	R
(d) <i>Induna</i> .—During the first 12 months after this amendment comes into force.....	24,46	106,00	22,85	99,00
Thereafter.....	27,46	119,00	25,38	110,00
(e) <i>Watchman</i> .—During the first 12 months after this amendment comes into force.....	21,46	93,00	19,85	86,00
Thereafter.....	23,77	103,00	22,15	96,00

(f) *Casual employee*.—In respect of each day or part of a day of employment, not less than one-fifth of the weekly wage prescribed for an employee who performs the same class of work as the casual employee is required to do: Provided that where the employer requires a casual employee to work for a period of not more than four consecutive hours on any day, his wage may be reduced by not more than 50 per cent."

2. The expression "15 cents" is substituted for the expression "ten cents" in clause 3 (5) (a).
3. The expressions "75 cents" and "15 cents" are substituted for the expressions "fifty cents" and "ten cents" respectively, in clause 3 (5) (b).
4. The expressions "1,65" and "7,15" are substituted for the expressions "0,80" and "3,47", respectively, in clause 4 (6) (d) (i).
5. The expressions "0,85" and "3,68" are substituted for the expressions "0,40" and "1,73", respectively, in clause 4 (6) (d) (ii).
6. The expressions "2,50" and "10,83" are substituted for the expressions "1,20" and "5,20", respectively, in clause 4 (6) (d) (iii).

3. In klousule 3 (5) (b), vervang die uitdrukking "50 sent" en "10 sent" deur onderskeidelik die uitdrukking "75 sent" en "15 sent".
4. In klousule 4 (6) (d) (i), vervang die uitdrukking "0,80" en "3,47" deur onderskeidelik die uitdrukking "1,65" en "7,15".
5. In klousule 4 (6) (d) (ii), vervang die uitdrukking "0,40" en "1,73" deur onderskeidelik die uitdrukking "0,85" en "3,68".
6. In klousule 4 (6) (d) (iii), vervang die uitdrukking "1,20" en "5,20" deur onderskeidelik die uitdrukking "2,50" en "10,83".
7. In klousule 8, vervang die uitdrukking "25 sent" deur die uitdrukking "35 sent".

No. R. 2374

18 November 1977

LOONWET, 1957

WYSIGING VAN LOONVASTSTELLING 312.—WAGPATROLLIEDIENSTE, DURBAN, PIETERMARITZBURG EN PINETOWN

Kragtens artikel 15 (6) van die Loonwet, 1957, wysig ek, Stephanus Petrus Botha, Minister van Arbeid, hierby Loonvaststelling 312, Wagpatrolliedienste, Durban, Pietermaritzburg en Pinetown, gepubliseer by Goewermentskennisgewing R. 3363 van 19 September 1969, soos gewysig by Goewermentskennisgewing R. 2469 van 21 Desember 1973, ooreenkomstig die Bylae hiervan en bepaal die tweede Maandag na die datum van publikasie van hierdie kennisgewing as die datum waarop genoemde wysigings bindend word.

S. P. BOTHA, Minister van Arbeid.

BYLAE

1. Vervang klousule 3 (1) deur die volgende:

"(1) Die minimum loon wat 'n werkgewer aan elke lid van ondergenoemde klasse van sy werknemers moet betaal, is dié hieronder uiteengesit:

- (a) *Vragwag*.—50c per uur of gedeelte van 'n uur wat hy op enige dag werk.
- (b) *Skeeps wag*.—50c per uur of gedeelte van 'n uur van die gewone werkure wat hy op enige dag werk.
- (c) *Inspekteur*.—R69,23 per week (R300 per maand).

	In die landdrostrikte Durban en Pinetown		In die landdrostrik Pietermaritzburg	
	Per week	Per maand	Per week	Per maand
	R	R	R	R
(d) <i>Indoena</i> .—Gedurende die eerste 12 maande nadat hierdie wysiging in werking tree.....	24,46	106,00	22,85	99,00
Daarna.....	27,46	119,00	25,38	110,00
(e) <i>Wag</i> .—Gedurende die eerste 12 maande nadat hierdie wysiging in werking tree.....	21,46	93,00	19,85	86,00
Daarna.....	23,77	103,00	22,15	96,00

(f) *Los werknemer*.—Ten opsigte van elke dag of gedeelte van 'n dag diens, minstens een vyfde van die weekloon voorgeskryf vir 'n werknemer in dieselfde gebied wat dieselfde klas werk verrig as dié wat van die los werknemer vereis word: Met dien verstande dat, waar die werkgewer van 'n los werknemer vereis om vir 'n tydperk van hoogstens vier agtereenvolgende ure op enige dag te werk, sy loon met hoogstens 50 persent verminder mag word."

2. In klousule 3 (5) (a), vervang die uitdrukking "tien sent" deur die uitdrukking "15 sent".
3. In klousule 3 (5) (b), vervang die uitdrukking "vyftig sent" en "tien sent" deur onderskeidelik die uitdrukking "75 sent" en "15 sent".
4. In klousule 4 (6) (d) (i), vervang die uitdrukking "0,80" en "3,47" deur onderskeidelik die uitdrukking "1,65" en "7,15".
5. In klousule 4 (6) (d) (ii), vervang die uitdrukking "0,40" en "1,73" deur onderskeidelik die uitdrukking "0,85" en "3,68".
6. In klousule 4 (6) (iii), vervang die uitdrukking "1,20" en "5,20" deur onderskeidelik die uitdrukking "2,50" en "10,83".

