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[No. 17.]

GOEWERMENSKENNISGEWINGS.**DEPARTEMENT VAN LANDE.**

No. R. 60.]

[16 Junie 1961.]

BEHEERKOMITEEREGLASIES.

Dit het Sy Eksellensie die Amptenaar Belas met die Uitoeffening van die Uitvoerende Gesag behaag om kragtens artikel *agt-en-sewentig* van die Nedersettingswet, 1956 (Wet No. 21 van 1956), die regulasies in die Bylae hiervan vervat, uit te vaardig.

BYLAE.

REGULASIES KRAGTENS DIE NEDERSETTINGSWET, 1956 (WET NO. 21 VAN 1956), VIR DIE INSTELLING VAN BEHEERKOMITEES VIR GROEPE HOEWES EN DIE MAGTIGING VAN SODANIGE BEHEERKOMITEES OM REËLS UIT TE VAARDIG.

REGULASIES.

1. Wanneer die Minister dit ook al wenslik ag om 'n Beheerkomitee vir 'n groep hoewes in te stel vir een of almal van die doeleindes wat die Wet beoog, moet hy aan elke huurder en eienaar binne genoemde groep 'n kennisgewing laat stuur waarin 'n vergadering belê word om lede van 'n Beheerkomitee te kies, en in sodanige kennisgewing moet die plek, dag en uur van die vergadering bepaal word.

2. 'n Staatsamptenaar deur die Minister afgevaardig, neem op so 'n vergadering die voorsitterstoel in.

3. Die huurders en eienaars wat op die vergadering teenwoordig is, bepaal uit hoeveel lede die Komitee moet bestaan, met dien verstande dat die getal òf vyf òf sewe moet wees. Waar so 'n Komitee uit vyf lede bestaan, het die Minister die reg om drie lede te benoem. Waar so 'n Komitee uit sewe lede bestaan, het die Minister die reg om vier lede te benoem. Die persone aldus benoem, hoef nie noodwendig huurders of eienaars binne genoemde groep hoewes te wees nie. Die orige lede van die Komitee word deur die persone wat op die vergadering teenwoordig is, genomineer en gekies. Die persone wat aldus benoem en gekies word, word die „Beheerkomitee” van sodanige groep hoewes genoem.

4. Enige huurder of eienaar wat sy hoewe persoonlik bewoon, kan tot lid van die Komitee benoem of genomineer word; elke sodanige nominasie moet behoorlik gesekondeer word.

A—1440159

GOVERNMENT NOTICES**DEPARTMENT OF LANDS.**

No. R. 60.]

[16 June 1961.]

COMMITTEES OF MANAGEMENT REGULATIONS.

His Excellency the Officer Administering the Government has been pleased, in terms of section *seventy-eight* of the Land Settlement Act, 1956 (Act No. 21 of 1956), to promulgate the regulations contained in the Annexure hereto.

ANNEXURE.

REGULATIONS FRAMED UNDER THE LAND SETTLEMENT ACT, 1956 (ACT NO. 21 OF 1956), FOR THE ESTABLISHMENT OF COMMITTEES OF MANAGEMENT FOR GROUPS OF HOLDINGS AND THE ENABLING OF SUCH COMMITTEES OF MANAGEMENT TO MAKE RULES.

REGULATIONS.

1. Whenever it shall appear to the Minister that it is desirable to establish a Committee of Management for a group of holdings for any or all of the purposes contemplated by the Act, he shall cause to be sent to each lessee and owner within the said group, a notice convening a meeting for the purpose of electing members of a Committee of Management, and such notice shall appoint the place, day and hour for the holding of such meeting.

2. An official of the Government delegated by the Minister shall preside at such meeting.

3. The lessees and owners present at such meetings shall determine the number of persons to constitute the Committee, provided that the said number shall be either five or seven. Where such Committee consists of five, the Minister shall have the right of appointing three members. Where such Committee consists of seven members, the Minister shall have the right of appointing four members. The persons so appointed need not necessarily be lessees or owners within the said group of holdings. The remaining members of the Committee shall be nominated and elected by the persons present at the meeting. The persons so appointed and elected shall be called the „Committee of Management” of such group of holdings.

4. Any lessee or owner who is in personal occupation of his holding may be appointed to or nominated for membership of the Committee; every such nomination shall be duly seconded.

5. Uit die persone aldus genomineer en gesekondeer moet die vergadering die vereiste getal persone kies, ooreenkomstig onderstaande bepalings:—

- (a) Ingeval die getal genomineerde persone gelyk is aan die getal persone wat gekies moet word, word dié persone behoorlik verkies verklaar.
- (b) Ingeval meer as die vereiste getal persone genomineer word, moet die voorsitter onmiddellik die aanwesige persone deur middel van stembrieffies laat stem, en die vereiste getal persone op wie die meeste stemme uitgebring is, word dan behoorlik verkies verklaar.
- (c) Ingeval 'n gelyke getal stemme op twee of meer persone uitgebring word en almal van hulle, met die oog op die vereiste getal lede, nie verkies verklaar kan word nie, beslis die voorsitter dadelik in die openbaar deur lootjies trek wie van die persone verkies verklaar moet word.
- (d) Elke persoon op sodanige vergadering het die reg om een stem uit te bring op elke genomineerde persoon, maar die vereiste getal mag egter nie oorskry word nie.

6. Ingeval die aanwesige huurders en eienaars op sodanige vergadering in gebreke bly om die vereiste getal lede te kies, is die Minister geregtig om al die lede vir so 'n Komitee, of soveel as wat nodig mag wees, te benoem, en die aldus benoemde persone het dieselfde bevoegdhede en pligte en beklee hul amp vir dieselfde tydperk as wat die geval sou gewees het indien hulle op sodanige vergadering behoorlik verkies was.

7. Die ampstermyn van die lede van die Beheerkomitee neem 'n aanvang op die datum deur die Minister bepaal en duur voort vir 'n tydperk van twee jaar. Geen lid van die Komitee ontvang 'n salaris, geld of beloning van watter aard ookal vir die verrigting van die werksaamhede van sy amp nie, behalwe sodanige reiskoste wat die Komitee mag goedkeur: Met dien verstande dat die Komitee die sekretaris sodanige besoldiging vir sy dienste kan betaal as wat dit goedvind. 'n Lid wat hierdie bepaling oortree, verloor dadelik sy setel in die Komitee.

