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[No. 535.

GOVERNMENT NOTICES.

DEPARTMENT OF LABOUR.

No. R. 960.]

[28 June 1963.

WAGE ACT, No. 5 OF 1957.

WAGE DETERMINATION No. 240.

COLD STORAGE, BACON CURING AND SMALL
GOODS MANUFACTURING INDUSTRY, CER-
TAIN AREAS.

By direction of the Deputy-Minister of Labour, it is hereby notified in terms of sub-section (2) of section *fourteen* of the Wage Act, 1957, that he, acting on behalf of and under the powers vested in the Minister of Labour, by sub-section (1) of section *fourteen* of the said Act, has made the Determination in the Schedule hereto in respect of the Cold Storage Bacon Curing and Small Goods Manufacturing Industry and has fixed the 22nd day of July, 1963, as the date from which the provisions of the said Determination shall be binding.

SCHEDULE.

COLD STORAGE, BACON CURING AND SMALL GOODS
MANUFACTURING INDUSTRY, CERTAIN AREAS.

1. AREA AND SCOPE OF DETERMINATION.

This Determination shall apply in the following areas:—

Cape Province.—The Magisterial Districts of Aliwal North, Bellville, the Cape, East London, Kimberley, Malmesbury, Paarl, Port Elizabeth, Simonstown, Somerset West, Stellenbosch, Uitenhage, Vryburg, Worcester and Wynberg;

Natal.—The Magisterial Districts of Durban, Estcourt, Inanda, Klip River, Pietermaritzburg and Pinetown;

Orange Free State.—The Magisterial Districts of Bloemfontein, Kroonstad, Odendaalsrus, Parys, Sasolburg, Virginia and Welkom;

Transvaal.—The Magisterial Districts of Alberton, Benoni, Boksburg, Brakpan, Delmas, Germiston, Heidelberg, Johannesburg, Kempton Park, Klerksdorp, Krugersdorp, Nigel, Oberholzer, Potchefstroom, Randfontein, Roodepoort, Standerton, Springs, Vanderbijlpark and Vereeniging and the municipal areas of Pietersburg, Pretoria and Witbank;

GOEWERMENTSKENNISGEWINGS.

DEPARTEMENT VAN ARBEID.

No. R. 960.]

[28 Junie 1963.

LOONWET, No. 5 VAN 1957.

LOONVASSTELLING No. 240.

KOELKAMER-, SPEKBEREIDING- EN KLEIN-
GOEDERENYWERHEID, SEKERE GEBIEDE.

In opdrag van die Adjunk-minister van Arbeid word hierby ingevolge subartikel (2) van artikel *veertien* van die Loonwet, 1957, bekendgemaak dat hy, handelende namens en kragtens die bevoegdheid verleen aan die Minister van Arbeid, by subartikel (1) van artikel *veertien* van genoemde Wet, die Vasstelling wat in die Bylae hiervan verskyn ten opsigte van die Koelkamer-, Spekbereding- en Kleingoederenrywerheid gemaak het en die 22ste dag van Julie 1963, bepaal het as die datum waarop die bepaling van genoemde Vasstelling bindend word.

BYLAE.

KOELKAMER-, SPEKBEREIDING- EN KLEINGOEDERE-
NYWERHEID, SEKERE GEBIEDE.

1. GEBIED EN BESTEK VAN VASSTELLING.

Hierdie Vasstelling is van toepassing in die volgende gebiede:—

Die Kaapprovinsie.—Die landdrostdistrikte Aliwal-Noord, Bellville, die Kaap, Oos-London, Kimberley, Malmesbury, Paarl, Port Elizabeth, Simonstad, Somerset-Wes, Stellenbosch, Uitenhage, Vryburg, Worcester en Wynberg;

Natal.—Die landdrostdistrikte Durban, Estcourt, Inanda, Kliprivier, Pietermaritzburg en Pinetown;

Oranje-Vrystaat.—Die landdrostdistrikte Bloemfontein, Kroonstad, Odendaalsrus, Parys, Sasolburg, Virginia en Welkom;

Transvaal.—Die landdrostdistrikte Alberton, Benoni, Boksburg, Brakpan, Delmas, Germiston, Heidelberg, Johannesburg, Kempton Park, Klerksdorp, Krugersdorp, Nigel, Oberholzer, Potchefstroom, Randfontein, Roodepoort, Standerton, Springs, Vanderbijlpark en Vereeniging en die munisipale gebiede van Pietersburg, Pretoria en Witbank;

op alle werknemers in die Koelkamer-, Spekbereding- en Klein-

2. DEFINITIONS.

(1) Unless the context otherwise indicates, any expression which is used in this Determination and which is defined in the Wage Act, 1957, has the same meaning as in that Act and unless inconsistent with the context—

“artisan” means an employee who is engaged in work normally performed by a skilled artisan and for the purpose of this definition the expression “skilled artisan” means a person who has served his apprenticeship in a trade, designated or deemed to have been designated under the Apprenticeship Act, 1944, or who holds a certificate of proficiency issued to him by the Registrar of Apprenticeship in terms of section six of the Training of Artisans Act, 1951, or a certificate issued to him by the said Registrar in terms of either section two (7) or section seven (3) of the said Act;

“boiler attendant” means an employee who, under general supervision, maintains the water level and steam pressure in a boiler and who may make, maintain or draw the fire in such boiler;

“casual employee” means an employee who is employed by the same employer on not more than three days in any week;

“chargehand” means an employee who, under general supervision, is in charge of a group of grade III employees or labourers;

“clerk” means an employee who is engaged in writing, typing, filing, operating a calculating or a punch card machine, or in any other form of clerical work and includes a cashier, a despatch clerk, a storeman and a telephone switchboard operator but does not include any other class of employee elsewhere defined in this clause notwithstanding the fact that clerical work may form a portion of such employee's work;

“clerk, female, qualified,” means a female clerk who has had not less than four years' experience;

“clerk, female, unqualified,” means a female clerk who has had less than four years' experience;

“clerk, male, qualified,” means a male clerk who has had not less than five years' experience;

“clerk, male, unqualified,” means a male clerk who has had less than five years' experience;

“Cold Storage, Bacon Curing and Small Goods Manufacturing Industry” means the industry in which employers and employees are associated in establishments which are registered or liable for registration, in terms of the Factories, Machinery and Building Work Act, 1941, for the purpose of carrying on any one or more of the following activities, namely—

(a) the freezing, chilling or storing in cold storage of any article;

(b) the preparation or manufacture of bacon, biltong or raw sausages;

(c) the preparation, manufacture, preservation, canning, bottling or sealing of cooked meat products (the sole or main ingredient of which is meat, but excluding confectionery) marketed in quantity and in a form suitable for sale to individual final consumers without further processing or preparation thereof, including cooked corned beef, cooked sausages, polony, brawn, blackpudding, mincemeat, fricadells, meatballs, pastes, extracts or other products in which the meat is minced, cut up, chopped or otherwise subdivided into portions as an ingredient in such product;

(d) the preparation or manufacture of salted, smoked, cured or pickled meat or meat products (the sole or main ingredient of which is meat);

(e) the scraping of guts or the manufacture or preparation of sausage or polony casings;

(f) the extraction or rendition of lard, dripping or other animal fats;

and includes all activities incidental to or consequent on any of the aforesaid activities but does not include any of the activities referred to above if carried on incidental to the conduct of a tearoom, restaurant or a retail butchery;

“day” means the period of twenty-four hours from midnight to midnight: Provided that in the case of a shift worker the expression shall mean a period of twenty-four hours reckoned from the time an employee normally commences work;

2. WOORDOMSKRYWINGS.

(1) Tensy die sinsverband anders aandui, het alle uitdrukkings wat in hierdie Vasstelling gebruyk en in die Loonwet, 1957, omskryf word, dieselfde betekenis as in dié Wet en, tensy strydig met die samehang, beteken—

„ambagsman” ’n werknemer wat werk doen wat in die reël deur ’n geskoolde ambagsman verrig word en by die toepassing van hierdie woordomskrywing beteken die uitdrukking „geskoolde ambagsman” iemand wat sy leertyd uitgedien het in ’n bedryf wat kragtens die Wet op Vakleerlinge, 1944, aangewys is of geag word aangewys te wees, of wat in besit is van ’n vaardigheidsertifikaat deur die Registrateur van Vakleerlinge ingevolge artikel ses van die Wet op Opleiding van Ambagsmanne, 1951, of ’n sertifikaat deur bedoelde Registrateur aan hom uitgereik ingevolge of artikel twee (7) of artikel sewe (3) van gemelde Wet;

„stoomketelbediener” ’n werknemer wat onder algemene toesig die waterpeil en stoomdruk in ’n stoomketel in stand hou en wat die vuur in so ’n stoomketel kan maak, of stook of daar uithaal;

„los werknemer” ’n werknemer wat hoogstens drie dae in ’n week by dieselfde werkgewer in diens is;

„onderbaas” ’n werknemer wat onder algemene toesig aan die hoof staan van ’n groep graad III werknemers of arbeiders;

„klerk” ’n werknemer wat skryf-, tik-, liasseer-, ’n reken- of ponskaartmasjien bedien, of enige ander soort klerklike werk verrig en omvat dit ook ’n kassier, versendingsklerk, magasynman en ’n telefonis, maar geen ander klas werknemer wat elders in hierdie klousule omskryf word nie, ook al vorm klerklike werk ’n deel van so ’n werknemer se werk;

„klerk, vrou, gekwalifiseer,” ’n vroulike klerk met minstens vier jaar ondervinding;

„klerk, vrou, ongekwalifiseer,” ’n vroulike klerk met minder as vier jaar ondervinding;

„klerk, man, gekwalifiseer,” ’n manlike klerk met minstens vyf jaar ondervinding;

„klerk, man, ongekwalifiseer,” ’n manlike klerk met minder as vyf jaar ondervinding;

„Koelkamer-, Spekbereiding- en Kleingoederenverwerkende” die nywerheid waarin werkgewers en werknemers met mekaar geassosieer is in bedryfsinrigtings wat geregistreer is of aan registrasie onderworpe is ingevolge die Wet op Fabriek, Masjinerie en Bouwerk, 1941, met die doel om een of meer van die volgende werksaamhede te verrig, naamlik—

(a) die bevriesing, verkoeling of opberging in koelkamers van enige artikel;

(b) die bereiding of vervaardiging van spek, biltong of rou wors;

(c) die bereiding, vervaardiging, verduursaming, inmaak, bottel of verseëling van gaar vleisprodukte (waarvan vleis die enigste of die hoofbestanddeel is, maar uitgesonderd banket) wat in hoeveelhede en in ’n vorm wat geskik is vir verkoop aan individuele uiteindelijke verbruikers, sonder verdere verwerking of bereiding, afgeset word, met inbegrip van gaar sout beesvleis, gaar wors, polonie, sult, bloedwors, gemaalde vleis, frikadelle, vleisbolletjies, smere, ekstrakte of ander produkte waarvan die vleis gemaal, opgesny, fyngesny of op ’n ander wyse in stukkie verdeel word as ’n bestanddeel van sodanige produk;

(d) die bereiding of vervaardiging van gesoute, gerookte, gedroogde of ingelegde vleis of vleisprodukte (waarvan vleis die enigste of die hoofbestanddeel is);

(e) die skoonkraap van derms of die vervaardiging of bereiding van wors- of poloniederms;

(f) die ekstraheer of uitbraai van varkvet, sagte vet of ander dierlike vette;

en omvat alle werksaamhede wat met enigen van voormelde werksaamhede in verband staan of daaruit voortspruit, maar omvat nie enigen van bogenoemde bedrywighede nie indien dit toevallig by die bestuur van ’n teekamer, restaurant of ’n kleinhandelslagtery verrig word;

„dag” beteken die tydperk van vier-en-twintig uur vanaf middernag tot middernag: Met dien verstande dat in die geval van ’n skofwerker, die uitdrukking sal beteken die tydperk van vier-en-twintig uur bereken vanaf die tyd waarop die werknemer normaalweg begin werk het;

"driver of a motor vehicle" means an employee who is engaged in driving a motor vehicle and for the purpose of this definition the expression "driving a motor vehicle" includes all periods of driving and any time spent by the driver on work connected with the vehicle or the load and all periods during which he is obliged to remain at his post in readiness to drive;