7. The expressions "66 cents" and "R2,85" are substituted for the expressions "58 cents" and "R2,50", respectively, in clause 4 (6) (g).

8. The expression "35 cents" is substituted for the expression "25 cents" in clause 8.

DEPARTMENT OF SOCIAL WELFARE AND PENSIONS

No. R. 2395

18 November 1977

DESIGNATION OF COUNTRY OR AREA FOR THE PURPOSES OF THE SOCIAL PENSIONS ACT, 1973

By virtue of the powers vested in me by section 8 of the Pension Laws Amendment Act, 1976 (Act 83 of 1976), read with section 21 (1) (c) of the Republic of South Africa Constitution Act, 1961 (Act 32 of 1961), and section 14 of the Interpretation Act, 1957 (Act 33 of 1957), I, Teunis Nicolaas Hendrik Janson, Deputy Minister of Social Welfare and Pensions, hereby designate Bophuthatswana as a country for the purposes of the said section 8.

T. N. H. JANSON, Deputy Minister of Social Welfare and Pensions.

DEPARTMENT OF TRANSPORT

No. R. 2380

18 November 1977

AIR NAVIGATION REGULATIONS, 1976

The Minister of Transport has, in terms of section 22 of the Aviation Act, 1962 (Act 74 of 1962), made the regulations contained in the Schedule hereto.

SCHEDULE 2

The Air Navigation Regulations, 1976, as promulgated under Government Notice R. 141 of 30 January 1976, and as amended by Government Notice R. 1283 of 23 July 1976, are hereby further amended as follows:

1. Regulation 18.3 (5) is amended—

(a) by the deletion in subregulation (e) of the word "and" where it appears for the last time;

(b) by the substitution for subregulation (f) of the following subregulation:

"(f) certification of the overhaul, repair, modification, replacement and installation of automatic pilots, excluding those which operate on electronic principles; and"; and

(c) by the addition after subregulation (f) of the following subregulation:

"(g) certification of the installation and in flight adjustment of electronic automatic pilots."

2. The following regulation is substituted for regulation 19.2 (11):

"(11) *Category X (automatic pilots).*—*Issue or addition of Category X (automatic pilots)*

(a) An applicant for the issue of a licence in Category X, or for the addition of Category X to an existing licence, for the certification of the overhaul, repair, modification, calibration and installation in aircraft of automatic pilots which do not operate on electronic principles, shall have had at least three years' instrument engineering experience, including a minimum of nine months on gyroscopic instruments, and nine months' general practical experience of the repair, modification, calibration, installation and testing of aircraft automatic pilots, of which at least half shall have been recent experience concentrated on the particular type of automatic pilot to which the application relates.

7. In klousule 4 (6) (g), vervang die uitdrukking "58 sent" en "R2,50" deur onderskeidelik die uitdrukking "66 sent" en "R2,85".

8. In klousule 8, vervang die uitdrukking "25 sent" met die uitdrukking "35 sent".

DEPARTEMENT VAN VOLKSWELSYN EN PENSIOENE

No. R. 2395

18 November 1977

AANWYSING VAN LAND OF GEBIED BY DIE TOE- PASSING VAN DIE WET OP MAATSKAPLIKE PENSIOENE, 1973

Kragtens die bevoegdheid my verleen by artikel 8 van die Wysigingswet op die Pensioenwette, 1976 (Wet 83 van 1976) gelees met artikel 21 (1) (c) van die Grondwet van die Republiek van Suid-Afrika, 1961 (Wet 32 van 1961), en artikel 14 van die Interpretasiewet, 1957 (Wet 33 van 1957), wys ek, Teunis Nicolaas Hendrik Janson, Adjunk-minister van Volkswelsyn en Pensioene, hierby Bophuthatswana as 'n land vir die doeleindes van genoemde artikel 8 aan.

T. N. H. JANSON, Adjunk-minister van Volkswelsyn en Pensioene.

DEPARTEMENT VAN VERVOER

No. R. 2380

18 November 1977

LUGVAARTREGULASIES, 1976

Die Minister van Vervoer het, kragtens artikel 22 van die Lugvaartwet, 1962 (Wet 74 van 1962), die regulasies wat in die Bylae hiervan vervat is, uitgevaardig.

BYLAE 2

Die Lugvaartregulasies, 1976, soos afgekondig by Goewermentskennisgewing R. 141 van 30 Januarie 1976, en soos gewysig deur Goewermentskennisgewing R. 1283 van 23 Julie 1976, word hierby soos volg verder gewysig:

1. Regulasie 18.3 (5) word gewysig—

(a) deur in subregulasie (e) die woord "en" te skrap waar dit die laaste keer voorkom;

(b) deur subregulasie (f) deur die volgende regulasie te vervang:

"(f) sertifisering van die opknop, herstel, verandering, vervanging en installering van stuuroutomate, met uitsondering van dié wat op elektroniese beginsels funksioneer; en"; en

(c) deur die volgende subregulasie ná subregulasie (f) in te voeg:

"(g) sertifisering van die installering en invlugverstelling van elektroniese stuuroutomate."