8. Minstens ses weke voor die verstryking van die ampstermyn van die Komitee en van elke Komitee wat daarna gevorm word, moet die Komitee 'n vergadering van huurders en eienaars belê met die doel om 'n Beheerkomitee vir die volgende twee jaar te kies. Minstens vier weke voor die datum van sodanige vergadering, moet die Komitee aan elke huurder en eenaar 'n kennisgewing stuur wat die plek, dag en uur en die doel van die vergadering bekendmaak. Die voorsitter van die Komitee wat dan diens doen, neem op dié vergadering die voorsitterstoel in en hou die verkiesing ooreenkomstig regulasies 3, 4 en 5 hiervan.

9. Ingeval 'n lid van die Komitee nie meer 'n huurder of eenaar is nie, of sonder verlof van die Komitee versuim om drie opeenvolgende gewone vergaderings van die Komitee by te woon, of insolvent raak, of boedelafstand ten voordele van sy krediteure doen, of kranksinnig word, of sterf, word sy setel *ipso facto* vakant en die vakature, wat aldus ontstaan, of 'n vakature wat weens bedanking van 'n lid ontstaan het, word dadelik deur die Minister gevul as sodanige lid 'n benoemde lid is; of deur middel van 'n verkiesing, as sodanige lid 'n verkose lid is, op die manier soos uiteengesit in bovermelde regulasies 3, 4 en 5, nadat die voorsitter 'n kennisgewing op elke huurder en eenaar laat dien het om 'n vergadering vir daardie doel te belê. Die persoon wat aldus benoem of verkies word, beklee die amp vir die oorblywende gedeelte van die tydperk waarvoor die Komitee saamgestel is.

10. Die Komitee moet binne ses weke na ampsaanvaarding byeenkom en daarna van tyd tot tyd, minstens een keer per maand, op sodanige datum, tyd en plek as wat die Komitee bepaal.

5. From among the persons so nominated and seconded, such meeting shall elect the number it is required to elect in accordance with the following provisions:—

- (a) In case the number of persons nominated for election is equal to the number required to be elected, such persons shall be declared to be duly elected.
- (b) In case more than the required number of persons to be elected is nominated, the chairman shall then and there proceed to take by ballot a poll of the persons present, such persons to the number to be elected as shall gain the highest number of votes shall be declared duly elected.
- (c) In the event of the number of votes polled for two or more persons being found to be equal, and, if all the said persons cannot be declared elected, having regard to the number to be elected, the chairman shall forthwith publicly determine by lot which of such persons shall be elected.
- (d) Every person present at such meeting shall be entitled to one vote for each person nominated, not exceeding, however, the number to be elected.

6. In case at any such meeting the lessees and owners present fail to elect the required number of members, it shall be lawful for the Minister to appoint all, or such further members of such Committee as may be necessary, and the persons so appointed shall have the same powers and duties, and shall remain in office for the same period as if they had been duly elected at such meeting.

7. The period of office of the members of the Committee of Management shall commence on the date determined by the Minister and shall continue for a period of two years. No member of the Committee shall receive any salary, fee or reward of any kind for the performance of the functions of his office, except such travelling costs as the Committee may approve: Provided that the Committee may pay the secretary such remuneration for his services as it may think fit. Any member contravening this provision shall forthwith vacate his seat on the Committee.

8. Not later than six weeks before the expiry of the term of office of the Committee and of any subsequent Committee which may be formed, the Committee shall convene a meeting of lessees and owners for the purpose of electing members to the Committee of Management for the ensuing two years. Not later than four weeks before the date of such meeting, the Committee shall cause to be sent to each lessee and owner a notice announcing the place, day and hour and the purpose for the holding of such meeting. The chairman of the Committee then in office shall preside at such meeting and shall conduct the election in accordance with regulations 3, 4 and 5 hereof.

9. In case any member of the Committee shall cease to be a lessee or owner, or shall fail to attend three consecutive ordinary meetings of the Committee without leave granted by the Committee, or shall become insolvent or assign his estate for the benefit of his creditors, or become insane, or shall die, such member's seat shall *ipso facto* become vacant and the vacancy so caused or a vacancy caused by the resignation of a member, shall be filled immediately by the Minister, if such member is an appointed member or by means of an election, if such member is an elected member, in manner similar to that set out in regulations 3, 4 and 5 above, and after the chairman has caused a notice to be served on each lessee and owner, convening a meeting for the purpose. Any person so appointed or elected shall hold office for the remainder of the term for which the Committee was constituted.

10. The Committee shall meet within six weeks after coming into office, and shall continue to meet from time to time at intervals of not less than once a month at such time, date and place as it shall determine.

11. (1) Uit die lede van die Komitee benoem die Minister 'n voorsitter, 'n Vise-voorsitter en 'n sekretaris wat ook as penningmeester moet optree moet deur die lede van die Komitee op hul eerste vergadering gekies word.

(2) Die voorsitter of, by sy afwesigheid, die vise-voorsitter neem die voorsitterstoel in op alle vergaderings van die Komitee waarvan drie lede 'n kworum uitmaak, en by afwesigheid van die voorsitter en vise-voorsitter neem die sekretaris die voorsitterstoel in. Indien die sekretaris ook afwesig is, word 'n voorsitter gekies deur die aanwesige lede van die Komitee.

(3) Alle sake wat voor die Komitee kom, word by meerderheid van stemme-beslis, en by staking van stemme het die voorsittende lid 'n tweede of beslissende stem benewens sy gewone of beraadslagende stem.

(4) Notule van die verrigtinge van elke vergadering moet gereeld aangeteken word in 'n boek wat vir daardie doel gehou moet word, en moet op die eersvolgende vergadering gelees, goedgekeur en deur die persoon, wat die voorsitterstoel inneem, onderteken word.

12. Aan die Sekretaris van Lande of enige amptenaar deur hom daartoe gemagtig, moet te alle redelike tye insae in die notule toegestaan word, en die Komitee moet, wanneer dit van hom verlang word, 'n afskrif van die notule aan die Sekretaris van Lande stuur.

Die Minister van Lande kan te eniger tyd 'n amptenaar van die Staatsdiens aanstel om die boeke en rekeninge van die Komitee na te gaan en te ouditeer.