"emergency work" means—

- (1) any work which, owing to unforeseen circumstances such as fire, storm, accident, epidemic, act of violence or theft must be done without delay;
- (2) any work connected with the loading or unloading of—
 - (i) ships;
 - (ii) trucks or vehicles of the South African Railways and Harbours; or
 - (iii) vehicles used by a cartage contractor in the fulfilment of his contract as such with the South African Railways and Harbours; or
- (3) any work necessitated by a breakdown of plant or machinery or in connection with the overhauling or repairing of plant or machinery which cannot be performed during ordinary working hours;
- (4) any work which is necessary—
 - (i) to ensure the maintenance or provision of power, light, water, telephone, public health, sanitary, cleansing, public transport or airport services;
 - (ii) for the fulfilment of orders for the supply of goods to; or the provision of services in connection with, ships, trains, air services, hospitals or the armed forces;
- (5) any work connected with the unloading of perishable products, from vehicles, other than vehicles referred to in 2 (ii) and 2 (iii), for the purpose of storage against deterioration;

"establishment" means any premises in or in connection with which one or more employees are employed in the cold storage, bacon curing and small goods manufacturing industry;

"experience" means in relation to—

- (a) a clerk, the total period or periods of employment which an employee has had as a clerk in any trade or in the service of the State;
- (b) any other class of employee, the total period or periods of employment which an employee has had in his class in the cold storage, bacon curing and small goods manufacturing industry;

"factory clerk" means an employee who is engaged in any one or more of the following duties:—

- (1) Interpreting or translating Native languages;
- (2) making out delivery or railway consignment notes;
- (3) checking or recording particulars of materials consumed or to be consumed or semi-finished or finished products;
- (4) issuing passes, certificates of service or time cards, or registering the engagement or discharge of employees;
- (5) keeping, filing or sorting time or wage cards;
- (6) filing or keeping in safe custody documents relating to his duties;
- (7) assembling orders according to a written order list or written instructions;

"factory clerk, qualified," means a factory clerk who has had not less than twelve months' experience;

"factory clerk, unqualified," means a factory clerk who has had less than twelve months' experience;

"grade I employee" means an employee who is engaged in any one or more of the following operations or capacities:—

- (1) Double seamer feeder;
- (2) labelling by semi-automatic or hand-operated machine;
- (3) non-automatic seaming or clinching;
- (4) oiling or greasing power-driven machines or vehicles;
- (5) operator of a power-driven hoist, other than a mobile hoist;

"grade I employee, qualified," means a grade I employee who

"bestuurder van 'n motorvoertuig" 'n werknemer wat 'n motorvoertuig bestuur, en vir die toepassing van hierdie woordomskrywing omvat „motorvoertuig bestuur" alle tyd wat hy vir bestuur gebruik, alle tyd wat hy bestee aan werk in verband met die voertuig of die vrag en alle tyd wat hy verplig is om op sy pos gereed te bly om te bestuur;

"noodwerk"—

- (1) alle werk wat weens onvoorsiene omstandighede soos brand, storm, ongeluk, epidemie, gewelddaad of diefstal sonder versuim gedoen moet word;
- (2) alle werk in verband met die laai of aflaai van—
 - (i) skepe;
 - (ii) spoorwaens of voertuie van die Suid-Afrikaanse Spoorweë en Hawens; of
 - (iii) voertuie wat deur 'n karweier gebruik word in die uitvoering van sy kontrak as sulks met die Suid-Afrikaanse Spoorweë en Hawens;
- (3) enige werk wat deur 'n onklaarraking van installasie of masjinerie of in verband met die opknapping of herstel van installasie of masjinerie noodsaaklik geword het en nie gedurende die gewone werkure verrig kan word nie;
- (4) enige werk wat nodig is—
 - (i) om die instandhouding of voorsiening te verseker van krag-, lig-, water-, telefoon-, openbare gesondheids-, sanitêre-, skoonmaak-, openbare vervoer- of lugdienste;
 - (ii) vir die uitvoer van bestellings vir die lewering van goedere aan of die verskaffing van dienste in verband met skepe, treine, lugdienste, hospitale of gewapende magte;
- (5) enige werk wat in verband staan met die aflaai van bederfbare produkte van voertuie, uitgesonderd voertuie waarna in paragrafe (2) (ii) en (2) (iii) verwys word, met die doel om dit op te berg teen bederf;

"bedryfsinrigting" 'n perseel waarop of in verband waarmee een of meer werknemers in die koelkamer-, spekbereiding- en kleingoederenrywerheid in diens is;

"ondervinding", met betrekking tot—

- (a) 'n klerk of 'n fabrieksklerk, die totale tydperk of tydperke wat 'n werknemer as 'n klerk of 'n fabrieksklerk in 'n bedryf of in die diens van die Staat werksaam was;
- (b) alle ander klasse werknemers, die totale tydperk of tydperke wat 'n werknemer in sy klas in die koelkamer-, spekbereiding- en kleingoederenrywerheid in diens is;

"fabrieksklerk" 'n werknemer wat een of meer van die volgende werksaamhede verrig:—

- (1) Naturelletale vertolk of vertaal;
- (2) afleveringsbriewe of vragbriewe uitmaak;
- (3) nasien of aanteken van besonderhede van materiaal wat gebruik is of gebruik gaan word of van klaargemaakte of halfklaargemaakte produkte;
- (4) passe, dienssertifikate of tydkaarte uitreik of die indiensneming of ontslag van werknemers opteken;
- (5) tyd- of loonkaarte byhou, liasseer of sorteer;
- (6) dokumente wat op sy dienste betrekking het in veilige bewaring hou of liasseer;
- (7) bestellings ooreenkomstig 'n geskrewe bestelvorm, lys of geskrewe instruksies bymekeer;

"fabrieksklerk, gekwalifiseer," 'n fabrieksklerk met minstens twaalf maande ondervinding;

"fabrieksklerk, ongekwalifiseer," 'n fabrieksklerk met minder as twaalf maande ondervinding;

"werknemer graad I" 'n werknemer wat enigeen of meer van die volgende werksaamhede verrig:—

- (1) Dubbelnaatmasjienvoerder;
- (2) etiketteer met 'n semi-outomatiese of handbediende masjien;
- (3) nie-outomatiese naat- en omklinkmasjiën bedien;
- (4) kragaangedrewe masjiene of voertuie olie of smeer;
- (5) bediener van 'n kragaangedrewe hyser, uitgesonderd 'n mobiele hyser;

"werknemer graad I, gekwalifiseer" 'n werknemer graad I met

"grade II employee, qualified," means a grade II employee who has had not less than six months' experience;
 "grade II employee, unqualified," means a grade II employee who has had less than six months' experience;
 "grade III employee" means an employee who is engaged in any one or more of the following capacities or operations:—

- (1) Deboning middles of bacon;
- (2) deboning or defatting hams;
- (3) delivering or conveying letters, messages or goods outside an establishment on foot or by means of a bicycle, tricycle or manually propelled vehicle;
- (4) driving an animal-drawn vehicle;
- (5) goods lift attendant;
- (6) ironing or mending overalls or other protective clothing;
- (7) slicing bacon by machine, other than an automatic machine;
- (8) perforating labels;
- (9) protective clothing attendant;
- (10) trimming sides, hams or shoulders preparatory to curing;
- (11) weighing to a set scale, measuring to a set measure or filling to a set volume;
- (12) wrapping bacon;

"grade III employee, qualified," means a grade III employee who has had not less than three months' experience;

"grade III employee, unqualified," means a grade III employee who has had less than three months' experience;

"handyman" means an employee who is engaged in making minor repairs or adjustments to machinery, plant or equipment and who may effect minor repairs or renovations to buildings;

"labourer" means an employee who is engaged in any one or more of the following capacities or operations:—

- (1) Assisting on delivery vehicles;
- (2) binding, wiring or strapping boxes or other containers;
- (3) carrying, moving or stacking goods or articles by hand;
- (4) cleaning or washing premises, plant, machinery, tools, utensils, furniture, bottles, filter presses or other articles;
- (5) cleaning, scraping or salting guts, skins, hides or offal;
- (6) cooking rations, making tea or similar beverages;
- (7) cutting up meat for mincing or cutting off meat from bones (other than in grade III employee);
- (8) delivering or conveying letters, messages or goods within an establishment;
- (9) feeding meat, meat products or ingredients into machines or cooking utensils or emptying such machines or utensils or taking out or removing from such machines or utensils;
- (10) folding containers or paper;
- (11) gardening work, i.e. planting, digging, weeding, raking, mowing or watering or mixing or spreading garden soil or material or cutting or trimming hedges;
- (12) herding, driving or tending animals;
- (13) inserting liners, discs or rings into lids by hand;
- (14) ladling;
- (15) lime-washing buildings or structures;
- (16) loading or unloading;
- (17) making or maintaining fires, removing refuse or ashes;
- (18) oiling or greasing non-power-driven vehicles;
- (19) opening or closing boxes, bales, drums, or other packages or containers;
- (20) opening up or setting up cardboard or similar containers by hand;
- (21) operating a hand hoist;
- (22) placing articles of a uniform size and number in receptacles specially made to contain such articles;
- (23) pushing or pulling any vehicles otherwise than by power-driven device;
- (24) putting articles on to or taking them off from a moving belt or platform;
- (25) sawing or chopping up bones, cutting up or melting fat or putting fat through machines;
- (26) sieving by hand;
- (27) sorting tins or containers or sorting, counting or bundling empty sacks or bags;
- (28) stencilling, marking (but not addressing by hand) or affixing labels to boxes, bags, cartons, drums, tins or other packages or containers by hand;

"werknemer graad II, gekwalifiseer," 'n werknemer graad I met minstens ses maande ondervinding;
 "werknemer graad II, ongekwalifiseer," 'n werknemer graad I met minder as ses maande ondervinding;
 "werknemer graad III" 'n werknemer wat enigeen of meer van die volgende werksaamhede verrig:—

- (1) Bene uit die middelste dele van spek haal;
- (2) bene of vet uit ham haal;
- (3) briewe, boodskappe of goedere buite 'n bedryfsinrigting te voet of met 'n fiets, driewieler of handvoertuig aflewer of oordra;
- (4) 'n voertuig wat deur diere getrek word, dryf;
- (5) bediener van goederehyser;
- (6) oorpakke of beskermende klere stryk of heelmaak;
- (7) spek met 'n masjien, uitgesonderd 'n outomatiese masjien, sny;
- (8) etikette perforeer;
- (9) beskermende klere bediener;
- (10) sye, ham of blaai regsnay vir bereiding;
- (11) op 'n vooraf gestelde skaal afweeg of volgens 'n gestelde maat meet of volgens 'n gestelde volume volmaak;
- (12) spek toedraai;

"werknemer graad III, gekwalifiseer," 'n werknemer graad III met minstens drie maande ondervinding;

"werknemer graad III, ongekwalifiseer," 'n werknemer graad III met minder as drie maande ondervinding;

"faktotum" 'n werknemer wat kleinere herstelwerk of verstelings aan masjinerie of toerusting doen en wat kleinere herstel- of opknappingswerk aan geboue of ander strukture mag uitvoer;

"arbeider" 'n werknemer wat enigeen of meer van die volgende werksaamhede verrig:—

- (1) Op afleweringsvoertuie behulpsaam wees;
- (2) kiste of ander houers vasbind of met draad of hoepels vasmaak;
- (3) goedere of ander artikels per hand dra, verplaas of opstapel;
- (4) persele, uitrusting, masjinerie, gereedskap, gerei, meubels, bottels, filtreperse of ander artikels skoonmaak of was;
- (5) derms, velle, huide of afval skoonmaak, skraap of insout;
- (6) rantsoene kook of tee of dergelike drank maak;
- (7) vleis opsny vir maal of vleis van bene afsny (anders as in 'n graad III werknemer);
- (8) briewe, boodskappe of goedere binne 'n bedryfsinrigting aflewer of oordra;
- (9) vleis, vleisprodukte of bestanddele aan masjiene of kookgerei voer of sodanige masjinerie of gerei leegmaak of van sodanige masjiene of gerei uitneem of verwyder;
- (10) houers of papier vou;
- (11) tuinwerk, d.w.s. plant, spit, onkruid verwyder, hark, gras sny of natmaak of tuingrond of materiaal strooi of meng of heinings knip of regsnay;
- (12) diere oppas, dryf of versorg;
- (13) voerings, skywe of ringe met die hand in deksels plaas;
- (14) uitskep;
- (15) geboue of ander strukture wit;
- (16) laai of aflaai;
- (17) vure maak of aan die brand hou, afval of as verwyder;
- (18) nie-krag-aangedrewe voertuie olie of smeer;
- (19) kiste, bale, dromme of ander pakkette of houers oop- of toemaak;
- (20) karton- of soortgelyke houers met die hand oopmaak of opstel;
- (21) 'n handhysmasjien bedien;
- (22) artikels van dieselfde grootte en getal plaas in houers wat spesiaal gemaak is om sulke artikels te bevat;
- (23) voertuie op 'n ander wyse as met behulp van krag-aangedrewe toestelle trek of stoot;
- (24) artikels op 'n bewegende band of platform plaas of afhaal;
- (25) bene saag of stukkend kap, vet opsny of smelt of vet deur masjiene sit;
- (26) met die hand sif;
- (27) blikkies of houers sorteer of leë sakke sorteer, tel of bondel;
- (28) kiste, sakke, kartonne, dromme, blikke of ander pakkies of houers met die hand sjabloneer of merk (maar nie met die hand adresseer nie) of dit van etikette voorsien;
- (29) eebuigde flense regbuig;

the activities of an establishment and the employees engaged therein;