2. Regulasie 19.2 (11) word deur die volgende regulasie vervang:

"(11) *Kategorie X (stuuroutomate).*—*Uitreiking of byvoeging van Kategorie X (stuuroutomate)*

(a) Iemand wat aansoek doen om die uitreiking van 'n lisensie in Kategorie X, of die toevoeging van Kategorie X aan 'n bestaande lisensie, vir die sertifisering van die opknop, herstel, verandering, yking en installering in lugvaartuie van stuuroutomate wat nie op elektroniese beginsels funksioneer nie, moet minstens drie jaar ondervinding van instrumenttegniek hê, met inbegrip van minstens nege maande ondervinding op giroskopiese instrumente en nege maande algemene praktiese ondervinding van die herstel, verandering, yking, installering en toetsing van stuuroutomate in lugvaartuie, waarvan minstens die helfte onlangse ondervinding moet wees, meer bepaald op die besondere tipe stuuroutomate ten opsigte waarvan aansoek gedoen word.

(b) An applicant for the issue of a licence in Category X, or for the addition of Category X to an existing licence, for the certification of the installation and in flight adjustment of electronic automatic pilots, shall have had at least three years' electronic experience, and one and a half years' general practical experience on the repair, modification, calibration, installation and testing of electronic automatic pilots of which at least half shall have been recent experience concentrated on the particular type of automatic pilot to which the application relates."

3. Regulation 20.6 (1) is amended—

(a) by the addition after subregulation (u) of the following subregulation:

"(u) (i) Basic electronic principles, the operation of electronic components, electronic circuit analysis and basic calculations involved with such circuits.";

(b) by the deletion of subregulation (aa); and

(c) by the deletion in subregulation (bb) of the words "tuning, balancing."

DEPARTMENT OF WATER AFFAIRS

No. R. 2391

18 November 1977

AGREEMENT CONCLUDED BY THE GOVERNMENT OF THE REPUBLIC OF SOUTH AFRICA WITH THE GOVERNMENT OF THE REPUBLIC OF TRANSKEI

It is hereby notified for general information that the Government of the Republic of South Africa and the Government of the Republic of Transkei have on 2 November 1977 entered into the agreement as set out below.

AGREEMENT BETWEEN THE GOVERNMENT OF THE REPUBLIC OF SOUTH AFRICA AND THE GOVERNMENT OF THE REPUBLIC OF TRANSKEI CONCERNING THE UTILISATION OF WATER RESOURCES OF COMMON INTEREST

Whereas the Government of the Republic of South Africa and the Government of the Republic of Transkei recognise the mutual advantage of collaboration in the Technical and Economic fields as more fully set out hereinafter, and in order to promote the rational development of the water resources of the river basins which are of mutual interest to both states; and

Whereas adequate water supplies are a prerequisite for the development of their respective territories, and bearing in mind the generally accepted rules for the utilisation of international rivers as formulated in 1966 at Helsinki by the International Law Association; and

Whereas the principles of good neighbourliness, which characterise the relations between both Governments, shall lead to harmonisation of interests in the utilisation of the water resources of rivers of mutual interest to both Governments, whilst recognising the right of both Governments to an equitable share of the water of such rivers;

Now therefore the Government of the Republic of South Africa and the Government of the Republic of Transkei agree as follows:

ARTICLE I

ALLOCATION OF WATER

(a) Each State is within its territory, entitled to a reasonable and equitable share in the beneficial use of the waters of the river systems of mutual interest as depicted on the attached plan, being Annexure A to this Agreement.

(b) Iemand wat aansoek doen om die uitreiking van 'n lisensie in Kategorie X, of die toevoeging van Kategorie X aan 'n bestaande lisensie, vir die sertifisering van die installering en invlugverstelling van elektroniese stuuroutomate moet minstens drie jaar elektroniese ondervinding en een en 'n half jaar algemene praktiese ondervinding hê van die herstel, verandering, yking, installering en toetsing van elektroniese stuuroutomate, waarvan minstens die helfte onlangse ondervinding moet wees, meer bepaald op die besondere tipe stuuroutomate ten opsigte waarvan aansoek gedoen word."

3. Regulasie 20.6 (1) word gewysig—

(a) deur die volgende subregulasie ná subregulasie (u) in te voeg:

"(u) (i) Basiese elektroniese beginsels, die werking van elektroniese onderdele, elektroniesestroombaanontleding en basiese berekenings gepaardgaande met sodanige stroombane.";

(b) deur subregulasie (aa) te skrap; en

(c) deur in subregulasie (bb) die woorde "instelling, balansering," te skrap.