13. Die Komitee moet die pligte nakom en die bevoegdheid uitoefen wat by hierdie regulasies aan hom verleen is en is belas met die algemene toesig oor en beheer van alle nedersettingspaaie en -brûe (behalwe dié wat onder die beheer van die Provinsiale Administrasie of ander plaaslike bestuur staan) en alle hekke, duikslote, gemeenskaplike gebiede en gemeenskaplike weivelde, met die verbeterings daarop, en die Komitee word gemagtig om die paaie, brûe, hekke en verbeterings in goeie orde en toestand te hou.

14. Die Komitee het die reg om van tyd tot tyd reëls wat deur die Minister goedgekeur word, op te stel en te wysig in verband met een of almal van onderstaande sake, en kan in sodanige reëls 'n boete van hoogstens R50 vir die oortreding of nie-nakoming daarvan voorskryf, of by wanbetaling gevangenisstraf vir 'n tydperk van hoogstens drie maande:—

(1) Die gebruik van die gemeenskaplike weiveld en in verband daarmee—

- (a) die weiding en suiping van vee daarop;
- (b) die getal en soort vee ten opsigte waarvan die huurder weireg het en die gelde wat daarvoor betaal moet word;
- (c) die dip en inenting van vee;
- (d) die voorkoming en behandeling van veesiektes;
- (e) die beskikking oor die karkasse van diere;
- (f) die brandmerk van vee;
- (g) die reëling van of verbod op die aanhou van gevaarlike of ongewenste diere;
- (h) die kweek van gras of struikgewasse en die aanplant, instandhouding en beskerming van bome en bosse;
- (i) die brand van gras, die maak van voorbrande en die uitroeiing van skadelike onkruid;
- (j) die verbod op plakkery; en
- (k) die bou, instandhouding en reparasie, van dipbakke daarop.

(2) Die beheer oor en die gebruik en verdeling van water vir besproeiingsdoeleindes.

(3) Die instandhouding van en die beheer oor geboue en ander verbeterings, masjinerie, gereedskap, en dergelike meer wat vir gemeenskaplike doeleindes gebruik word.

11. (1) From the members of the Committee the Minister shall appoint a chairman. A vice-chairman and a secretary, who shall also act as treasurer, shall be chosen by the members of the Committee at their first meeting.

(2) The chairman or, in his absence, the vice-chairman shall preside at all meetings of the Committee of which three members shall form a quorum, and in the absence of the chairman and the vice-chairman the secretary shall preside. If the secretary is also absent, a chairman shall be chosen by the members of the Committee present.

(3) All questions coming before the Committee shall be decided by a majority of votes, and, in case of equality of votes, the presiding member shall have a second or casting vote in addition to his regular or deliberative vote.

(4) Minutes of the proceedings of every meeting shall be regularly entered in a book to be kept for that purpose, and shall be read and confirmed at the next succeeding meeting and signed by the person presiding thereat.

12. The Secretary for Lands, or any official authorized by him, shall be allowed access to the minutes of proceedings at all reasonable times, and the Committee, when required to do so, shall forward a copy of the minutes of proceedings to the Secretary for Lands.

The Minister of Lands may at any time appoint an officer of the Public Service to examine and audit the books and accounts of the Committee.

13. The Committee shall carry out the duties and powers granted to it by these regulations, and shall be entrusted with the general supervision and control of all settlement roads and bridges (other than those under the control of the Provincial Administration or other local authority), and all gates, culverts, and communal areas and common pasturage areas, with the improvements on such land, and the Committee shall be empowered to keep the roads, bridges, gates and improvements in good order and repair.

14. The Committee shall have the power to frame alter and amend rules from time to time which may be approved by the Minister in respect of any or all of the following matters, and may by such rules prescribe penalties for any contravention thereof or failure to comply therewith a fine not exceeding R50, or in default of payment, imprisonment with or without hard labour, for a period not exceeding three months:—

(1) The use of the common pasturage area including in connection therewith—

- (a) the grazing and watering of stock thereon;
- (b) the number and class of stock which any lessee may be entitled to graze and the fee payable in respect thereof;
- (c) the dipping and inoculation of stock;
- (d) the prevention and treatment of stock diseases;
- (e) the disposal of the carcasses of animals;
- (f) the branding of stock;
- (g) the regulation or the prohibition of the keeping of dangerous or undesirable animals;
- (h) the culture of grasses or shrubs, and the planting, maintenance and protection of trees and bushes;
- (i) the burning of grass, the making of fire breaks and the eradication of noxious weeds;
- (j) the banning of squatting; and
- (k) the construction, maintenance and repair of dipping tanks thereon.

(2) The control, use and distribution of water for irrigation purposes.

(3) The maintenance and control of buildings and other improvements, machinery, implements and things like used for communal purposes.

(4) Die oprigting van 'n kamp vir die skut van vee wat binne die Komitee se regsgebied oortree, die vasstelling van gelde daarvoor of die skut van sodanige vee by die naaste publieke skut.

(5) Die reëling van die gebruik van bote op damme en reservoirs en die vang van vis daarin.

(6) Die reparasie en instandhouding van paaie, duikslote, brûe en hekke.

(7) Die voorkoming, verwydering of vermindering van oorlas wat tot benadeling van die gesondheid kan lei, ongerief kan veroorsaak of inbreuk op die regte van huurders en eienaars kan maak.

(8) Die reëling van die oprigting van geboue en ander bouwerk.

(9) Die oprigting, instandhouding en herstel van omheinings en hekke en die omheining van putte, steengroewe en ander uitgrawings.

(10) Die voorkoming van die besoedeling van water waarop die huurders en eienaars 'n gemeenskaplike reg het.

15. Wanneer die Beheerkomitee voornemens is om ingevolge hierdie regulasies reëls af te kondig, moet 'n onseep daarvan op minstens twee gerieflike plekke binne die grense van die nedersetting vir minstens een-en-twintig dae ter insae lê en die voorsitter van die Komitee moet aan elke huurder en eienaar 'n kennisgewing waarin vermeld word waar die konsepreëls ter insae lê, per pos stuur of op hom laat dien.

'n Huurder of eienaar wat beswaar maak teen enigeen van die konsepreëls kan sy beswaar skriftelik by die voorsitter van die Komitee indien.