"meat cook" means an employee who is engaged in and responsible for the cooking of meat or meat products;

"meat cook, qualified," means a meat cook who has had not less than three years' experience;

"meat cook, unqualified," means a meat cook who has had less than three years' experience;

"military training" means the continuous training which an employee is required to undergo in terms of section *twenty-one*, read with sub-sections (1) and (2) of section *twenty-two*, of the Defence Act, 1957, but does not include any training he may elect to undergo in terms of section *twenty-three* of the said Act, nor any other training or service for which he volunteers or which he elects to undergo;

"mobile hoist operator" means an employee who is engaged in operating a mobile power-driven hoist used in the loading, unloading, moving or stacking of goods;

"motor vehicle" means any power-driven vehicle used for conveying goods outside the employer's establishment and includes a mechanical horse and a tractor;

"part-time driver of a motor vehicle" means an employee who is ordinarily engaged on duties other than driving a motor vehicle but who on more than two days in any week is engaged in driving a motor vehicle for not more than three hours in the aggregate on any such day, and for the purpose of this definition the expression "driving a motor vehicle" includes all periods of driving and any time spent by the driver, while in charge of the vehicle, on work connected with the vehicle or the load;

"piece-work" means any system under which an employee's remuneration is based on the quantity of work done;

"protective clothing attendant" means an employee who is engaged in handing out or collecting overalls, aprons, gloves, gumboots or other items of protective clothing and who may supervise the washing, ironing or mending of overalls;

"refrigeration plant attendant" means an employee who is engaged in checking and controlling temperatures in connection with the refrigeration process in an establishment;

"refrigeration plant attendant, qualified," means a refrigeration plant attendant who has had not less than three years' experience;

"refrigeration plant attendant, unqualified," means a refrigeration plant attendant who has had less than three years' experience;

"senior managerial, professional or administrative employee" means an employee who is charged by the employer with the performance of work entailing responsibility for taking decisions of a professional or administrative character in the conduct of the activities of an establishment;

"shift worker" means an employee who is engaged in an activity directly connected with the maintenance of the refrigeration process in an establishment in respect of which continuous working by means of three shifts per day is necessary;

"smallgoodsman or bacon curer" means an employee who is responsible for and engaged in making sausages, polonies, brawn or any other meat product intended for human consumption or preserving meat or curing bacon;

"smallgoodsman or bacon curer, qualified," means a smallgoodsman or bacon curer who has had not less than five years' experience;

"smallgoodsman or bacon curer, unqualified," means a smallgoodsman or bacon curer who has had less than five years' experience;

"storeman" means an employee who is in general charge of stocks of incoming goods or finished or partly finished products and who is responsible for receiving, storing, packing or unpacking goods in a store or warehouse or delivering goods from a store or warehouse to the consuming departments in an establishment or for despatch;

"trailer" means any conveyance drawn by a motor vehicle;

"unladen weight" means the weight of any motor vehicle or trailer as recorded in a licence or certificate issued in respect

die werksaamhede van 'n bedryfsinrigting en die werknemers daarby betrokke;

"vleiskok" "n werknemer wat in diens en verantwoordelik is vir die kook van vleis of vleisprodukte;

"vleiskok, gekwalifiseer," 'n vleiskok met minstens drie jaar ondervinding;

"vleiskok, ongekwalifiseer," 'n vleiskok met minder as drie jaar ondervinding;

"militêre opleiding" die ononderbroke opleiding wat 'n werknemer ingevolge artikel *een-en-twintig*, gelees met subartikels (1) en (2) van artikel *twee-en-twintig* van die Verdedigingswet, 1957, verplig is om te ondergaan, maar omvat nie enige opleiding wat hy kragtens artikel *drie-en-twintig* van genoemde Wet mag verkies om te ondergaan of enige ander opleiding of diens waarvoor hy hom vrywillig aanbied of wat hy verkies om te ondergaan nie;

"bediener van mobiele hystoestel" 'n werknemer wat 'n mobiele kragaangedrewe hystoestel bedien wat vir die laai, aflaai, verplasing of opstapel van goedere gebruik word;

"motorvoertuig" 'n kragaangedrewe voertuig wat vir die vervoer van goedere buite die werkgewer se bedryfsinrigting gebruik word en omvat ook 'n voorhaker en 'n trekker;

"deeltydse bestuurder van 'n motorvoertuig" 'n werknemer wat gewoonlik ander werk as die bestuur van 'n motorvoertuig verrig, maar wat 'n motorvoertuig bestuur op meer as twee dae per week vir hoogstens drie uur gesamentlik op sodanige dag, en vir die toepassing van hierdie woordskrywing omvat die uitdrukking "motorvoertuig bestuur" alle tydperke wat daar bestuur word en alle tyd wat die bestuurder aan werk in verband met die voertuig of die vrag bestee terwyl die voertuig onder sy beheer is;

"stukwerk" enige stelsel waarvolgens 'n werknemer se besoldiging op die hoeveelheid gedane werk gebaseer word;

"versorger van beskermende klere" 'n werknemer wat in diens is vir die uitdeel en insameling van oorpakke, voorskote, handskoene, oorskoene of ander items van beskermende klere en wat toesig mag hou oor die was, stryk of heelmaak van oorpakke;

"bediener van verkoelingsinstallasie" 'n werknemer wat die temperatuur in verband met die verkoelingsproses in 'n bedryfsinrigting nasien en kontroleer;

"bediener van verkoelingsinstallasie, gekwalifiseer" 'n bediener van 'n verkoelingsinstallasie met minstens drie jaar ondervinding;

"bediener van verkoelingsinstallasie, ongekwalifiseer," 'n bediener van 'n verkoelingsinstallasie met minder as drie jaar ondervinding;

"senior bestuurs-, professionele of administratiewe werknemer" 'n werknemer wat deur die werkgewer belas word met die verrigting van werk wat verantwoordelikheid meebring vir die neem van besluite van 'n professionele of administratiewe aard in die bestuur van die werksaamhede van 'n bedryfsinrigting;

"skofwerker" 'n werknemer wat 'n werksaamheid verrig wat direk verbonde is met die instandhouding van die verkoelingsproses in 'n bedryfsinrigting ten opsigte waarvan ononderbroke werk deur middel van drie skofte per dag nodig is;

"kleingoederewerker of spekbereider" 'n werknemer wat verantwoordelik is vir en werksaam is met die maak van wors, polonie, sult of enige ander vleisprodukt bedoel vir menslike gebruik of vleis preserveer of spek berei;

"kleingoederewerker of spekbereider, gekwalifiseer," 'n kleingoederewerker of spekbereider met minstens vyf jaar ondervinding;

"kleingoederewerker of spekbereider, ongekwalifiseer," 'n kleingoederewerker of spekbereider met minder as vyf jaar ondervinding;

"magasynman" 'n werknemer wat verantwoordelik is vir voorrade inkomende goedere of afgewerkte of gedeeltelik afgewerkte produkte en wat verantwoordelik is vir die ontvangs, opberging, verpakking of uitpak van goedere in 'n pakhuis of bergplek of vir die aflewering van goedere uit 'n pakhuis of bergplek aan die verbruikersafdeling in 'n bedryfsinrigting, of vir versending;

"sleepwa" 'n vervoermiddel wat deur 'n motorvoertuig getrek word;

"onbelaste gewig" die gewig van 'n motorvoertuig of sleepwa soos aangegeven op 'n lisensie of sertifikaat wat ten opsigte van sodanige motorvoertuig of sleepwa uitgereik is deur 'n owerheid wat by wet gemaagtig is om lisensies ten opsigte van

"wage" means the amount of money payable to an employee in terms of clause 3 (1) in respect of his ordinary hours of work as prescribed in clause 5: Provided—

- (i) that, if an employer regularly pays an employee in respect of such ordinary hours of work an amount higher than that prescribed in clause 3 (1), it means such higher amount;
- (ii) that the first proviso shall not be construed so as to refer to or include any remuneration which an employee, who is employed on any basis provided for in clause 9, received over and above the amount which he would have received if he had not been employed on such a basis;

"watchman" means an employee who is engaged in guarding premises or other property.

(2) For the purpose of this Determination an employee shall be deemed to be in that class in which he is wholly or mainly engaged.

3. REMUNERATION.

(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) *Employees other than casual employees—*

(i)

	In the Magisterial Districts of Aliwal North, Malmesbury, Paarl, Somerset West, Stellenbosch, Uitenhage, Vryburg, Worcester, Estcourt, Kliprivier, Kroonstad, Parys, Odendaalsrus, Virginia, Delmas, Heidelberg, Potchefstroom, Standerton and the Municipal Areas of Pietersburg and Witbank.	In all Other Areas.
	Per Week. R	Per Week. R
Artisan.....	26.45	26.45
Handyman.....	15.50	17.00
Clerk, female, qualified.....	12.46	15.69
Clerk, female, unqualified—		
During the first year of experience	6.92	8.54
During the second year of experience.....	8.31	10.15
During the third year of experience.....	9.69	12.00
During the fourth year of experience.....	11.08	13.90
Clerk, male, qualified.....	19.15	23.07
Clerk, male, unqualified—		
During the first year of experience	7.62	9.23
During the second year of experience.....	9.92	12.00
During the third year of experience.....	12.23	14.77
During the fourth year of experience.....	14.54	17.54
During the fifth year of experience	16.85	20.31
Factory clerk, qualified.....	9.00	10.75
Factory clerk, unqualified—		
During the first six months of experience.....	7.35	9.10
During the second six months of experience.....	8.15	9.90
Smallgoodsman or bacon curer, qualified.....	26.50	26.50
Smallgoodsman or bacon curer, unqualified—		
During the first year of experience	7.50	7.50
During the second year of experience.....	10.50	10.50

„loon" die geldbedrag wat ingevolge klousule 3 (1) aan werknemer betaalbaar is ten opsigte van sy gewone werksaamheid soos in klousule 5 voorgeskryf: Met dien verstande dat—

- (i) indien 'n werkgewer 'n werknemer ten opsigte van sodanige gewone werke gereeld 'n hoër bedrag betaal as dié wat in klousule 3 (1) voorgeskryf word, dit sodanige hoër bedrag beteken;
- (ii) die eerste voorbehoudsbepaling nie so uitgelê moet word dat dit enige besoldiging beteken of omvat wat werknemer wat diens doen op enige grondslag was voor daar in klousule 9 voorsiening gemaak word ontvang het bo en behalwe die bedrag wat hy ontvang het as hy nie op sodanige grondslag diens gedoen het nie;

„wag" 'n werknemer wat persele of ander eiendom bewaak.

(2) Vir die toepassing van hierdie Vastelling word 'n werknemer geag in daardie klas te wees waarin hy uitsluitlik of hoofsaaklik werksaam is.