DEPARTEMENT VAN WATERWESE

No. R. 2391

18 November 1977

OOREENKOMS AANGEGAAN DEUR DIE REGERING VAN DIE REPUBLIEK VAN SUID-AFRIKA MET DIE REGERING VAN DIE REPUBLIEK TRANSKEI

Hierby word vir algemene inligting bekendgemaak dat die Regering van die Republiek van Suid-Afrika en die Regering van die Republiek Transkei op 2 November 1977 onderstaande ooreenkoms aangegaan het.

OOREENKOMS TUSSEN DIE REGERING VAN DIE REPUBLIEK VAN SUID-AFRIKA EN DIE REGERING VAN DIE REPUBLIEK TRANSKEI BETREFFENDE DIE BENUTTING VAN WATERBRONNE VAN GEMEENSKAPLIKE BELANG

Nademaal die Regering van die Republiek van Suid-Afrika en die Regering van die Republiek Transkei die wedersydse voordeel erken van samewerking op tegniese en ekonomiese gebied, soos vollediger hieronder uiteengesit, en ten einde die rasionele ontwikkeling te bevorder van die waterbronne van die rivierbekkens wat vir albei state van wedersydse belang is; en

Nademaal 'n toereikende watertoevoer 'n voorvereiste is vir die ontwikkeling van hulle onderskeie gebiede, en met inagneming van die algemeen aanvaarde reëls vir die benutting van internasionale riviere soos in 1966 in Helsinki deur die International Law Association geformuleer; en

Nademaal die beginsels van goeie buurskap wat die betrekkinge tussen beide Regerings kenmerk, moet lei tot harmonisering van die belange in die benutting van die waterbronne van riviere van wedersydse belang vir albei Regerings, met erkenning van die reg van albei Regerings op 'n billike aandeel in die water van sodanige riviere;

So is dit dat die Regering van die Republiek van Suid-Afrika en die Regering van die Republiek Transkei soos volg ooreenkoms:

ARTIKEL 1

TOEKENNING VAN WATER

(a) Elke Staat is binne sy gebied geregtig op 'n redelike en billike aandeel in die voordelige gebruik van die water van die rivierstelsels van wedersydse belang, soos aangedui op die aangehegde plan, naamlik Bylae A van hierdie Ooreenkoms.

(b) In determining what is a reasonable and equitable share within the meaning of Article 1a, the principle of "Best Joint Utilisation" shall apply. This requires that the allocation of water to the States concerned shall be carried out with the view to achieving the optimum joint utilisation of the available water resources.

(c) The following principles and premises are accepted for the apportionment of water from water resources of common interest, unless otherwise provided for herein:

(i) The quantity of water available for apportionment in each catchment or subcatchment is the quantity which can be made available annually for beneficial use by providing storage equal to the mean annual run-off of such catchment or subcatchment;

(ii) in each catchment or subcatchment each party to this Agreement is entitled to an annual allocation of at least the quantity of water used beneficially within its territory in 1975;

(iii) provided sufficient water is available in any catchment or subcatchment, the widely accepted norm of one thousand (1 000) cubic metres of water per capita per annum as adequate provision for the maintenance of modern standards of living is adopted for the purpose of determining the quantity of water to be allocated to any party where existing use by such party in 1975 does not exceed such quantity;

(iv) an allocation contemplated in Article 1c (iii) shall be based on population statistics for 1975;

(v) any excess water remaining after allocations have been made in terms of this Agreement shall be kept in reserve for subsequent apportionment on the basis of negotiation;

(vi) the low flow of any river shall be determined at the point where such river crosses the border between the states being parties hereto, or becomes the border between the said states and shall be the rate of flow existing under natural conditions before any abstraction for at least 80 per cent of the time during the three consecutive months of the year with the lowest run-off, as determined by the Permanent Technical Committee established under Article 3 of this Agreement; and

(vii) for the purposes of this Agreement "catchment" means the geographical area within the natural watershed limits of a river system extending over the territories of both parties to this Agreement and flowing into a common terminus; and "subcatchment" means the geographical area within the natural watershed limits of any tributary of such river system.

(d) Either party to this Agreement requiring an allocation of water to be made to it in any catchment or subcatchment shall request the Permanent Technical Committee to recommend the quantity of water to be allocated and if the recommendation is accepted by both parties the allocation shall be deemed to have been made in terms of this Agreement.

(e) In any negotiation contemplated in Article 1c (v) cognisance shall be taken of the extent to which any water allocated in terms of this Agreement to the State requiring a further allocation, is in the opinion of the Permanent Technical Committee, used wastefully and not beneficially, and of the feasibility of utilising any water resources not affected by this Agreement, or the purpose for which an allocation is required from the reserve referred to in the said clause.

(b) By die vasstelling van wat 'n redelike en billike aandeel binne die betekenis van artikel 1a is, is die beginsel van "Beste Gesamentlike Benutting" van toepassing. Dit vereis dat die toekenning van water aan die betrokke State uitgevoer word met die oog op die bereiking van die optimum gesamentlike benutting van die beskikbare waterbronne.