16. By verstryking van die tydperk in voorgaande regulasie genoem, moet die Beheerkomitee die konsepreëls en besware wat deur 'n huurder of eienaar daarteen gemaak is, oorweeg, en die konsepreëls sonder of met wysigings as gevolg van sodanige besware, aanneem of verwerp.

17. Die konsepreëls soos voornoem deur die Komitee aangeneem, moet deur die voorsitter aan die Sekretaris in Lande deurgestuur word vir oorweging en goedkeuring deur die Minister kragtens paragraaf (d) van subartikel (1) van artikel agt-en-sewentig van die Nederwet, 1956.

18. Behalwe wanneer die reëls deur die Minister goedgekeur, afgekondig word ingevolge die bepalings van subartikel (2) *bis* van artikel agt-en-sewentig van die Nederwet, 1956, word sodanige reëls van krag op datum van afkondiging daarvan in die *Staatskoerant*.

19. (1) Vir die doeleindes van hierdie regulasie beteken die uitdrukking—

- (a) „herroepe regulasies” die regulasies wat by regulasie 21 herroep word; en
- (b) „ou regulasies” die regulasies afgekondig by Goewermentskennisgewing No. 53 van 12 Januarie 1940, en herroep by Goewermentskennisgewing No. 1479 van 4 Julie 1952.

(2) 'n Lid van 'n Beheerkomitee benoem of verkies agtens die herroepe regulasies doen nie afstand van sy tel in die Komitee waarvan hy 'n lid is slegs uit hoofde van sodanige herroeping nie.

(3) Elke Beheerkomitee wat kragtens die herroepe regulasies ingestel is, word vir die onverstreke ampstermyn in sy lede beskou as kragtens hierdie regulasies ingestel en kan al die regte en bevoegdhede uitoefen en word las met al die pligte wat ingevolge hierdie regulasies aan Beheerkomitee toegewys word.

(4) Alle reëls deur 'n Beheerkomitee opgestel kragtens regulasie 14 van beide die herroepe regulasies en die ou regulasies bly, nieteenstaande die herroeping van daardie regulasies, van volle krag totdat nuwe reëls, opgestel deur Komitee ingestel kragtens hierdie regulasies en goed-

(4) The establishment of a detention camp for the impounding of stock found trespassing within the Committee's area of jurisdiction, the prescribing of a tariff of fees payable or the impounding of such stock in the nearest public pound.

(5) The regulation of boating and fishing on dams and reservoirs.

(6) The repair and maintenance of roads, culverts, bridges and gates.

(7) The prevention, removal, or abatement of nuisances which may tend either to injure the health, destroy the comfort, or affect the rights of lessees and owners.

(8) The regulation of the erection of buildings and structures.

(9) The erection, maintenance and repair of fences and gates and the fencing of wells, quarries and other excavations.

(10) The prevention of the pollution of water to which lessees and owners have a common right.

15. Whenever the Committee of Management proposes to promulgate any rules in terms of these regulations, a draft of such rules shall be open for inspection at not less than two convenient places within the settlement area for a period of not less than twenty-one days, and the chairman of the Committee shall cause notice to be posted to or served on each lessee and owner advising him where the draft rules can be inspected.

Any lessee or owner objecting to any of the draft rules may submit his objection, in writing, to the chairman of the Committee.

16. At the expiration of the period referred to in the preceding regulation the Committee of Management shall consider the draft rules and any objections, which may have been raised thereto by any lessee or owner, and shall either adopt the draft rules, with or without any amendment necessary to meet any such objections thereto, or reject them.

17. The draft rules adopted by the Committee as aforesaid shall be transmitted by the chairman to the Secretary for Lands for consideration and approval by the Minister in terms of paragraph (d) of sub-section (1) of section seventy-eight of the Land Settlement Act, 1956.

18. Except when the rules approved by the Minister are published in terms of the provisions of sub-section (2) *bis* of section seventy-eight of the Land Settlement Act, 1956, such rules shall come into operation on the date of publication thereof in the *Gazette*.

19. (1) For the purposes of this regulation the expression—

- (a) “repealed regulations” means the regulations which are repealed by regulation 21; and
- (b) “old regulations” means the regulations promulgated by Government Notice No. 53 of 12th January, 1940, and repealed by Government Notice No. 1479 of 4th July, 1952.

(2) A member of the Committee of Management appointed or elected in terms of the repealed regulations shall not vacate his seat upon the Committee of which he is a member merely by virtue of such repeal.

(3) Every Committee of Management established under the repealed regulation shall, for the unexpired period of office of its members, be deemed to have been established in terms of these regulations, and shall be competent to exercise all the rights and powers and shall be subject to all the duties which are by these regulations assigned to a Committee of Management.

(4) All rules made by a Committee of Management in terms of regulation 14 of both the repealed regulations and the old regulations shall, notwithstanding the repeal of these regulations, remain of full force and effect until fresh rules, made by a Committee established in terms of these regulations and approved by the Minister in terms

gekeur deur die Minister ingevolge regulasie 14 van hierdie regulasies, in die *Staatskoerant* of ingevolge subartikel (2) *bis* van artikel *agt-en-sewentig* van die Nedersettingswet, 1956, vir algemene inligting afgekondig is.

20. As die Minister oortuig is dat 'n Beheerkomitee wat vir 'n nedersetting ingevolge hierdie regulasies ingestel is sy funksies verwaarloos of dat die doel of die hoofdoel vir die instelling daarvan opgehou het om te bestaan, kan hy by kennisgewing in die *Staatskoerant* so 'n Komitee ontbind; met dien verstande dat die Minister minstens twee maande voor publikasie van so 'n kennisgewing die Komitee verwittig van sy voorneme om die Komitee te ontbind; met dien verstande verder dat as die huurders en/of eienaars in gebreke bly om 'n nuwe Komitee te kies binne die tydperk in regulasie 8 van hierdie regulasies bepaal, die Minister die kennisgewing in die eerste voorbehoudsbepaling genoem, agterweë kan laat.

21. Die regulasies by Goewermentskennisgewing No. 1479 van 4 Julie 1952 afgekondig, word hierby herroep.

DEPARTEMENT VAN SPOORWEE, HAWENS EN LUGDIENS.

No. R. 72.]

[16 Junie 1961.]