3. BESOLDIGING.

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

(a) *Werknemers uitgesonderd los werknemers—*

(i)

	In die Landdrosdistrikte Aliwal-Noord, Malmesbury, Paarl, Somerset-Wes, Stellenbosch, Uitenhage, Vryburg, Worcester, Estcourt, Kliprivier, Kroonstad, Parys, Odendaalsrus, Virginia, Delmas, Heidelberg, Potchefstroom, Standerton en die Munisipale gebiede van Pietersburg en Witbank.	In alle ander gebiede.
	Per week. R	Per week. R
Ambagsman.....	26.45	26.45
Faktotum.....	15.50	17.00
Klerk, vrou, gekwalifiseer.....	12.46	15.69
Klerk, vrou, ongekwalifiseer—		
Gedurende die eerste jaar onder-vinding.....	6.92	8.54
Gedurende die tweede jaar onder-vinding.....	8.31	10.15
Gedurende die derde jaar onder-vinding.....	9.69	12.00
Gedurende die vierde jaar onder-vinding.....	11.08	13.90
Klerk, man, gekwalifiseer.....	19.15	23.07
Klerk, man, ongekwalifiseer—		
Gedurende die eerste jaar onder-vinding.....	7.62	9.23
Gedurende die tweede jaar onder-vinding.....	9.92	12.00
Gedurende die derde jaar onder-vinding.....	12.23	14.77
Gedurende die vierde jaar onder-vinding.....	14.54	17.54
Gedurende die vyfde jaar onder-vinding.....	16.85	20.31
Fabrieksklerk, gekwalifiseer.....	9.00	10.75
Fabrieksklerk, ongekwalifiseer—		
Gedurende die eerste ses maande onder-vinding.....	7.35	9.10
Gedurende die tweede ses maande onder-vinding.....	8.15	9.90
Kleingoederwerker of spekbereider, gekwalifiseer.....	26.50	26.50
Kleingoederwerker of spekbereider, ongekwalifiseer—		
Gedurende die eerste jaar onder-vinding.....	7.50	7.50
Gedurende die tweede jaar onder-vinding.....	10.50	10.50
Gedurende die derde jaar onder-vinding.....	14.50	14.50

	In the Magisterial Districts of Aliwal North, Malmesbury, Paarl, Somerset West, Stellenbosch, Uitenhage, Vryburg, Worcester, Estcourt, Kliprivier, Kroonstad, Parys, Odendaalsrus, Virginia, Delmas, Heidelberg, Potchefstroom, Standerton and the Municipal Areas of Pietersburg and Witbank.	In All Other Areas.		In die Landdrosdistrikte Aliwal-Noord, Malmesbury, Paarl, Somerset-Wes, Stellenbosch, Uitenhage, Vryburg, Worcester, Estcourt, Kliprivier, Kroonstad, Parys, Odendaalsrus, Virginia, Delmas, Heidelberg, Potchefstroom, Standerton en die Munisipale gebiede van Pietersburg en Witbank.	In alle ander gebiede.
	Per Week. R	Per Week. R		Per week. R	Per week. R
Meat cook, and refrigeration plant attendant, unqualified—			Vleiskok en Bediener van verkoelingsinstallasie, ongekwalifiseer—		
During the first six months of experience.....	6.00	6.50	Gedurende die eerste ses maande ondervinding.....	6.00	6.50
During the second six months of experience.....	7.75	8.40	Gedurende die tweede ses maande ondervinding.....	7.75	8.40
During the third six months of experience.....	9.50	10.30	Gedurende die derde ses maande ondervinding.....	9.50	10.30
During the fourth six months of experience.....	11.25	12.20	Gedurende die vierde ses maande ondervinding.....	11.25	12.20
During the fifth six months of experience.....	13.00	14.10	Gedurende die vyfde ses maande ondervinding.....	13.00	14.10
During the sixth six months of experience.....	14.75	16.10	Gedurende die sesde ses maande ondervinding.....	14.75	16.10
Vanman—			Bestelwabediende—		
During the first six months of experience.....	16.50	18.00	Gedurende die eerste ses maande ondervinding.....	16.50	18.00
Thereafter.....	24.50	26.00	Daarna.....	24.50	26.00

	In the Magisterial Districts of Aliwal North, Vryburg, Estcourt, Kliprivier, Standerton and the Municipal Area of Pietersburg.	In the Magisterial Districts of Malmesbury, Paarl, Somerset West, Stellenbosch, Uitenhage, Worcester, Kroonstad, Parys, Odendaalsrus, Virginia, Delmas, Heidelberg, Potchefstroom and the Municipal Area of Witbank.	In all Other Areas.
	(Per Week.) R	(Per Week.) R	(Per Week.) R
Driver of a motor vehicle the unladen weight of which, together with the unladen weight of any trailer or trailers drawn by such vehicle—			
(i) does not exceed 1,000 lb.....	6.00	8.10	9.20
(ii) exceeds 1,000 lb. but not 6,000 lb.....	10.50	13.00	15.00
(iii) exceeds 6,000 lb. but not 10,000 lb.....	12.50	15.00	17.50
(iv) exceeds 10,000 lb.....	16.20	18.60	22.00
Part-time driver of a motor vehicle.....	7.25	9.35	10.50

	In die Landdrosdistrikte Aliwal-Noord, Vryburg, Estcourt, Kliprivier, Standerton en die munisipale gebied van Pietersburg.	In die Landdrosdistrikte Malmesbury, Paarl, Somerset-Wes, Stellenbosch, Uitenhage, Worcester, Kroonstad, Parys, Odendaalsrus, Virginia, Delmas, Heidelberg, Potchefstroom en die munisipale gebied van Witbank.	In alle ander gebiede.
	(Per week.) R	(Per week.) R	(Per week.) R
Bestuurder van 'n motorvoertuig die eie gewig waarvan saam met die gewig van enige aanhangsel of aanhangsels met daer sonderige voertuig			

	In the Magisterial Districts of Bellville, the Cape, Simons-town and Wynberg.		In the Magisterial Districts of Port Elizabeth, Durban, Pinetown, Malmesbury, Paarl, Somerset West, Stellenbosch and Worcester.		In the Magisterial Districts of Bloemfontein and Kimberley.		In the Magisterial Districts of East London, Kroonstad, Klerksdorp, Odenaalsrus, Virginia, Welkom, Pietermaritzburg, Heidelberg (Transvaal), Delmas and Uitenhage.		In the Magisterial Districts of Aliwal North, Vryburg, Estcourt, Inanda, Klip Rivier, Parys, Potchefstroom, Standerton and the Municipal Areas of Pietersburg and Witbank.		In all Other Areas.	
	During the first twelve months after the coming into operation of this Determination.	There-after.	During the first twelve months after the coming into operation of this Determination.	There-after.	During the first twelve months after the coming into operation of this Determination.	There-after.	During the first twelve months after the coming into operation of this Determination.	There-after.	During the first twelve months after the coming into operation of this Determination.	There-after.	During the first twelve months after the coming into operation of this Determination.	There-after.
	(Per week.)	(Per week.)	(Per week.)	(Per week.)	(Per week.)	(Per week.)	(Per week.)	(Per week.)	(Per week.)	(Per week.)	(Per week.)	(Per week.)
.....	R 7.00	R 7.50	R 6.25	R 6.75	R 5.75	R 6.25	R 5.50	R 6.00	R 4.30	R 4.70	R 6.50	R 7.00
ee, qualified.....	8.65	9.15	7.90	8.40	7.40	7.90	7.15	7.65	5.95	6.35	8.15	8.65
ee, unqualified—												
first six months of experience.....	6.90	7.40	6.15	6.65	5.65	6.15	5.40	5.90	4.20	4.60	6.40	6.90
second six months of experience.....	7.80	8.30	7.05	7.55	6.55	7.05	6.30	6.80	5.10	5.50	7.30	7.80
yee, qualified.....	7.65	8.15	6.90	7.40	6.40	6.90	6.15	6.65	4.95	5.35	7.15	7.65
yee, unqualified.....	6.90	7.40	6.15	6.65	5.65	6.15	5.40	5.90	4.20	4.60	6.40	6.90
yee, male, 18 years of age and over, qualified.....	6.90	7.40	6.15	6.65	5.65	6.15	5.40	5.90	4.20	4.60	6.40	6.90
yee, male, 18 years of age and over, unqualified.....	6.50	7.00	5.75	6.25	5.25	5.75	5.00	5.50	3.80	4.20	6.00	6.50
yee, male, under 18 years of age, qualified.....	5.30	5.65	4.75	5.10	4.30	4.75	4.15	4.50	3.30	3.55	5.05	5.30
yee, male, under 18 years of age, unqualified.....	4.90	5.25	4.35	4.70	3.90	4.35	3.75	4.10	2.90	3.15	4.50	4.90
yee, female, qualified.....	5.60	6.00	5.00	5.40	4.60	5.00	4.40	4.80	3.45	3.75	5.20	5.60
yee, female, unqualified.....	5.20	5.60	4.60	5.00	4.20	4.60	4.00	4.40	3.05	3.35	4.80	5.20
, 18 years of age and over.....	6.50	7.00	5.75	6.25	5.25	5.75	5.00	5.50	3.80	4.20	6.00	6.50
, under 18 years of age.....	4.90	5.25	4.35	4.70	3.90	4.35	3.75	4.10	2.90	3.15	4.50	4.90
le.....	5.20	5.60	4.60	5.00	4.20	4.60	4.00	4.40	3.05	3.35	4.80	5.20
erator.....	9.00	9.50	8.25	8.75	7.75	8.25	7.50	8.00	6.25	6.75	8.50	9.00
lsewhere in this clause specifically mentioned.....	7.00	7.50	6.25	6.75	5.75	6.25	5.50	6.00	4.30	4.70	6.50	7.00

See
Corrections
Notice

	In die Landdrosdistrikte Bellville, die Kaap, Simonstad en Wynberg.		In die Landdrosdistrikte Port Elizabeth, Durban, Pinetown, Malmesbury, Paarl, Somerset-Wes, Stellenbosch en Worcester.		In die Landdrosdistrikte Bloemfontein en Kimberley.		In die Landdrosdistrikte Oos-Londen, Kroonstad, Klerksdorp, Oendaalsrus, Virginia, Welkom, Pietermaritzburg, Heidelberg (Transvaal), Delmas en Uitenhage.		In die Landdrosdistrikte Aliwal-Noord, Vryburg, Estcourt, Inanda, Kliprivier, Parys, Potchefstroom, Standerton en die munisipale gebiede van Pietersburg en Witbank.		In alle ander gebiede.	
	Gedurende die eerste twaalf maande na die inwerking-treding van hierdie vasstelling.	Daarna.	Gedurende die eerste twaalf maande na die inwerking-treding van hierdie vasstelling.	Daarna.	Gedurende die eerste twaalf maande na die inwerking-treding van hierdie vasstelling.	Daarna.	Gedurende die eerste twaalf maande na die inwerking-treding van hierdie vasstelling.	Daarna.	Gedurende die eerste twaalf maande na die inwerking-treding van hierdie vasstelling.	Daarna.	Gedurende die eerste twaalf maande na die inwerking-treding van hierdie vasstelling.	Daarna.
	(Per week.) R	(Per week.) R	(Per week.) R	(Per week.) R	(Per week.) R	(Per week.) R	(Per week.) R	(Per week.) R	(Per week.) R	(Per week.) R	(Per week.) R	(Per week.) R
I, gekwalifiseer.....	7.00	7.50	6.25	6.75	5.75	6.25	5.50	6.00	4.30	4.70	6.50	7.00
I, ongekwalifiseer—	8.65	9.15	7.90	8.40	7.40	7.90	7.15	7.65	5.95	6.35	8.15	8.65
II, eerste ses maande ondervinding.....	6.90	7.40	6.15	6.65	5.65	6.15	5.40	5.90	4.20	4.60	6.40	6.90
II, tweede ses maande ondervinding.....	7.80	8.30	7.05	7.55	6.55	7.05	6.30	6.80	5.10	5.50	7.30	7.80
II, gekwalifiseer.....	7.65	8.15	6.90	7.40	6.40	6.90	6.15	6.65	4.95	5.35	7.15	7.65
II, ongekwalifiseer.....	6.90	7.40	6.15	6.65	5.65	6.15	5.40	5.90	4.20	4.60	6.40	6.90
III, man, 18 jaar en ouer, gekwalifiseer.....	6.90	7.40	6.15	6.65	5.65	6.15	5.40	5.90	4.20	4.60	6.40	6.90
III, man, 18 jaar en ouer, ongekwalifiseer.....	6.50	7.00	5.75	6.25	5.25	5.75	5.00	5.50	3.80	4.20	6.00	6.50
III, man, onder 18 jaar, gekwalifiseer.....	5.30	5.65	4.75	5.10	4.30	4.75	4.15	4.50	3.30	3.55	5.05	5.30
III, man, jonger as 18 jaar, ongekwalifiseer.....	4.90	5.25	4.35	4.70	3.90	4.35	3.75	4.10	2.90	3.15	4.50	4.90
III, vrou, gekwalifiseer.....	5.60	6.00	5.00	5.40	4.60	5.00	4.40	4.80	3.45	3.75	5.20	5.60
III, vrou, ongekwalifiseer.....	5.20	5.60	4.60	5.00	4.20	4.60	4.00	4.40	3.05	3.35	4.80	5.20
ja en ouer.....	6.50	7.00	5.75	6.25	5.25	5.75	5.00	5.50	3.80	4.20	6.00	6.50
nger as 18 jaar.....	4.90	5.25	4.35	4.70	3.90	4.35	3.75	4.10	2.90	3.15	4.50	4.90
.....	5.20	5.60	4.60	5.00	4.20	4.60	4.00	4.40	3.05	3.35	4.80	5.20
ele hystoestel.....	9.00	9.50	8.25	8.75	7.75	8.25	7.50	8.00	6.25	6.75	8.50	9.00
e elders in hierdie klousule uitdruklik vermeld word nie	7.00	7.50	6.25	6.75	5.75	6.25	5.50	6.00	4.30	4.70	6.50	7.00