(c) Die volgende beginsels en veronderstellings word aanvaar vir die verdeling van water van waterbronne van gemeenskaplike belang, tensy anders hierin bepaal word:

(i) Die hoeveelheid water beskikbaar vir verdeling in elke opvanggebied of subopvanggebied is die hoeveelheid wat jaarliks vir voordelige gebruik beskikbaar gestel kan word deur opgaarvoorsiening gelykstaande met die gemiddelde jaarlikse afloop van sodanige opvanggebied of subopvanggebied;

(ii) in elke opvanggebied of subopvanggebied is elke party by hierdie Ooreenkoms geregtig op 'n jaarlikse toekenning van minstens die hoeveelheid water wat in 1975 binne sy gebied voordelig gebruik is;

(iii) mits voldoende water beskikbaar is in enige opvanggebied of subopvanggebied, word die wyd aanvaarde norm van eenduisend (1 000) kubieke meter water per kop per jaar as toereikende voorsiening vir die handhawing van moderne lewenstandaarde aangeneem met die doel om die hoeveelheid water vas te stel wat aan enige party toegeken moet word waar die bestaande gebruik deur sodanige party in 1975 sodanige hoeveelheid nie te bowe gaan nie;

(iv) 'n toekenning soos beoog in artikel 1c (iii) word gebaseer op die bevolkingstatistieke vir 1975;

(v) enige oortollige water wat oorbly nadat toekennings gedoen is ingevolge hierdie Ooreenkoms word in reserwe gehou vir latere verdeling op die basis van onderhandeling;

(vi) die laagvloeï van enige rivier word bepaal op die punt waar sodanige rivier oor die grens tussen die State wat partye hierby is, gaan of die grens tussen genoemde State word, en is die vloeitempo wat onder natuurlike omstandighede voor enige onttrekking bestaan vir ten minste 80 persent van die tyd gedurende die drie opeenvolgende maande van die jaar met die laagste afloop, soos bepaal deur die Permanente Tegniese Komitee ingestel kragtens artikel 3 van hierdie Ooreenkoms; en

(vii) vir die toepassing van hierdie Ooreenkoms beteken "opvanggebied" die geografiese gebied binne die natuurlike waterskeidingsgrense van 'n rivierstelsel wat strek oor die gebiede van albei partye by hierdie Ooreenkoms en wat in 'n gemeenskaplike eindpunt vloei; en beteken "subopvanggebied" die geografiese gebied binne die natuurlike waterskeidingsgrense van 'n takrivier van sodanige rivierstelsel.

(d) Enigeen van die partye by hierdie Ooreenkoms, wat 'n toekenning van water aan hom verlang in enige opvanggebied of subopvanggebied, moet die Permanente Tegniese Komitee versoek om die hoeveelheid water wat toegeken moet word, aan te beveel en indien die aanbeveling deur albei partye aanvaar word, word die toekenning geag ingevolge hierdie Ooreenkoms gedoen te wees.

(e) By enige onderhandeling in artikel 1c (v) beoog, word kennis geneem van die mate waarin enige water wat ingevolge hierdie Ooreenkoms aan die Staat wat 'n verdere toekenning verlang, toegeken is na die mening van die Permanente Tegniese Komitee verkwistend en nie voordelig gebruik word nie, en van die uitvoerbaarheid van benutting van enige waterbronne wat nie deur hierdie Ooreenkoms geraak word nie vir die doel waarvoor 'n toekenning verlang word uit die reserwe in die genoemde klousule bedoel.

(f) It is accepted by both parties thereto that the use of water in any catchment or subcatchment in excess of an allocation made in terms of this Agreement shall be prohibited in their respective territories and they undertake to provide as soon as possible the legislation necessary for the enforcement of such prohibition.

(g) The low flow of any river as hereinbefore defined shall, whenever it occurs, be divided in the same proportion as the allocation made in respect of the catchment or subcatchment concerned and in order to ensure the availability to any party of its rightful share of such low flow, the Permanent Technical Committee shall determine the procedure for controlling the abstraction of water from such catchment or subcatchment while the low flow conditions continue.

ARTICLE 2

POLLUTION OF WATER RESOURCES

(a) It is agreed by the parties hereto that existing legislation relating to the control of pollution of water resources in their respective territories shall only be amended after reciprocal notice to this effect has been given and the other party to this Agreement has been consulted. It is further recorded to be the intention of the parties hereto to maintain as far as possible similar legislation and other control measures relating to the control of pollution of water resources of mutual interest.

(b) Any exemption granted to any person by either of the parties hereto, relating to the standard of any effluent released or intended to be released into any river to which this Agreement applies, shall be submitted to the other party for information.

ARTICLE 3

PERMANENT TECHNICAL COMMITTEE

(a) A Permanent Technical Committee shall within six months of the date of entering into force of this Agreement be constituted by the parties hereto, consisting of three members appointed by the Minister of Water Affairs in the Government of the Republic of South Africa and three members appointed by the competent Minister in the Government of the Republic of Transkei by virtue of their special knowledge of and experience in any aspect of the Committee's functions.

(b) The members of the Committee shall elect one of their number as chairman and the chairman shall convene the Committee as and when circumstances require. If the chairman is absent from any meeting the members present shall elect one of their number to preside at that meeting.