Dit het Sy Eksellensie die Goewerneur-generaal behaag om kragtens artikel *twee-en-dertig* van die Wet op Spoorweg- en Hawediens, 1960 (Wet No. 22 van 1960) goedkeuring daaraan te verleen dat die Personeelregulasies van die Suid-Afrikaanse Spoorweë en Hawens, soos gewysig, wat in Goewermentskennisgewing No. R. 1045 van 15 Julie 1960 gepubliseer is, soos volg verder gewysig word:—

SUID-AFRIKAANSE SPOORWEE EN HAWENS.

PERSONEELREGULASIES.

WYSIGINGSLYS.

(Van krag van 13 Maart 1961.)

Regulasie no. 1.

Vervang „die Adjunk-hoofbestuurder,” onder „departementshoof” in paragraaf (2) deur „'n adjunk-hoofbestuurder,” en voeg „die Finansiële Bestuurder,” en „die Hoof, beplanning en produktiwiteit,” in na „'n assistent-hoofbestuurder.”

Regulasie no. 2.

Vervang „die Adjunk-hoofbestuurder,” in subparagraaf (2) (c) deur „'n adjunk-hoofbestuurder,” en voeg „die Finansiële Bestuurder,” en „die Hoof, beplanning en produktiwiteit,” in na „'n assistent-hoofbestuurder.”

Regulasie no. 3.

Vervang „die Adjunk-hoofbestuurder,” in paragraaf (2) deur „'n adjunk-hoofbestuurder,” en voeg „die Finansiële Bestuurder, die Hoof, beplanning en produktiwiteit,” in na „'n assistent-hoofbestuurder.”

Regulasie no. 155.

Vervang „die Adjunk-hoofbestuurder,” onder die hoof „die Hoofbestuurder se Departement” in paragraaf (1) deur „'n adjunk-hoofbestuurder,” en voeg „die Finansiële Bestuurder,” en „die Hoof, beplanning en produktiwiteit,” in na „'n assistent-hoofbestuurder.”

Regulasie no. 179.

Vervang „Die Adjunk-hoofbestuurder” onder die hoof „Amptenaar teen wie se beslissing daar geappelleer word” en binne die hakie teenoor „die Hoofbestuurder” in paragraaf (1) deur „'n adjunk-hoofbestuurder” en voeg „die Finansiële Bestuurder” en „die Hoof, beplanning en produktiwiteit” in na „'n assistent-hoofbestuurder”.

of regulation 14 of these regulations, shall have been published in the *Gazette* or in terms of sub-section (2) *bis* of section *seventy-eight* of the Land Settlement Act, 1956, for general information.

20. If the Minister is satisfied that a Committee of Management established for any settlement under these regulations is neglecting its functions or that the purpose or the main purpose for its establishment has ceased to exist, he may by notice in the *Gazette* disestablish such Committee; provided that the Minister shall, at least two months before the publication of such notice, inform the Committee of his intention to disestablish the Committee; provided further that, if the lessees and/or owners fail to elect a new Committee within the period stipulated in regulation 8 of these regulations, the Minister may dispense with the notice referred to in the first proviso.

21. The regulations promulgated by Government Notice No. 1479 of 4th July, 1952, are hereby repealed.

DEPARTMENT OF RAILWAYS, HARBOURS AND AIRWAYS.

No. R. 72.]

[16 June 1961.]

His Excellency the Governor-General has, in terms of section *thirty-two* of the Railways and Harbours Service Act, 1960 (Act No. 22 of 1960), been pleased to approve of the South African Railways and Harbours Staff Regulations, published in Government Notice No. R. 1045 of 15th July, 1960, as amended, being further amended as follows:—

SOUTH AFRICAN RAILWAYS AND HARBOURS

STAFF REGULATIONS.

SCHEDULE OF AMENDMENT.

(Operative from 13th March, 1961.)

Regulation No. 1.

In paragraph (2) under “head of department” substitute “a Deputy General Manager,” for “the Deputy General Manager,” and after “an Assistant General Manager,” insert “the Financial Manager,” and “the Head, Division Planning and Productivity.”

Regulation No. 2.

In sub-paragraph (2) (c) substitute “a Deputy General Manager,” for “the Deputy General Manager,” and after “an Assistant General Manager,” insert “the Financial Manager,” and “the Head, Division Planning and Productivity.”

Regulation No. 3.

In paragraph (2) substitute “a Deputy General Manager,” for “the Deputy General Manager,” and after “an Assistant General Manager,” insert “the Financial Manager, the Head, Division Planning and Productivity.”

Regulation No. 155.

In paragraph (1) under the heading “General Manager's Department” substitute “a Deputy General Manager,” for “the Deputy General Manager,” and after “an Assistant General Manager,” insert “the Financial Manager,” and “the Head, Division Planning and Productivity.”

Regulation No. 179.

In paragraph (1) under the heading “Officer whose Decision Appealed against” and within the bracket opposite “the General Manager” substitute “a Deputy General Manager” for “the Deputy General Manager,” and after “an Assistant General Manager” insert “the Financial Manager” and “the Head, Division Planning and Productivity.”

DEPARTEMENT VAN POS-EN- TELEGRAAFWESE.

No. R. 57.]

[16 Junie 1961.]

Dit het Sy Eksellensie die Amptenaar belas met die Uitvoering van die Uitvoerende Gesag behaag om kragtens artikel *agtien* van Wet No. 3 van 1952, sy goedkeuring laaraan te heg dat die Radioregulasies afgekondig by Goewermentskennisgewing No. R. 611 van 29 April 1960, soos gewysig, soos volg verder gewysig word:—

1. *Regulasie 1.*—Skrap die bestaande regulasie en vervang dit deur:—

DEEL I.

WOORDOMSKRYWING.