(b) *Casual Employees.*—A casual employee shall be paid 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 and of the same sex 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 perform the work of a class of employee for whom wages on a rising scale are prescribed the expression "weekly wage" shall mean the weekly wage prescribed for a qualified employee of that class and provided further 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) *Basis of Contract.*—For the purpose of this clause the contract of employment of an employee, other than a casual employee, shall be on a weekly basis, and, save as provided in clause 4 (6), an employee shall be paid in respect of a week not less than the full weekly wage prescribed in sub-clause (1), read with sub-clause (3), for an employee of his class in the area in which he works, whether he has in that week worked the maximum number of ordinary hours of work applicable to him in terms of clause 5 or less.

(3) *Differential Wage.*—An employer who requires or permits a member of one class of his employees to perform for longer than one hour in the aggregate on any day, either in addition to his own work or in substitution therefor, work of another class for which either—

- (a) a wage higher than that of his own class; or
- (b) a rising scale of wages terminating in a wage higher than that of his own class;

is prescribed in sub-clause (1), shall pay to such employee in respect of that day—

- (i) in the case referred to in paragraph (a), not less than the daily wage calculated at the higher rate; and
- (ii) in the case referred to in paragraph (b), not less than the daily wage calculated on the notch in the rising scale immediately above the wage which the employee was receiving for his ordinary work:

Provided—

- (i) that the provision of this sub-clause shall not apply where the difference between classes in terms of sub-clause (1) is based on age, experience or sex;
- (ii) that, unless expressly otherwise provided in a written contract between an employer and his employee, nothing in this Determination shall be so construed as to preclude an employer from requiring an employee to perform work of another class for which class the same or a lower wage is prescribed than that prescribed for such employee.

(4) *Calculation of Wages.*—(a) The daily wage of an employee, other than a casual employee, shall be his weekly wage divided by—

- (i) five, in the case of an employee who works a five-day week;
- (ii) six, in the case of any other employee.

(b) The monthly wage of an employee shall be four and a third times his weekly wage.

(c) The hourly wage of an employee, other than a casual employee, shall be his weekly wage divided by the number of the weekly ordinary hours of work prescribed in clause 5 for an employee of his class.

(5) *Bicycle Allowance.*—An employer who requires or permits an employee to use his own bicycle in the performance of his duties shall pay him, in addition to any other remuneration due to him, an allowance of not less than forty cents per week, or if he is a casual employee, not less than eight cents per day.

4. PAYMENT OF REMUNERATION.

(1) *Employees other than Casual Employees.*—Save as provided in clause 6 (4), any amount due to an employee, other than a casual employee, shall be paid in cash weekly or, with the consent of the employee, in cash or by cheque monthly during the hours of work or within fifteen minutes of ceasing work on the usual pay day of the establishment for such employee (or in the case of a shift worker at a time agreed upon between such employee and his employer, which time shall be during the usual office hours of the establishment but not later than twenty-four hours after the usual pay day) or on termination of employment if this takes place before the usual pay day, and such amount shall be contained in an envelope or container, on which shall be recorded, or which shall be accompanied by a statement showing—

- (a) the employer's name;
- (b) the employee's name or his pay roll number and occupation;
- (c) the number of ordinary hours of work worked by the employee;
- (d) the number of overtime hours worked by the employee;

(b) *Los werknemer.*—'n Los werknemer moet ten opsigte van elke dag of deel van 'n dag diens minstens een-vyfde van die weekloon betaal word wat voorgeskryf word vir 'n werknemer in dieselfde gebied en van dieselfde geslag, wa die selfde klas werk verrig as wat die los werknemer moe verrig: Met dien verstande dat, wanneer 'n werkgever van 'n los werknemer vereis om die werk te verrig van 'n klas werknemer vir wie 'n loon teen 'n stygende loonskaal voorgeskryf word, die uitdrukking „weekloon" die weekloon beteken wat voorgeskryf word vir 'n gekwalifiseerde werknemer van daardie klas, en voorts met dien verstande dat wanneer die werkgever van 'n los werknemer vereis om werk te verrig vir 'n tydperk van hoogstens vier agtereenvolgende ure op 'n dag, sy loon met hoogstens vyftig per sent verminder mag word.

(2) *Kontrakbasis.*—Vir die toepassing van hierdie klousule is die dienskontrak van 'n werknemer, uitgesonderd 'n los werknemer, op 'n weeklikse basis, en behoudens die bepalings van klousule 4 (6), moet 'n werknemer ten opsigte van 'n week minstens die volle weekloon betaal word wat in subklousule (1), gelees met sub-klousule (3), voorgeskryf word vir 'n werknemer van sy klas in die gebied waarin hy werk, afgesien daarvan of hy in dié week die maksimum getal gewone werkure wat ingevolge klousule 5 op hom van toepassing is, of minder gewerk het.

(3) *Differensiële loon.*—'n Werkgever wat van 'n lid van een klas van sy werknemers vereis of hom toelaat om vir langer as altesaam een uur op 'n dag hetsy benewens sy eie werk of in die plek daarvan, werk van 'n ander klas te verrig waarvoor of—

- (a) 'n hoër loon as dié van sy eie klas; of
- (b) 'n stygende loonskaal wat eindig op 'n hoër loon as dié van sy eie klas,

in subklousule (1) voorgeskryf word, moet sodanige werknemer ten opsigte van dié dag soos volg betaal:—

- (i) In die geval in paragraaf (a) vermeld, minstens die dagloon bereken teen die hoër loon; en
- (ii) in die geval in paragraaf (b) vermeld, minstens die dagloon bereken op die kerf in die stygende skaal onmiddellik bokant die loon wat die werknemer vir sy gewone werk ontvang het:

Met dien verstande—

- (i) dat die bepalings van hierdie subklousule nie van toepassing is nie waar die verskil tussen klasse ingevolge subklousule (1) op ouderdom, ondervinding of geslag gegrond is;
- (ii) dat, tensy uitdruklik anders bepaal in 'n skriftelike kontrak tussen 'n werkgever en sy werknemer, niks in hierdie Vasstelling so uitgelê moet word nie dat dit 'n werkgever belet om van 'n werknemer te vereis om werk van 'n ander klas te verrig waarvoor dieselfde of 'n laer loon voorgeskryf word as dié wat vir sodanige werknemer voorgeskryf word.

(4) *Berekening van lone.*—(a) Die dagloon van 'n werknemer, uitgesonderd 'n los werknemer, is sy weekloon gedeel deur—

- (i) vyf, in die geval van 'n werknemer wat vyf dae per week werk;
- (ii) ses, in die geval van enige ander werknemer.

(b) Die maandloon van 'n werknemer is vier en 'n derde maal sy weekloon.

(c) Die uurloon van 'n werknemer, uitgesonderd 'n los werknemer, is sy weekloon gedeel deur die gewone weeklikse werkure voorgeskryf in klousule 5 vir 'n werknemer van sy klas.

(5) *Fietstoelae.*—'n Werkgever wat vereis of toelaat dat 'n werknemer sy eie fiets met die uitvoering van sy pligte gebruik, moet hom, benewens enige ander besoldiging wat aan hom verskuldig is, 'n toelaag van minstens 40 sent per week betaal, of indien hy 'n los werknemer is, minstens agt sent per dag.

4. BETALING VAN BESOLDIGING.

(1) *Werknemers, uitgesonderd los werknemers.*—Behoudens die bepalings van klousule 6 (4), moet enige bedrag wat verskuldig is aan 'n werknemer, uitgesonderd 'n los werknemer, weekliks in kontant of, met die toestemming van die werknemer, maandeliks in kontant of per tjek betaal word gedurende werkure of binne vyftien minute nadat die werk gestaak is op die bedryfsinrigting se gewone betaaldag vir sodanige werknemer (of in die geval van 'n skofwerker, op 'n tyd waarvoor sodanige werkgever en sy werknemer ooreengekom het en wat gedurende die gewone kantoorure van die bedryfsinrigting moet wees maar nie later as vier-entwintig uur na die gewone betaaldag nie) of by diensbeëindiging, indien dit voor die gewone betaaldag plaasvind, en sodanige bedrag moet in 'n koevert of houër wees waarop die volgende aangeteken is of wat vergesel gaan van 'n staat wat die volgende meld:—

- (a) Die werkgever se naam;
- (b) die werknemer se naam of betaalstaatsnommer en beroep;
- (c) die getal gewone werkure deur die werknemer gewerk;

(2) *Casual Employee.*—An employer shall pay the remuneration to a casual employee in cash on termination of his employment.

(3) *Premiums.*—No payment shall be made to or accepted by an employer, either directly or indirectly, in respect of the employment or training of an employee.

(4) *Purchase of Goods.*—An employer shall not require his employee to purchase any goods from him or from any shop, place or person nominated by him.

(5) *Board and Lodging.*—Save as provided in the Natives (Urban Areas) Consolidation Act, 1945, an employer shall not require his employee to board or lodge or board and lodge with him or with any person or at any place nominated by him.

(6) *Deductions.*—An employer shall not levy any fines against his employee nor shall he make any deductions from his employee's remuneration: Provided that he may make the following:—

- (a) With the written consent of his employee, a deduction for holiday, sick benefit, insurance, savings, provident or pension funds, or subscriptions to trade unions;
- (b) except where otherwise provided in this Determination, whenever an employee is absent from work other than on the instructions or at the request of his employer, a deduction proportionate to the period of his absence and calculated on the basis of the wage which such employee was receiving in respect of his ordinary hours of work at the time of such absence;
- (c) a deduction of any amount which an employer by any law or order of any competent court is required or permitted to make;
- (d) whenever an employee agrees or is required in terms of the Natives (Urban Areas) Consolidation Act, 1945, to accept board and lodging or board or lodging with his employer, a deduction not exceeding the amounts specified hereunder:—

	Per Week.	Per Month.
	R	R
(i) Board	0.80	3.47
(ii) Lodging	0.40	1.73
(iii) Board and lodging	1.20	5.20

(e) whenever the ordinary hours of work prescribed in clause 5 are reduced on account of short-time, a deduction to the amount of the employee's (other than a casual employee's) hourly wage in respect of each hour of such reduction: Provided—

- (i) that no deduction shall be made in the case of short-time arising out of slackness of trade or shortage of raw materials or railtrucks, unless the employer has given his employee notice on the previous work day of his intention to reduce the ordinary hours of work;
- (ii) that no deduction shall be made in the case of short-time owing to the vagaries of the weather, a general breakdown of plant or machinery or an actual breakdown or threatened breakdown of buildings, in respect of the first hour not worked, unless the employer has given his employee notice on the previous day that no work will be available;

(f) a deduction of an amount equal to his daily wage in respect of any public holiday other than New Year's Day, Good Friday, Ascension Day, the Day of the Covenant or Christmas Day, on which the employee at his own request is permitted not to work;

(g) with the written consent of an employee, a deduction of any amount which an employer has paid to any municipal council or other local authority in respect of the rent of any house or accommodation in any hostel occupied by such employee in any location or Native village under the control of such council or other local authority.