(c) Four members of the Committee shall form a quorum for any meetings of the Committee. The decision of majority of the members present at any meeting of the Committee shall be the decision of the Committee and in the event of an equality of votes on any matter before a meeting the person presiding shall have a casting vote in addition to his deliberative vote.

(d) The functions and duties of the Committee are—

(i) to gather the information required for an allocation of water in terms of this Agreement;

(ii) to recommend an allocation of water in any catchment or subcatchment;

(iii) to determine the low flow as hereinbefore defined of any river affected by this Agreement and the procedure for controlling the abstraction of water from such river while the low flow continues;

(f) Daar word deur albei partye by hierdie Ooreenkoms aanvaar dat die gebruik van water in enige opvanggebied of subopvanggebied bo 'n toekenning ingevolge hierdie Ooreenkoms verbied moet word in hulle onderskeie gebiede, en hulle onderneem om so spoedig moontlik die wetgewing wat nodig is vir die afdwing van sodanige verbod, daar te stel.

(g) Die laagvloei van enige rivier soos hierbo omskryf, word, wanneer dit ook al voorkom, in dieselfde verhouding verdeel as die toekenning wat ten opsigte van die betrokke opvanggebied of subopvanggebied gedoen is en ten einde die beskikbaarheid aan enige party van sy regmatige aandeel in sodanige laagvloei te verseker, bepaal die Permanente Tegniese Komitee die prosedure vir die beheer van wateronttrekking aan sodanige opvanggebied of subopvanggebied solank die toestand van laagvloei voortduur.

ARTIKEL 2

BESOEDELING VAN WATERBRONNE

(a) Daar word deur die partye by hierdie Ooreenkoms ooreengekom dat bestaande wetgewing met betrekking tot die beheer oor die besoedeling van waterbronne in hulle onderskeie gebiede gewysig mag word slegs nadat wederkerige kennis te dien effekte gegee is en die ander party by hierdie Ooreenkoms geraadpleeg is. Daar word verder geboekstaaf dat dit die bedoeling is van die partye hierby om so ver moontlik soortgelyke wetgewing en ander beheermaatreëls rakende die beheer oor die besoedeling van waterbronne van wedersydse belang te handhaaf.

(b) Enige vrystelling wat aan enige persoon deur enigen van die partye by hierdie Ooreenkoms toegestaan word ten opsigte van die standaard van enige uitvloei wat vrygelaat word of volgens voorneme vrygelaat sal word in enige rivier waarop hierdie Ooreenkoms van toepassing is, moet aan die ander party ter inligting voorgelê word.

ARTIKEL 3

PERMANENTE TEGNIESE KOMITEE

(a) 'n Permanente Tegniese Komitee moet binne ses maande vanaf die datum van inwerkingtreding van hierdie Ooreenkoms deur die partye hierby saamgestel word, bestaande uit drie lede aangestel deur die Minister van Waterwese in die Regering van die Republiek van Suid-Afrika en drie lede aangestel deur die bevoegde Minister in die Regering van die Republiek Transkei uit hoofde van hulle spesiale kennis en ervaring van enige aspek van die werksaamhede van die Komitee.

(b) Die lede van die Komitee kies een uit hul geledere as voorsitter, en die voorsitter roep die Komitee byeen na gelang omstandighede dit vereis. Indien die voorsitter afwesig is van enige vergadering, kies die aanwesige lede een uit hul geledere om op die vergadering voor te sit.

(c) Vier lede van die Komitee vorm 'n kworum vir enige vergadering van die Komitee. Die besluit van die meerderheid van die aanwesige lede op enige vergadering van die Komitee is die besluit van die Komitee, en by 'n staking van stemme oor enige aangeleentheid voor 'n vergadering het die persoon wat voorsit 'n beslissende stem benewens sy beraadslagende stem.

(d) Die werksaamhede en pligte van die Komitee is—

(i) om die inligting te versamel wat vir 'n toekenning van water ingevolge hierdie Ooreenkoms nodig is;

(ii) om 'n toekenning van water aan te beveel in enige opvanggebied of subopvanggebied;

(iii) om die laagvloei, soos hierbo omskryf, te bepaal van enige rivier wat deur hierdie Ooreenkoms geraak word, asook die prosedure vir beheer oor die onttrekking van water aan sodanige rivier solank die laagvloei-toestand voortduur;

(iv) to consider any matter which in terms of this Agreement is to be submitted by one party to the other for negotiation or consultation;

(v) to consider any matter relating to the utilisation of water or the control of pollution referred to the Committee by either party hereto;

(vi) to consider any matter relating to any waterwork of mutual interest to the parties hereto;

and to report to their respective Governments the Committee's findings and recommendations in respect of such matters.

This Agreement shall enter into force on the date of signature hereof and shall continue in force until terminated by the parties hereto, by mutual consent.

In witness whereof the undersigned, being duly authorised by their respective Governments, have signed and sealed the present Agreement.

Done at Umtata in duplicate on the 2nd day of November 1977.

D. H. POTGIETER, Ambassador Extraordinary and Plenipotentiary.

For the Government of the Republic of South Africa.

D. KOYANA, Minister of Foreign Affairs and of Information.

For the Government of the Republic of Transkei.