1. In hierdie regulasies, tensy uit die samehang anders lyk, beteken—

„amateur”, iemand wat in die radiotegniek belangstel uitsluitlik met ’n persoonlike doel en nie om geldelike gewin nie, en aan wie die Posmeester-generaal ’n amateurstasielisensie uitgereik het;

„amateurradiostasie”, ’n radiostasie wat deur ’n amateur gewerk word;

„houer van ’n uitsaaistasielisensie”, iemand wat ’n lisensie besit om ’n uitsaaistasie te werk;

„nadelige steuring”, elke uitstraling, induksie, geleiding of ander elektromagnetiese effek wat die werking van ’n radionavigasiediens of van ander veiligheidsdienste in gevaar stel, ernstig verswak, belemmer of herhaaldelik enige radiokommunikasiediens onderbreek wat ooreenkomstig hierdie regulasies en die Internasionale Radioregulasies werk. Dit omvat nie steuring van ’n radiosender af nie wat op toegewysde frekwensies werk ooreenkomstig hierdie regulasies en die Internasionale Radioregulasies;

„insetvermoë”, die gelykstroom- (G.S.) insetvermoë na die anode van die radiofrekwensietrap wat die antenne onmiddellik voorafgaan;

„Internasionale Radioregulasies”, die „Radio Regulations, Geneva, 1959”, met inbegrip van alle regulasies wat genoemde regulasies wysig, aanvul of vervang;

„luisteraar”, iemand wat ’n lisensie besit om radio-apparaat te gebruik vir die ontvangs van enigiets wat in ’n uitsaaidiens uitgesaai word;

„mobiele stasie”, ’n stasie wat bedoel is om gewerk te word terwyl dit in beweging is of terwyl dit op ongespesifiseerde plekke stilstaan;

„draagbare stasie”, ’n stasie wat so gebou is dat dit vir werking maklik van die een plek na die ander verplaas kan word, maar wat nie gewerk word terwyl dit in beweging is nie;

„die Wet”, die Radiowet, 1952 (Wet No. 3 van 1952);

„radiokommunikasie”, alle telekommunikasie deur middel van radiogolwe;

„radio-ingenieur”, iemand wat gekwalifiseer is om beheer uit te oefen oor die installering, instandhouding en herstel van radioapparaat by ’n stasie waar die gesamentlike toevoervermoë van alle radio-apparaat meer as 500 watt is;

„radiohersteller”, iemand wat ’n lisensie besit om radioapparaat te herstel vir wins by ’n winkel of op watter plek ook al;

„radiotegnikus”, iemand wat gekwalifiseer is om radio-apparaat waarvan die veiligheid van menselewe in die lug of op see afhang, in stand te hou en te herstel;

DEPARTMENT OF POSTS AND TELEGRAPHS.

No. R. 57.]

[16 June 1961.]

His Excellency the Officer Administering the Government has been pleased, in terms of section *eighteen* of Act No. 3 of 1952, to approve that the Radio Regulations as published under Government Notice No. R. 611 of the 29th April, 1960, as amended, be further amended as follows:—

1. *Regulation 1.*—Delete the existing regulation and substitute:—

PART I.

DEFINITIONS.

1. In these regulations, unless the context otherwise indicates—

“amateur” means a person who is interested in radio technique solely with a personal aim and without pecuniary interest, and to whom an amateur station licence has been issued by the Postmaster-General;

“amateur radio station” means a radio station operated by an amateur;

“broadcasting station licensee” means a person licensed to operate a broadcasting station;

“harmful interference” means any radiation, induction, conduction or other electromagnetic effect which endangers the functioning of a radionavigation service or of other safety services or seriously degrades, obstructs or repeatedly interrupts any radiocommunication service operating in accordance with these regulations and the International Radio Regulations. This shall not include interference from a radio transmitter operated on its allocated frequency in accordance with these regulations and the International Radio Regulations;

“input power” means the direct current (D.C.) input power to the anode of the radio frequency stage immediately preceding the aerial;

“International Radio Regulations” means the Radio Regulations, Geneva, 1959, including any regulations made in amendment, addition, or substitution of the said regulations;

“listener” means a person who is licensed to use radio apparatus for the reception of anything broadcast in a broadcasting service;

“mobile station” means a station intended to be operated while in motion or during halts at unspecified points;

“portable station” means a station that is so constructed that it may conveniently be moved from place to place for operation but which is not operated while in motion;

“the Act” means the Radio Act, 1952 (Act No. 3 of 1952);

“radiocommunication” means any telecommunication by means of radio waves;

“radio engineer” means a person qualified for directing the installation and the maintenance and repairing of any radio apparatus at a station where the total input power of all radio apparatus exceeds 500 watts;

“radio repairer” means a person licensed to carry on the business of repairing radio apparatus for gain at any shop, store or at any place whatsoever;

“radio technician” means a person qualified in the maintenance and repairing of radio apparatus upon which the safety of life in the air or on the sea depends;

„telekommunikasie”, elke oorsending, uitsending of ontvangs van tekens, seine, skrif, beeld en geluid of inligting van watter aard ook, met gebruikmaking van draad, radio, optiese of ander elektromagnetiese stelsels;

enige woord of uitdrukking waaraan 'n betekenis in die Wet toegeken is, het daardie betekenis.

2. *Regulasie 2.*—Skrap die woord „masjinerie” en vervang deur „uitrusting”.

3. *Regulasie 5.*—Skrap die woorde „die ontvangs deur ander ontvangstelsel kan deur nie” en vervang deur „nadelige sturings veroorsaak nie”.

4. *Regulasie 17.*—Skrap die bestaande regulasie en vervang deur:—

Frekwensies.—Amateurs mag slegs ondergenoemde frekwensiebande gebruik:—

- (a) 1,800–2,000 kilohertz.
- (b) 3,500–3,800 kilohertz.
- (c) 7,000–7,150 kilohertz.
- (d) 14,000–14,350 kilohertz.
- (e) 21,000–21,450 kilohertz.
- (f) 28–29·7 megahertz.
- (g) 50–54 megahertz.
- (h) 144–146 megahertz.
- (i) 430–440 megahertz.
- (j) 1,215–1,300 megahertz.
- (k) 2,300–2,450 megahertz.
- (l) 5,650–5,850 megahertz.
- (m) 10,000–10,500 megahertz.
- (n) 21,000–22,000 megahertz.

OPMERKINGS.