5. HOURS OF WORK, ORDINARY AND OVERTIME, AND PAYMENT FOR OVERTIME.

(1) *Ordinary Hours of Work.*—An employer shall not require or permit an employee other than a casual employee, to work more ordinary hours of work than—

- (a) in the case of a shift worker—
 - (i) forty-six in any week from Sunday to Saturday, inclusive; and
 - (ii) subject to sub-paragraph (i) hereof, eight on any day;
- (b) in the case of an employee, other than a shift worker, who works a six-day week—
 - (i) forty-six in any week from Monday to Saturday, inclusive; and
 - (ii) subject to sub-paragraph (i) hereof, eight on any day, unless the hours on one day do not exceed five, in which case the hours on any of the other days may be extended to eight and one-half;

(2) *Los werknemer.*—'n Werkgever moet die besoldiging wat aan 'n los werknemer verskuldig is by sy diensbeëindiging in kontant betaal.

(3) *Premies.*—'n Werkgever mag nie regstreeks of onregstreeks ten opsigte van die indiensneming of opleiding van 'n werknemer betaal word of sodanige betaling aanneem nie.

(4) *Koop van goedere.*—'n Werkgever mag nie van sy werknemer vereis om goedere van hom of van 'n winkel, plek of persoon wat deur hom aangewys word, te koop nie.

(5) *Etes en huisvesting.*—Behoudens die bepalings van die Naturelle (Stadsgebiede) Konsolidasiewet, 1945, mag 'n werkgever nie van sy werknemer vereis om van hom of 'n persoon of by 'n plek wat deur hom aangewys word, etes of huisvesting of etes en huisvesting te ontvang nie.

(6) *Aftrekkings.*—'n Werkgever mag sy werknemer geen boetes ople of 'n bedrag van sy werknemer se besoldiging aftrek nie: Met dien verstande dat hy die volgende mag aftrek:—

- (a) Met die skriftelike toestemming van sy werknemer, 'n bedrag vir 'n vakansie-, siektebystands-, versekerings-, spaar-, voorsorgs- of pensioenfonds, of ledegede vir vakverenigings;
- (b) behoudens andersluidende bepalings in hierdie Vastelling, wanneer 'n werknemer van sy werk afwesig is, behalwe op las of op die versoek van sy werkgever, 'n bedrag wat in verhouding staan tot die tydperk van sy afwesigheid en wat bereken is op die grondslag van die loon wat sodanige werknemer ten opsigte van sy gewone werkure ten tyde van sodanige afwesigheid ontvang het;
- (c) 'n bedrag wat 'n werkgever kragtens of ingevolge enige wet of bevel van 'n bevoegde hof mag of moet aftrek;
- (d) wanneer 'n werknemer daarmee instem of ingevolge die Naturelle (Stadsgebiede) Konsolidasiewet, 1945, verplig is om etes en huisvesting of etes of huisvesting van sy werkgever aan te neem, 'n bedrag van hoogstens dié hieronder genoem:—

	Per week.	Per maand.
	R.	R.
(i) Etes	0.80	3.47
(ii) Huisvesting	0.40	1.73
(iii) Etes en huisvesting	1.20	5.20

(e) wanneer die gewone werkure wat in klousule 5 voorgeskryf word, weens korttyd verminder word, 'n bedrag gelykstaande met die werknemer (uitgesonderd 'n los werknemer) se uurloon ten opsigte van elke uur van sodanige vermindering: Met dien verstande—

- (i) dat geen bedrag in die geval van korttyd wat voortspuit uit 'n bedryfslapte of 'n tekort aan grondstowwe of spoorwaens, afgetrek mag word, nie tensy die werkgever sy werknemer op die vorige werkdag kennis gegee het van sy voorneme om die gewone werkure te verminder;
- (ii) dat geen bedrag in die geval van korttyd weens weersomstandighede, 'n algemene onklaarraking van installasie of masjinerie of 'n werklike onklaarraking of dreigende onklaarraking van geboue ten opsigte van die eerste uur wat daar nie gewerk is nie, afgetrek mag word, nie tensy die werkgever sy werknemer op die vorige dag kennis gegee het dat geen werk beskikbaar sal wees nie;

(f) 'n bedrag gelykstaande met sy dagloon ten opsigte van enige openbare vakansiedag, uitgesonderd Nuwejaarsdag, Goeie Vrydag, Hemelvaartdag, Geloftedag of Kersdag, waarop die werknemer op sy eie versoek toegelaat word om nie te werk nie;

(g) met die skriftelike toestemming van 'n werknemer, 'n bedrag wat 'n werkgever aan 'n munisipale raad of ander plaaslike bestuur betaal het ten opsigte van die huur van 'n huis of akkommodasie in 'n koshuis wat deur sodanige werknemer geokkupeer word in 'n lokasie of Naturelledorp onder die beheer van sodanige raad of ander plaaslike bestuur.

5. WERKURE, GEWONE EN OORTYD, EN BETALING VIR OORTYDWERK.

(1) *Gewone werkure.*—'n Werkgever mag nie van 'n werknemer, uitgesonderd 'n los werknemer, vereis of hom toelaat om meer gewone werkure as die volgende te werk nie:—

- (a) In die geval van 'n skofwerker—
 - (i) ses-en-veertig in enige week vanaf Sondag tot en met Saterdag; en
 - (ii) behoudens paragraaf (i) hiervan, agt op enige dag;
- (b) in die geval van 'n werknemer, uitgesonderd 'n skofwerker, wat ses dae per week werk—
 - (i) ses-en-veertig in enige week vanaf Maandag tot en met Saterdag; en
 - (ii) behoudens subparagraaf (i) hiervan, agt op 'n dag, tensy die ure op een dag hoogstens vyf is, en in so 'n geval mag die ure op engeen van die ander dae tot agt en 'n half verleng word;

(3) *Meal Intervals.*—An employer shall not require or permit an employee to work for more than five hours continuously without a meal interval of not less than one hour during which interval such employee shall not be required or permitted to perform any work, and such interval shall be deemed not to be part of the ordinary hours of work or overtime: Provided—

- (i) that periods of work interrupted by intervals of less than one hour, except when proviso (iv) applies, shall be deemed to be continuous;
- (ii) that, if such interval be longer than one hour, any period in excess of one and one-quarter hours shall be deemed to be time worked;
- (iii) that a driver of a motor vehicle who during such interval does no work other than being of remaining in charge of the vehicle shall be deemed for the purposes of this sub-clause not to have worked during such interval;
- (iv) that an employer may agree with his employee to reduce the period of such meal interval to not less than half-an-hour, and in that event and after the employer has lodged a statement of such agreement with the Divisional Inspector, Department of Labour, for his area, the meal interval may be so reduced;
- (v) that not more than one such interval during the ordinary hours of work on any day shall be deemed not to form part of the ordinary hours of work;
- (vi) that when on any day by reason of overtime work an employer is required to give an employee a second meal interval, such interval may, at the request of the employee, be reduced to fifteen minutes so long as the total period worked by the employee after the first meal interval of the day does not exceed seven hours and such second meal interval may be deemed not to be part of the ordinary hours of work or overtime.

(4) *Rest Intervals.*—An employer shall grant to each of his employees a rest interval of not less than ten minutes as near as practicable in the middle of each morning and afternoon work period, and during such interval such employee shall not be required or permitted to perform any work, and such interval shall be deemed to be part of the ordinary hours of work of such employee.

(5) *Hours of Work to be Consecutive.*—Save as provided in sub-clause (3), all hours of work of an employee on any day shall be consecutive.

(6) *Overtime.*—All time worked in excess of the number of ordinary hours of work prescribed in sub-clauses (1) and (2) shall be deemed to be overtime.

(7) *Limitation of Overtime.*—An employer shall not require or permit an employee to work overtime for more than—

- (a) in the case of a casual employee, two hours on any day;
- (b) in the case of any other employee, ten hours in any week.

(8) *Female Employees.*—Notwithstanding anything to the contrary contained in this clause, an employer shall not require or permit a female employee to work—

- (a) between 6 o'clock p.m. and 6 o'clock a.m.;
- (b) after 1 o'clock p.m. on more than five days a week;
- (c) overtime for more than two hours on any day, except that an employee who works a five-day week may work up to four hours overtime on a Saturday;
- (d) overtime on more than three consecutive days in any week;
- (e) overtime on more than sixty days in any year;
- (f) overtime after completion of her ordinary hours of work for more than one hour on any day unless he has—
 - (i) before midday given notice thereof to such employee; or
 - (ii) provided such employee with an adequate meal and allowed her sufficient time to have it before she has to commence overtime; or
 - (iii) paid such employee not less than 25 cents in sufficient time to enable her to obtain and have a meal before overtime is due to commence.

(9) *Payment for Overtime.*—An employer shall pay an employee who works overtime at a rate of not less than—

- (a) in the case of a casual employee, one and one-third times his ordinary wage in respect of the total period so worked by such employee on any day;
- (b) in the case of any other employee, one and one-third times his ordinary wage in respect of the total period so worked by such employee in any week.

(10) *Day of Rest.*—An employer shall grant to each of his shift workers one full day of rest during every seven consecutive days: Provided that if an employer requires or permits such an employee to work on his day of rest, the hours so worked shall be deemed not to be part of the ordinary hours of work

(3) *Etenspouse.*—'n Werkgewer mag nie van 'n werknemer vereis of hom toelaat om vir langer as vyf uur ononderbroke te werk sonder 'n etenspouse van minstens een uur nie, gedurende sodanige pouse mag daar nie van sodanige werknemer vereis of mag hy nie toegelaat word om enige werk te verrig nie en sodanige pouse word nie geag deel van die gewone of oortydwerk uit te maak nie: Met dien verstande—

- (i) dat, behalwe wanneer voorbehoudsbepaling (iv) van toepassing is, werktydperke wat onderbreek word deur pouse van korter as een uur, geag word deurlopend te wees;
- (ii) dat, indien sodanige pouse langer as een uur is, enige tydperk van langer as een en 'n kwart uur geag word tydperk te wees wat daar gewerk is;
- (iii) dat 'n bestuurder van 'n motorvoertuig wat gedurende sodanige pouse geen ander werk verrig nie as om vir die voertuig verantwoordelik te bly, vir die toepassing van hierdie subklousule geag word nie gedurende sodanige pouse te gewerk het nie;
- (iv) dat 'n werkgewer met sy werknemer ooreen kan kom om sodanige etenspouse te verkort tot minstens 'n halfuur, en in dié geval en nadat die werkgewer 'n verklaring omtrent sodanige ooreenkoms by die Afdelingsinspekteur, Departement van Arbeid, vir sy gebied ingedien het, kan die etenspouse aldus verkort word;
- (v) dat hoogstens een so 'n pouse gedurende die gewone werkure op enige dag geag mag word nie deel van die gewone werkure uit te maak nie;
- (vi) dat, indien daar van 'n werkgewer vereis word om op enige dag as gevolg van oortydwerk 'n tweede etenspouse aan 'n werknemer toe te staan, sodanige pouse, op die versoek van die werknemer, verkort mag word tot vyftien minute mits die totale tydperk wat die werknemer na die eerste etenspouse gewerk het, hoogstens sewe uur is, en sodanige tweede etenspouse mag geag word nie deel van die gewone of oortydwerkure te wees nie.

(4) *Ruspouse.*—'n Werkgewer moet aan elkeen van sy werknemers 'n ruspouse van minstens tien minute so na as moontlik aan die middel van elke voor- en namiddag werktydperk toestaan en gedurende sodanige pouse mag daar nie van sodanige werknemer vereis word of mag hy nie toegelaat word om enige werk te verrig nie, en sodanige pouse word geag deel van die gewone werkure van sodanige werknemer te wees.

(5) *Werkure moet agtereenvolgend wees.*—Behoudens die bepaling van subklousule (3), moet alle werkure van 'n werknemer op enige dag agtereenvolgend wees.

(6) *Oortyd.*—Alle tyd wat daar langer as die getal gewone werkure soos voorgeskryf in subklousules (1) en (2), gewerk word, word geag oortyd te wees.

(7) *Beperking van oortydwerk.*—'n Werkgewer mag nie van 'n werknemer vereis of hom toelaat om langer oortyd as die volgende te werk nie:—

- (a) In dié geval van 'n los werknemer, twee uur op 'n dag;
- (b) in dié geval van alle ander werknemers, tien uur in 'n week.