(iv) om enige aangeleentheid te oorweeg wat ingevolge hierdie Ooreenkoms deur die een party aan die ander voorgelê moet word vir onderhandeling of raadpleging;

(v) om enige aangeleentheid te oorweeg betreffende die benutting van water of besoedelingsbeheer wat deur enigeen van die partye hierby na die Komitee verwys is;

(vi) om enige aangeleentheid te oorweeg betreffende enige waterwerk van wedersydse belang vir albei partye hierby;

en om aan hulle onderskeie Regerings verslag uit te bring oor die Komitee se bevindings en aanbevelings aangaande sodanige aangeleenthede.

Hierdie Ooreenkoms tree in werking op die datum van ondertekening hiervan en bly van krag totdat dit met wedersydse instemming deur die partye hierby beëindig word.

Ten bewyse waarvan die ondergetekendes, behoorlik daartoe gemagtig deur hulle onderskeie Regerings, hierdie Ooreenkoms onderteken en geseël het.

Gedoen te Umtata, in tweevoud, op die 2de dag van November 1977.

D. H. POTGIETER, Buitengewone en Gevolmagtigde Ambassadeur.

Namens die Regering van die Republiek van Suid-Afrika.

D. KOYANA, Minister van Buitelandse Sake en van Inligting.

Namens die Regering van die Republiek Transkei.

THE FLOWERING PLANTS OF AFRICA

This publication is issued as an illustrated serial, much on the same lines as Curtis's Botanical Magazine, and for imitating which no apology need be tendered.

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Current copies of *Militaria* may be obtained from The Government Printer, Private Bag X85, Pretoria, 0001, at R1 (overseas R1,25) per copy. Copies of most back editions are still available.

MILITARIA

Militaria is 'n militêr-historiese tydskrif wat deur die Dokumentasiediens van die Suid-Afrikaanse Weermag op 'n kwartaalbasis uitgegee word.

Hierdie geïllustreerde tydskrif bevat artikels oor o.a.:

Die Anglo-Boereoorlog en vroeëre Suid-Afrikaanse militêre geskiedenis.

Suid-Afrikaanse deelname aan beide Wêreldoorloë.

Eenheidsgeskiedenis.

Die groei en ontwikkeling van die Suid-Afrikaanse Weermag.

Bronnepublikasies en besprekings van militêr belangrike boeke word in die meeste nommers ingesluit.

Daar het reeds 23 uitgawes van *Militaria* verskyn.

Huidige nommers van *Militaria* kan by Die Staatsdrukker, Privaatsak X85, Pretoria, 0001, teen R1 (buitelands R1,25) per eksemplaar gekoop word. Die meerderheid vorige nommers is nog beskikbaar.

CONTENTS

No.	Page No.	Gazette No.
PROCLAMATION		
R. 327. National Road Safety Act (9/1972): Duty of court to issue an order for the suspension or cancellation of a licence or permit or disqualifying a person from obtaining a learner's or driver's licence	1	5804
GOVERNMENT NOTICES		
Agricultural Economics and Marketing, Department of		
<i>Government Notice</i>		
R.2397. Marketing Act (59/1968): Control of the introduction of deciduous fruit into certain areas	3	5804
Bantu Administration and Development, Department of		
<i>Government Notices</i>		
R.2375. Correction Notice	10	5804
R.2389. Correction Notice	10	5804
R.2390. Community Councils Act (125/1977): Regulations: Amendment	10	5804
Bantu Education, Department of		
<i>Government Notice</i>		
R.2381. Bantu Employees' In-Service Training Act (86/1976): Amendment of G.N. R. 1929/1977	11	5804
Commerce, Department of		
<i>Government Notice</i>		
R.2396. National Supplies Procurement Act (89/1970): Use of motor vehicle fuel	11	5804
Customs and Excise, Department of		
<i>Government Notice</i>		
R.2377. Customs and Excise Act (48/1964): Amendment of Schedule 1 (No. 1/4/5)	12	5804
Health, Department of		
<i>Government Notice</i>		
R.2353. Atmospheric Pollution Prevention Act (45/1965): Nigel: Third Smoke Control Zone Order	13	5804
Justice, Department of		
<i>Government Notices</i>		
R.2365. Supreme Court Act (59/1959): Rules and proceedings	14	5804
R.2366. (Act 41/1975): Council of The Law Society: Transvaal	15	5804
R.2367. (Act 41/1975): Council of The Law Society: Cape of Good Hope	16	5804
R.2368. (Act 41/1975): Council of The Law Society: Natal	18	5804
R.2369. (Act 41/1975): Council of The Law Society: South-West Africa	19	5804
Labour, Department of		
<i>Government Notices</i>		
R.2363. Correction Notice: Diamond Cutting Industry: Main Agreement	21	5804
R.2364. Correction Notice: Diamond Cutting Industry: Unemployment Benefit Fund Agreement	21	5804
R.2371. Wage Act (5/1957): Watch Patrol Services: Amendment to Wage Determination 316: Certain Transvaal Areas and Sasolburg	21	5804
R.2372. Wage Act (5/1957): Watch Patrol Services: Amendment to Wage Determination 314: Cape	22	5804
R.2373. Wage Act (5/1957): Watch Patrol Services: Amendment to Wage Determination 313: East London and Port Elizabeth	23	5804
R.2374. Wage Act (5/1957): Watch Patrol Services: Amendment to Wage Determination 312: Durban, Pietermaritzburg and Pinetown	24	5804