- Band (a)..... Die vermoë wat in hierdie band gebruik word, is tot 10 watt beperk.
- Bande (a) en (b).. Hierdie bande word gesamentlik gebruik deur amateurstasies en vaste en mobiele stasies en amateurstasies moet sturing van dié dienste vermy.
- Band (c)..... Die gedeelte van die band 7,100–7,150 kilohertz mag nie vir kommunikasie met amateurs buite Afrika of Europa gebruik word nie.
- Band (i)..... Hierdie band word met ander dienste gedeel en sturings op sodanige dienste moet deur amateurs vermy word.
- Band (k)..... Die frekwensie 2,450 megahertz, ± 50 megahertz, is vir nywerheids-, wetenskaplike en geneeskundige doeleindes toegeken. Radiokommunikasiedienste binne dié grense moet sturing ten gevolge van die werking van nywerheids-, wetenskaplike en geneeskundige uitrusting sonder meer aanvaar.
- Band (l)..... Die frekwensie 5,800 megahertz, ± 75 megahertz, is vir nywerheids-, wetenskaplike en geneeskundige doeleindes toegeken. Radiokommunikasiedienste binne dié grense moet sturing ten gevolge van die werking van nywerheids-, wetenskaplike en geneeskundige uitrusting sonder meer aanvaar.
- Band (m)..... Hierdie band word met ander dienste gedeel. Amateurstasies moet geen sturings veroorsaak nie en moet sturings wat deur ander dienste veroorsaak word, aanvaar.

5. *Regulasie 18 (d).*—Skrap die syfers „420-460” en vervang deur „430-440”.

6. *Regulasie 19.*—Voeg die volgende sin by: „Binne die perke van sulke bande moet die bandbreedte van uitstralings beperk word tot die minimum wat vir hierdie tipe kommunikasie gebruik word”.

7. *Regulasie 21.*—Skrap subregulasie (2) en vervang deur die volgende subregulasies:—

- (2) In die geval van verlaagde, onderdrukte of beheerde draagfrekwensiestelsels, is insetvermoë dié insetvermoë wat gemeet word wanneer die sender ten volle belas en ten volle gemoduleer is.
- (3) 'n Amateur mag nie gebruik maak of in besit wees van uitrusting wat in staat is om die inset wat in subregulasie (1) hierbo genoem word, te oorskry nie.

“telecommunication” means any transmission, emission, or reception of signs, signals, writing, images and sounds or intelligence of any nature by wire, radio, visual or other electromagnetic systems;

a word or expression to which a meaning has been assigned in the Act shall bear that meaning.

2. *Regulation 2.*—Delete the word “machinery” and substitute “equipment”.

3. *Regulation 5.*—Delete the words “interference to reception by other receiving sets” and substitute “harmful interference”.

4. *Regulation 17.*—Delete the existing regulation and substitute:—

Frequencies.—Amateurs shall use only the following bands of frequencies:—

- (a) 1,800–2,000 kilocycles per second.
- (b) 3,500–3,800 kilocycles per second.
- (c) 7,000–7,150 kilocycles per second.
- (d) 14,000–14,350 kilocycles per second.
- (e) 21,000–21,450 kilocycles per second.
- (f) 28–29·7 megacycles per second.
- (g) 50–54 megacycles per second.
- (h) 144–146 megacycles per second.
- (i) 430–440 megacycles per second.
- (j) 1,215–1,300 megacycles per second.
- (k) 2,300–2,450 megacycles per second.
- (l) 5,650–5,850 megacycles per second.
- (m) 10,000–10,500 megacycles per second.
- (n) 21,000–22,000 megacycles per second.

NOTES.

- Band (a)..... The power used in this band is limited to 10 watts.
- Bands (a) and (b).. These bands are shared by amateur stations with fixed and mobile stations and amateur stations shall avoid interference to those services.
- Band (c)..... The portion of the band 7,100–7,150 kilocycles per second may not be used for communication with amateurs outside Africa or Europe.
- Band (i)..... This band is shared with other services and amateurs shall avoid interference to such services.
- Band (k)..... The frequency of 2,450 megacycles per second, ± 50 megacycles per second, is designated for industrial, scientific and medical purposes. Radiocommunication services operating within these limits must accept any harmful interference experienced from the operation of industrial, scientific and medical equipment.
- Band (l)..... The frequency of 5,800 megacycles per second, ± 75 megacycles per second, is designated for industrial, scientific and medical purposes. Radiocommunication services operating within these limits must accept any harmful interference experienced from the operation of industrial, scientific and medical equipment.
- Band (m)..... This band is shared with other services. Amateur stations shall not cause any interference and shall accept any interference caused by other services.

5. *Regulation 18 (d).*—Delete the figures “420-460” and substitute “430-440”.

6. *Regulation 19.*—Add the following sentence at the end: “Within the limits of such bands, the bandwidth of emissions must be restricted to the minimum necessary for the type of communication employed.”.

7. *Regulation 21.*—(i) In sub-regulation (1) delete the words “power input” and substitute “input power”.

(ii) Delete sub-regulation (2) and substitute the following sub-regulations:—

- (2) In the case of reduced, suppressed, or controlled carrier systems, the input power shall be that input power which is measured when the transmitter is fully loaded and fully modulated.
- (3) An amateur shall not use or be in possession of equipment capable of exceeding the power limitations specified in sub-regulation (1) above.

- (4) 'n Amateur moet 'n voldoende gefiltreerde gelyk-stroomkragtoevoer vir die senduitrusting gebruik.

8. *Regulasie 22.*—

- (i) Skrap die bestaande subregulasie (3) en vervang deur:—

(3) Vir die tweede en daaropvolgende jare van werking mag die volgende tipes uitsending gebruik word, behoudens die volgende voorwaardes:—

<i>Tipe uitsending en omskrywing.</i>	<i>Amateurbande waarin gebruik toelaatbaar is.</i>
AO.—Afwesigheid van modulاسية..	Bo 50 megahertz.
A1.—Telegrafie sonder om gebruik te maak van moduleeroudiofrekwensie (aan-en-afsluiteling)	Almal.
A2.—Telegrafie deur die aan-en-afsluiteling van 'n amplitude-gemoduleerde oudiofrekwensie of oudiofrekwensies, of deur die aan-en-afsluiteling van die gemoduleerde uitsending	Bo 50 megahertz.
A3.—Telefonie (dubbele syband)...	Almal.
A3A.—Telefonie (enkele syband, verminderde draaggolf)	Almal.
A3J.—Telefonie (enkele syband, onderdrukte draaggolf)	Almal.
A4.—Faksimiletelegrafie (met modulاسية van die hoofdraaggolf of direk of deur 'n frekwensie-gemoduleerde sekondêre draaggolf)	Bo 50 megahertz.
F1.—Telegrafie deur sleuteling met frekwensie-verskuiwing sonder om gebruik te maak van 'n moduleeroudiofrekwensie: deur een van twee frekwensies op enige oomblik uit te send	Almal.
F2.—Telegrafie deur die aan-en-afsluiteling van 'n frekwensie-gemoduleerde oudiofrekwensie of deur die aan-en-afsluiteling van 'n frekwensie-gemoduleerde uitsending (buitengewone geval: 'n ongesleutelde uitsending, frekwensie-gemoduleerd)	Bo 50 megahertz.
F3.—Frekwensie- (of fase-) gemoduleerde telefonie	Beperk tot „smal-bandfrekwensie-modulاسية” in alle amateurbande.
F4.—Faksimiletelegrafie deur direkte frekwensiemodulاسية van die draaggolf	Bo 50 megahertz.