(8) *Vroulike werknemers.*—Ondanks andersluidende bepalinge in hierdie klousule, mag 'n werkgewer nie van 'n vroulike werknemer vereis of haar toelaat om—

- (a) tussen 6-uur nm. en 6-uur vm. te werk nie;
- (b) 1-uur nm. op meer as vyf dae per week te werk nie;
- (c) oortydwerk vir langer as twee uur op 'n dag te verrig nie, behalwe dat 'n werknemer wat vyf dae per week werk, tot vier uur oortydwerk op 'n Saterdag mag verrig;
- (d) oortydwerk op meer as drie agtereenvolgende dae in 'n week te verrig nie;
- (e) oortydwerk op meer as sestig dae in 'n jaar te verrig nie;
- (f) na voltooiing van haar gewone werkure, oortydwerk vir langer as een uur op 'n dag te verrig nie, tensy hy—
 - (i) sodanige werknemer voor die middag daarvan in kennis gestel het; of
 - (ii) aan sodanige werknemer 'n toereikende ete verskaf het en haar voldoende tyd toegestaan het om dit te nuttig voordat sy met die oortydwerk moet begin; of
 - (iii) aan sodanige werknemer betyds minstens vyf-en-twintig sent betaal het om haar in staat te stel om 'n ete te bekom en dit te nuttig voordat sy met die oortydwerk moet begin.

(9) *Betaling vir oortydwerk.*—'n Werkgewer moet 'n werknemer wat oortydwerk verrig teen 'n tarief van minstens die volgende betaal:—

- (a) In dié geval van 'n los werknemer, een en 'n derde maal sy gewone loon ten opsigte van die totale tydperk wat sodanige werknemer aldus op enige dag werk;
- (b) in dié geval van enige ander werknemer, een en 'n derde maal sy gewone loon ten opsigte van die totale tydperk wat sodanige werknemer aldus in enige week werk.

(10) *Rusdag.*—'n Werkgewer moet aan elke skofwerker een volle rusdag gedurende elke opeenvolgende sewe dae toestaan: Met dien verstande dat wanneer 'n werkgewer vereis of toelaat dat sodanige werknemer op sy rusdag werk, die ure wat aldus

(c) The provisions of sub-clauses (3), (4), (5) and (7) shall not apply to an employee while he is engaged on emergency work.

(d) The provisions of sub-clauses (3) and (4) shall not apply to a shift worker.

(e) The provisions of sub-clause (4) shall not apply to a driver of a motor vehicle, a part-time driver of a motor vehicle or a vanman, or to a labourer accompanying a driver of a motor vehicle, part-time driver of a motor vehicle or a vanman, as the case may be.

6. ANNUAL LEAVE.

(1) Subject to the provisions of sub-clause (2), an employer shall grant to his employee, other than a casual employee, in respect of each completed period of twelve months of employment with him—

(a) in the case of a watchman, other than a watchman who regularly works less than seven days per week, twenty-one consecutive calendar days' leave,

(b) in the case of every other employee, fourteen consecutive calendar days' leave,

and shall pay such employee in respect of such leave—

(i) in the case of an employee referred to in paragraph (a), an amount of not less than three times the weekly wage to which he is entitled as from the first day of the leave;

(ii) in the case of an employee referred to in paragraph (b), an amount of not less than double the weekly wage to which he is entitled as from the first day of the leave:

Provided that for the purpose of this clause the weekly wage of any employee who is engaged on piece-work shall be calculated on the basis set out in section twenty (5) of the Factories, Machinery and Building Work Act, 1941.

(2) The leave prescribed in sub-clause (1) shall be granted at a time to be fixed by the employer: Provided—

(i) that, if such leave has not been granted earlier, it shall, save as provided in sub-clause (3), be granted so as to commence within four months after the completion of the twelve months of employment to which it relates or, if the employer and employee have agreed thereto in writing before the expiration of the said period of four months, the employer shall grant such leave to the employee as from a date not later than two months after the expiration of the said period of four months;

(ii) that the period of leave shall not be concurrent with sick leave granted in terms of clause 7 nor, unless the employee so requests and the employer agrees in writing, with any period of military training;

(iii) that, if New Year's Day, Good Friday, Ascension Day, the Day of the Covenant or Christmas Day falls within the period of such leave, another work day shall, for each such holiday, be added to the said period as a further period of leave and the employee shall be paid an amount of not less than his daily wage in respect of each such day added;

(iv) that an employer may set off against such period of leave any days of occasional leave granted on full pay to his employee at his employee's written request during the period of twelve months of employment to which the period of leave relates.

(3) (a) At the written request of an employee, an employer may permit the leave to accumulate over a period of not more than twenty-four months of employment: Provided—

(i) that such request is made by such employee not later than four months after the expiry of the first period of twelve months of employment to which the leave relates; and

(ii) that the date of the receipt of such request is endorsed on the request over his signature by the employer, who shall retain such request for a period of not less than three years from such date or the date of the expiry of the first period of twelve months of employment to which the leave relates, whichever is the later.

(b) The provisions of sub-clause (2) shall *mutatis mutandis* apply to the leave referred to in this sub-clause.

(4) *Leave Remuneration.*—The remuneration in respect of the leave prescribed in sub-clause (1), read with sub-clause (3), shall be paid not later than the last work day before the date of commencement of the leave.

(5) An employee whose contract of employment is terminated during any period of twelve months of employment before the period of leave prescribed in sub-clause (1) in respect of that period has accrued, shall, upon such termination, and in addition to any other remuneration which may be due to him, be paid in respect of each completed month of such period of employment

(c) Die bepalinge van subklousule (3), (4), (5) en (7) is nie op 'n werknemer van toepassing terwyl hy noodwerk verrig nie.

(d) Die bepalinge van subklousule (3) en (4) is nie op 'n skofwerker van toepassing nie.

(e) Die bepalinge van subklousule (4) is nie op 'n motorvoertuigbestuurder, 'n deeltydse motorvoertuigbestuurder of 'n bestelwabediende van toepassing nie of op 'n arbeider wat 'n motorvoertuigbestuurder, 'n deeltydse motorvoertuigbestuurder of 'n bestelwabediende, na gelang van die geval, vergesel.

6. JAARLIKSE VERLOF.

(1) Behoudens die bepalinge van subklousule (2), moet 'n werkgewer aan sy werknemer, uitgesonderd 'n los werknemer, ten opsigte van elke voltooide tydperk van twaalf maande diens by hom—

(a) in die geval van 'n wag, uitgesonderd 'n wag wat gereeld minder as sewe dae per week werk, een-en-twintig opeenvolgende kalenderdae verlof toestaan,

(b) in die geval van alle ander werknemers, veertien opeenvolgende kalenderdae verlof toestaan,

en moet hy aan sodanige werknemer ten opsigte van sodanige verlof die volgende betaal:—

(i) In die geval van 'n werknemer in paragraaf (a) genoem, 'n bedrag van minstens drie maal die weekloon waarop hy vanaf die eerste dag van die verlof geregtig is;

(ii) in die geval van 'n werknemer in paragraaf (b) genoem, 'n bedrag van minstens twee maal die weekloon waarop hy vanaf die eerste dag van die verlof geregtig is;

Met dien verstande dat, vir die toepassing van hierdie klousule, die weekloon van enige werknemer wat stukwerk verrig, bereken moet word op die grondslag gemeld in artikel *twintig* (5) van die Wet op Fabriek, Masjinerie en Bouwerk, 1941.

(2) Die verlof in subklousule (1) voorgeskryf, moet toegestaan word op 'n tydskedule wat die werkgewer moet vasstel: Met dien verstande—

(i) dat indien sodanige verlof nie vroeër toegestaan is nie, dit behoudens die bepalinge van subklousule (3) só toegestaan word dat dit begin binne vier maande na die voltooiing van die twaalf maande diens waarop dit betrekking het of, indien die werkgewer en werknemer skriftelik daarvoor ooreengekom het voor die verstryking van genoemde tydperk van vier maande, dat die werkgewer sodanige verlof aan die werknemer moet toestaan vanaf 'n datum nie later nie as twee maande na die verstryking van genoemde tydperk van vier maande;

(ii) dat die verloftydperk nie met siekteverlof wat ooreenkomstig klousule 7 toegestaan is of, tensy die werknemer aldus versoek en die werkgewer skriftelik daarmee instem, met enige tydperk van militêre opleiding mag saamval nie;

(iii) dat, indien Nuwejaarsdag, Goede Vrydag, Hemelvaartdag, Gelofte van Kersdag binne die tydperk van sodanige verlof val, nog 'n werkdag vir elke sodanige openbare vakansiedag by genoemde tydperk gevoeg moet word as 'n verdere verloftydperk en dat die werknemer 'n bedrag van minstens sy dagloon ten opsigte van elke sodanige dag wat bygevoeg is, betaal moet word;

(iv) dat 'n werkgewer alle dae geleentheidsverlof wat gedurende die tydperk van twaalf maande diens waarop die verloftydperk betrekking het, met volle besoldiging aan sy werknemer toegestaan is op sy werknemer se skriftelike versoek, van sodanige verloftydperk mag aftrek.

(3) (a) 'n Werkgewer mag op die skriftelike versoek van 'n werknemer toelaat dat die verlof oor 'n tydperk van hoogstens vier-en-twintig maande diens oploop: Met dien verstande—

(i) dat sodanige versoek nie later nie as vier maande na die verstryking van die eerste tydperk van twaalf maande diens waarop die verlof betrekking het, deur sodanige werknemer gerig word, en

(ii) dat die werkgewer die datum waarop sodanige versoek ontvang word, op die versoek moet aanteken en sy handtekening daaronder moet plaas en dat hy sodanige versoek moet bewaar vir 'n tydperk van minstens drie jaar vanaf sodanige datum of die verstrykingsdatum van die eerste tydperk van twaalf maande diens waarop die verlof betrekking het, naamlik die jongste datum.

(b) Die bepalinge van subklousule (2) is *mutatis mutandis* van toepassing op die verlof in hierdie subklousule genoem.

(4) *Verlofbesoldiging.*—Die besoldiging ten opsigte van die verlof voorgeskryf in subklousule (1), gelees met subklousule (3), moet voor of op die laaste werkdag voor die aanvangsdatum van die verlof betaal word.

(5) 'n Werknemer wie se dienskontrak gedurende 'n tydperk van twaalf maande diens eindig voordat die verloftydperk soos in subklousule (1) voorgeskryf, ten opsigte van sodanige tydperk hom toegeval het, moet by sodanige eindiging en beneens enige ander besoldiging wat aan hom verskuldig mag wees, 'n bedrag van minstens die volgende ten opsigte van elke voltooide maand

to an employee in terms of the fourth proviso to sub-clause (2) and provided further that an employee—

- (i) who leaves his employment without having given and served the period of notice prescribed in clause 12, unless the employer has waived such notice or the employee has paid the employer in lieu of notice; or
- (ii) who leaves his employment without cause recognised by law as sufficient; or
- (iii) who is dismissed by his employer without notice for any cause recognised by law as sufficient for such dismissal without notice,

shall not be entitled to any payment by virtue of this sub-clause.

(6) An employee who has become entitled to a period of leave prescribed in sub-clause (1), read with sub-clause (3), and whose contract of employment is terminated before such leave has been granted, shall upon such termination be paid the amount he would have received in respect of the leave, had the leave been granted to him as at the date of the termination.

(7) For the purpose of this clause the expression "employment" shall be deemed to include any period in respect of which an employer, in terms of clause 12, pays an employee in lieu of notice and also any period or periods during which an employee is absent—

- (a) on leave in terms of this clause;
- (b) on sick leave in terms of clause 7;
- (c) on the instructions or at the request of his employer;
- (d) undergoing any military training,

amounting in the aggregate in any year to not more than ten weeks in respect of items (a), (b) and (c), plus up to three months of any period of military training undergone in that year, and employment shall be deemed to commence—

- (i) in the case of an employee who had before the coming into force of this Determination become entitled to a period of annual leave in terms of any law, on the date on which such employee last became entitled to such leave under such law;
- (ii) in the case of an employee who was in employment before the coming into force of this Determination and to whom any law providing for annual leave applied but who had not become entitled to a period of leave in terms thereof, on the date on which such employment commenced;
- (iii) in the case of any other employee, on the date on which such employee entered his employer's service or on the date of the coming into force of this Determination, whichever is the later.