INHOUD

No.	Bladsy No.	Staatskoerant No.
PROKLAMASIE		
R. 327. Wet op Nasionale Verkeersveiligheid (9/1972): Plig van hof om bevel uit te reik vir die opskorting of intrekking van 'n lisensie of permit of om 'n persoon onbevoeg te verklaar om 'n leerling of bestuurderslisensie te verkry	1	5804
GOEWERMENSKENNISGEWINGS		
Arbeid, Departement van		
<i>Goewermenskennisgewings</i>		
R.2363. Verbeteringskennisgewing: Diamantslypnywerheid: Hoofooreenkoms	21	5804
R.2364. Verbeteringskennisgewing: Diamantslypnywerheid: Werkloosheidsbystandsfondsooreenkoms	21	5804
R.2371. Loonwet (5/1957): Wagpatrolliedienste: Wysiging van Loonvasstelling 316: Sekere Transvaalse Gebiede en Sasolburg	21	5804
R.2372. Loonwet (5/1957): Wagpatrolliedienste: Wysiging van Loonvasstelling 314: Kaap	22	5804
R.2373. Loonwet (5/1957): Wagpatrolliedienste: Wysiging van Loonvasstelling 313: Oos-Londen en Port Elizabeth	23	5804
R.2374. Loonwet (5/1957): Wagpatrolliedienste: Wysiging van Loonvasstelling 312: Durban, Pietermaritzburg en Pinetown	24	5804
Bantoe-administrasie en -ontwikkeling, Departement van		
<i>Goewermenskennisgewings</i>		
R.2375. Verbeteringskennisgewing	10	5804
R.2389. Verbeteringskennisgewing	10	5804
R.2390. Wet op Gemeenskapsrade (125/1977): Regulasies: Wysiging	10	5804
Bantoe-onderwys, Departement van		
<i>Goewermenskennisgewing</i>		
R.2381. Wet op Indiensopleiding van Bantoeowerknemers (86/1976): Wysiging van G.K. R. 1929/1977	11	5804
Doeane en Aksyns, Departement van		
<i>Goewermenskennisgewing</i>		
R.2377. Doeane- en Aksynswet (48/1964): Wysiging van Bylae 1 (No. 1/4/5)	12	5804
Gesondheid, Departement van		
<i>Goewermenskennisgewing</i>		
R.2353. Wet op Voorkoming van Lugbesoedeling (45/1965): Nigel: Derde Rookbeheerstreekbevel	13	5804
Handel, Departement van		
<i>Goewermenskennisgewing</i>		
R.2396. Wet op Verkryging van Landsvoorrade (89/1970): Beskikking oor motorvoertuigbrandstof	11	5804
Justisie, Departement van		
<i>Goewermenskennisgewings</i>		
R.2365. Wet op die Hooggeregshof (59/1959): Reëls en verrigtings	14	5804
R.2366. (Wet 41/1975): Raad van Prokureursorde: Transvaal	15	5804
R.2367. (Wet 41/1975): Raad van die Wetsgenootskap: Die Kaap die Goeie Hoop	16	5804
R.2368. (Wet 41/1975): Raad van die Wetsgenootskap: Natal	18	5804
R.2369. (Wet 41/1975): Raad van Prokureursorde: Suidwes-Afrika	19	5804
Landbou-ekonomie en -bemarking, Departement van		
<i>Goewermenskennisgewing</i>		
R.2397. Bemarkingswet (59/1968): Beheer oor die inbring van sagentrugte in sekere gebiede	3	5804

No.	Page No.	Gazette No.	No.	Bladsy No.	Staatskoerant No.
Social Welfare and Pensions, Department of			Volkswelsyn en Pensioene, Departement van		
<i>Government Notice</i>			<i>Goewermetskennisgewing</i>		
R.2395. Pension Laws Amendment Act (83/1976): Purpose: Social pensions: Bophuthatswana	25	5804	R.2395. Wysigingswet op die Pensioenwette (83/1976): Toepassing: Maatskaplike pensioene: Bophuthatswana	25	5804
Transport, Department of			Vervoer, Departement van		
<i>Government Notice</i>			<i>Goewermetskennisgewing</i>		
R.2380. Aviation Act (74/1962): Regulations: Schedule 2	25	5804	R.2380. Lugvaartwet (74/1962): Regulasies: Bylae 2	25	5804
Water Affairs, Department of			Waterwese, Departement van		
<i>Government Notice</i>			<i>Goewermetskennisgewing</i>		
R.2391. Agreement concluded by the Government of the Republic of South Africa with the Government of the Republic of Transkei	26	5804	R.2391. Ooreenkoms aangegaan deur die Regering van die Republiek van Suid-Afrika met die Regering van die Republiek Transkei	26	5804