- (ii) In subregulasie (4) skrap „televisie (A5) wil uitsend” en vervang deur „televisie wil uitsend of na radiotelebedrukkerwerking wil oorgaan”.

9. *Deel VII.*—Brei die opskrif „Amateur- en Proefstasies” uit om te lui: „*Algemene reëls van Toepassing op Amateur- en Proefstasies*”.

10. *Deel X.*—Skrap die bestaande opskrif en vervang deur: „Kus-, Vaste, Mobile Land- en Spesiale Stasies”.

11. *Regulasie 43.*—Na die woord „landstasie” voeg in „of 'n spesiale stasie”.

12. *Regulasie 46.*—Skrap die bestaande regulاسية en vervang deur:—

„46. *Radio-installasies aan Boord van Skepe.*—Die bepalings van die Handelskeepvaart-Radio-regulasies vasgestel kragtens die bepalings van artikel driehonderd ses-en-vyftig van die Handelskeepvaartwet, 1951 (Wet No. 57 van 1951), soos gewysig, is van toepassing op radio-installasies aan boord van skepe in die mate wat daarin aangedui word.”.

13. *Regulasie 48.*—Brei die bestaande opskrif uit om te lui: „*Vereistes Tydens Staat van Oorlog of Nood*”.

14. *Regulasie 49.*—Skrap die sein „... - - - - -” en vervang deur „... - - - - -”.

- (4) An amateur shall use adequately filtered direct current power supply for the transmitting equipment.

8. *Regulation 22.*—

- (i) Delete the existing sub-regulation (3) and substitute:—

(3) For the second and subsequent years of operation the following types of emissions may be used subject to the following conditions:—

<i>Type of Emission and Definition.</i>	<i>Amateur Bands in which use permitted.</i>
A0.—Absence of any modulation..	Above 50 megacycles per second.
A1.—Telegraphy without the use of modulating audio frequency (on-off keying)	All.
A2.—Telegraphy by the on-off keying of an amplitude-modulating audio frequency or audio frequencies, or by the on-off keying of the modulated emission (special case: an unkeyed emission amplitude modulated)	Above 50 megacycles per second.
A3.—Telephony (double sideband)...	All.
A3A.—Telephony (single sideband, reduced carrier)	All.
A3J.—Telephony (single sideband, suppressed carrier)	All.
A4.—Facsimile (with modulation of main carrier either directly or by a frequency modulated sub-carrier)	Above 50 megacycles per second.
F1.—Telegraphy by frequency shift keying without the use of a modulating audio frequency: one of two frequencies being emitted at any instant	All.
F2.—Telegraphy by the on-off keying of a frequency modulating audio frequency or by the on-off keying of a frequency modulated emission (special case: an unkeyed emission, frequency modulated)	Above 50 megacycles per second.
F3.—Frequency (or phase) modulated telephony	Restricted to “Narrow Band” frequency modulation in all amateur bands.
F4.—Facsimile by direct frequency modulation of the carrier	Above 50 megacycles per second.

- (ii) In sub-regulation (4) delete “transmit television (A5)” and substitute “transmit television or engage in radioteleprinter working”.

9. *Part VII.*—Amplify the heading “Amateur and Experimental Stations” to “*General Rules Applicable to Amateur and Experimental Stations*”.

10. *Part X.*—Delete the existing heading and substitute: “Coast, Fixed, Land Mobile and Special Stations”.

11. *Regulation 43.*—Delete the words “or land mobile” and substitute: “land mobile or special”.

12. *Regulation 46.*—Delete the existing regulation and substitute:—

“46. *Radio Installations on Board Ships.*—The provisions of the Merchant Shipping Radio Regulations made under the provisions of section three hundred and fifty-six of the Merchant Shipping Act, 1951 (Act No. 57 of 1951), as amended, shall apply in respect of radio installations on board ships to the extent indicated therein.”.

13. *Regulation 48.*—Amplify the existing heading to “*Requirements During State of War or Emergency*”.

14. *Regulation 49.*—Delete the signal “... - - - - -” after “the group” and substitute “... - - - - -”.

15. *Regulasie 51.*—In subparagraaf (a) skrap die woord „toegewys” en vervang deur „toegeken”.

16. *Regulasie 56.*—Vervang die woord „vermoë” deur „insetvermoë”.

17. *Regulasie 62.*—Skrap die bestaande regulasie en vervang deur:—

„62. *Publikasie van nuus per radio ontvang.*—Enigiemand, wat sonder die skriftelike toestemming van die Posmeester-generaal—

(a) nuus of inligting in druk uitgee, indien dié nuus of inligting slegs deur middel van die radio deur hom of enige ander persoon ontvang was, of

(b) aan enige ander persoon, om aldus uitgegee te word, enige nuus of inligting, aldus ontvang, verstrek,

is aan 'n misdryf skuldig: Met dien verstande dat die las om te bewys dat enige sodanige nuus of inligting, aldus uitgegee of verstrek, nie slegs deur middel van die radio ontvang was nie, op die beskuldigde rus.”

15. *Regulation 51.*—In sub-paragraph (a) delete the word “allocated” and substitute “assigned”.

16. *Regulation 56.*—Insert the word “input” after the word “total”.

17. *Regulation 62.*—Delete the existing regulation and substitute:—

“62. *Publication of News Received by Radio.*—Any person who, without the written permission of the Postmaster-General—

(a) publishes in print any news or information, if such news or information has been received by him or any other person solely by means of radio, or

(b) furnishes to any person, for the purpose of such publication, any news or information so received,

shall be guilty of an offence: provided that the onus of proving that any such news or information so published or furnished was not received solely by means of radio, shall rest upon the accused.”

INHOUD.

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