(8) (a) Notwithstanding anything to the contrary contained in this clause, an employer may for the purpose of annual leave at any time, but not more than once in any period of twelve months, close his establishment for fourteen consecutive calendar days plus any additional days that may have to be added by virtue of the third proviso to sub-clause (2).

(b) An employee who at the date of the closing of an establishment in terms of paragraph (a) is not entitled to the full period of annual leave prescribed in sub-clause (1) (b) shall in respect of any leave due to him be paid by his employer on the basis set out in sub-clause (5), and for the purpose of annual leave thereafter his employment shall be deemed to commence on the date of such closing of the establishment.

7. SICK LEAVE.

(1) Subject to the provisions of sub-clause (2), an employer shall grant to his employee, other than a casual employee, who is absent from work through incapacity—

- (a) in the case of an employee who works a five-day week, not less than twenty work days; and
- (b) in the case of every other employee, not less than twenty-four work days;

sick leave in the aggregate during each cycle of twenty-four consecutive months of employment with him, and shall pay such employee in respect of any period of absence in terms of this sub-clause not less than the wage he would have received had he worked during such period: Provided—

- (i) that in the first twenty-four consecutive months of employment an employee shall not be entitled to sick leave on full pay at a rate of more than, in the case of an employee who works a five-day week, one work day in respect of each completed period of five weeks of employment and, in the case of any other employee, one work day in respect of each completed month of employment;
- (ii) that this clause shall not apply to an employee at whose written request an employer makes contributions, at least equal to those made by the employee, to any fund or association nominated by the employee, which fund or

wat ooreenkomstig die vierde voorbehoudsbepaling van subklousule (2) aan 'n werknemer toegestaan is, en voorts met dien verstande dat 'n werknemer—

- (i) wat sy diens verlaat sonder om die tydperk in klousule 1: voorgeskryf, kennis te gee of dit uit te dien, tensy die werkgever van sodanige kennisgewing afgesien het of tensy die werknemer die werkgever betaal het in plaas van aan hom kennis te gee; of
- (ii) wat sy diens sonder 'n regsgeldige rede verlaat; of
- (iii) wat om 'n regsgeldige rede sonder kennisgewing deur sy werkgever ontslaan word, nie op enige betaling kragtens hierdie subklousule geregtig is nie.

(6) 'n Werknemer wat geregtig geword het op 'n verloftydperk voorgeskryf in subklousule (1), gelees met subklousule (3), en wie se dienskontrak eindig voordat sodanige verlof toegestaan is, moet by sodanige eindiging die bedrag betaal word wat hy ten opsigte van die ver- of sou ontvang het as die verlof op die datum van die eindiging aan hom toegestaan was.

(7) Vir die toepassing van hierdie klousule word die uitdrukking „diens” geag enige tydperk in te sluit ten opsigte waarvan 'n werkgever 'n werknemer kragtens klousule 12 betaal in plaas daarvan om kennis te gee en ook enige tydperk of tydperke wat 'n werknemer afwesig is—

- (a) met verlof kragtens hierdie klousule;
- (b) met siekteverlof kragtens klousule 7;
- (c) op las of op die versoek van sy werkgever;
- (d) terwyl hy militêre opleiding ondergaan;

en wat altesaam hoogstens tien weke in 'n jaar ten opsigte van items (a), (b) en (c) beloop, plus enige tydperk van militêre opleiding van hoogstens drie maande wat in daardie jaar ondergaan is, en diens word geag soos volg te begin:—

- (i) In die geval van 'n werknemer wat voor die inwerking-treding van hierdie Vasstelling kragtens enige wet op 'n tydperk van jaarlikse verlof geregtig geword het, op dié datum waarop sodanige werknemer laas op sodanige verlof kragtens sodanige wet geregtig geword het;
- (ii) in die geval van 'n werknemer wat in diens was voor die inwerking-treding van hierdie Vasstelling en op wie enige wet wat voorsiening maak vir jaarlikse verlof, van toepassing was maar wat nog nie ooreenkomstig sodanige wet op 'n tydperk van jaarlikse verlof geregtig geword het nie, op die datum waarop sodanige diens begin het;
- (iii) in die geval van enige ander werknemer, op die datum waarop sodanige werknemer in sy werkgever se diens getree het of op die datum van inwerking-treding van hierdie Vasstelling, naamlik die jongste datum.

(8) (a) Ondanks andersluidende bepalings in hierdie klousule, mag 'n werkgever vir die doel van jaarlikse verlof te eniger tyd, maar hoogstens een maal in 'n tydperk van twaalf maande, sy bedryfsinrigting sluit vir veertien agtereenvolgende kalenderdae plus alle addisionele dae wat bygevoeg moet word ingevolge die derde voorbehoudsbepaling van subklousule (2).

(b) 'n Werknemer wat op die datum van die sluiting van 'n bedryfsinrigting ingevolge paragraaf (a), nie op die volle tydperk van jaarlikse verlof soos voorgeskryf in subklousule (1) (b), geregtig is nie, moet ten opsigte van enige verlof wat aan hom verskuldig is, deur sy werkgever betaal word op die grondslag in subklousule (5) genoem, en vir die doel van jaarlikse verlof daarna word sy diens geag te begin het op die datum van sodanige sluiting van die bedryfsinrigting.

7. SIEKTEVERLOF.

(1) Behoudens die bepalings van subklousule (2), moet 'n werkgever aan sy werknemer, uitgesonderd 'n los werknemer, wat van sy diens afwesig is weens ongeskiktheid—

- (a) in die geval van 'n werknemer wat vyf dae per week werk, altesaam minstens twintig werkdag; en
- (b) in die geval van alle ander werknemers, altesaam minstens vier-en-twintig werkdag—

siekteverlof gedurende elke tydkring van vier-en-twintig agtereenvolgende maande diens by hom verleen en sodanige werknemer ten opsigte van enige tydperk van afwesigheid ooreenkomstig hierdie subklousule, minstens die loon betaal wat hy sou ontvang het as hy gedurende sodanige tydperk gewerk het: Met dien verstande—

- (i) dat 'n werknemer in die eerste vier-en-twintig agtereenvolgende maande diens nie op meer siekteverlof met volle besoldiging as een werkdag ten opsigte van elke voltooide tydperk van vyf weke diens, in die geval van 'n werknemer wat vyf dae per week werk, en nie op meer as een werkdag ten opsigte van elke voltooide maand diens, in die geval van alle ander werknemers, geregtig is nie;
- (ii) dat hierdie klousule nie van toepassing is nie op 'n werknemer op wie se skriftelike versoek sy werkgever bydraes wat minstens gelykstaande is met dié van die werknemer, betaal aan enige fonds of organisasie deur die werknemer aangewys, naamlik 'n fonds of organisasie wat aan die werknemer ingeval hy ongeskik raak in die omstandighede

(iii) that where an employer is by any law required to pay fees for hospital or medical treatment in respect of an employee, and pays such fees, the amount so paid may be set off against the payment due in respect of absence owing to incapacity in terms of this clause;

(iv) that, if in respect of any period of incapacity covered by this clause an employer is required by any other law to pay to an employee his full wages, the provisions of this clause shall not apply.

(2) An employer may, as a condition precedent to the payment by him of any amount claimed in terms of this clause by an employee in respect of any absence from work for a period overing more than one day, require the employee to produce a certificate signed by a medical practitioner confirming the nature and duration of the employee's incapacity: Provided that when an employee has during any period of up to eight weeks received payment in terms of this clause on two or more occasions his employer may during the period of eight weeks immediately succeeding the last such occasion require him to produce such a certificate in respect of any absence.

(3) Where, during the first cycle of twenty-four months of employment with the same employer, an employee is absent owing to incapacity for a period in excess of any sick leave accrued at the time of such incapacity, he shall be entitled to be paid only in respect of such leave as has so accrued; but his employer shall, if he has not previously done so, at the expiry of the said cycle of employment or on termination of employment before such expiry pay him in respect of such excess period of absence owing to incapacity to the extent to which sick leave, accrued at such expiry or termination, had not been taken.

(4) For the purpose of this clause the expression—

(a) "employment" shall be deemed to include any period or periods during which an employee is absent—

(i) on leave in terms of clause 6;

(ii) on the instructions or at the request of his employer;

(iii) on sick leave in terms of sub-clause (1);

(iv) undergoing military training;

amounting in the aggregate in any year to not more than ten weeks in respect of items (i), (ii) and (iii), plus up to three months of any period of military training undergone in that year, and any period of employment which an employee has had with the same employer immediately before the date of the coming into operation of this Determination shall for the purpose of this clause be deemed to be employment under this Determination, and any sick leave on full pay granted to such an employee during such period shall be deemed to have been granted under this Determination;

(b) "incapacity" means inability to work owing to any sickness or injury other than that caused by an employee's own misconduct: Provided that any inability to work caused by an accident for which compensation is payable under the Workmen's Compensation Act, 1941, shall be deemed to be incapacity only in respect of any period of inability to work for which no disablement payment is payable in terms of that Act.

8. PUBLIC HOLIDAYS AND SUNDAYS.

(1) Subject to the provisions of clause 4 (6), if an employee does not work on New Year's Day, Good Friday, Ascension Day, the Day of the Covenant or Christmas Day, his employer shall pay him for the week in which such day falls not less than his weekly wage.

(2) Whenever an employee works on Good Friday, Ascension Day, the Day of the Covenant, Christmas Day or New Year's Day his employer shall, save as provided in clause 4 (6), pay him for the week in which such day falls not less than his weekly wage, plus an amount calculated at a rate not less than his ordinary wage in respect of the total period worked by him on such day: Provided that where such an employee is required or permitted to work for less than four hours on such day, he shall be deemed to have worked for four hours.

(3) *Compensation for Work on a Sunday.*—Whenever an employee, other than a shift worker, works on a Sunday, his employer shall either—

(a) pay the employee—

(i) if he so works for a period not exceeding four hours, not less than his daily wage;

(ii) if he so works for a period exceeding four hours, at a rate not less than double his ordinary wage in respect of the total period worked by him on such Sunday or

(iii) dat waar 'n werkgewer by enige wet verplig word om gelde vir die hospitaal- of mediese behandeling ten opsigte van 'n werknemer te betaal, en hy sodanige gelde wel betaal, die bedrag aldus betaal, afgetrek mag word van die betaling wat ooreenkomstig hierdie klousule ten opsigte van afwesigheid weens ongeskiktheid verskuldig is;

(iv) dat, indien 'n werkgewer by enige ander wet verplig word om aan 'n werknemer sy volle loon te betaal ten opsigte van enige tydperk van ongeskiktheid wat deur hierdie klousule gedek word, die bepalings van hierdie klousule nie van toepassing is nie.

(2) 'n Werkgewer mag as 'n voorafgestelde voorwaarde vir sy betaling van enige bedrag wat kragtens hierdie klousule deur 'n werknemer geëis word ten opsigte van enige afwesigheid van sy werk vir 'n tydperk van langer as een dag, van die werknemer vereis om 'n sertifikaat, deur 'n mediese praktisinor onderteken, in te dien wat die aard en duur van die werknemer se ongeskiktheid bevestig: Met dien verstande dat, wanneer 'n werknemer gedurende enige tydperk van tot agt weke, by twee of meer geleenthede betaling kragtens hierdie klousule ontvang het, mag sy werkgewer gedurende die daaropvolgende tydperk van agt weke van hom vereis om sodanige sertifikaat ten opsigte van enige afwesigheid voor te lê.

(3) Waar 'n werknemer gedurende die eerste tydkring van vier-en-twintig maande diens by dieselfde werkgewer weens ongeskiktheid afwesig is vir 'n tydperk van langer as enige siekteverlof wat ten tyde van sodanige ongeskiktheid opgeloo het, is hy slegs geregtig op betaling ten opsigte van die verlof wat aldus opgeloo het, maar sy werkgewer moet, as hy dit nie reeds gedoen het nie, by die verstryking van genoemde dienstydkring of by diensbeëindiging voor sodanige verstryking, hom ten opsigte van sodanige langer tydperk van afwesigheid weens ongeskiktheid betaal in dié mate waarin siekteverlof wat by sodanige verstryking of beëindiging opgeloo het, nie geneem is nie.

(4) Vir die toepassing van hierdie klousule word die uitdrukking—

(a) „diens” geag enige tydperk of tydperke in te sluit wat 'n werknemer afwesig is—

(i) met verlof ooreenkomstig klousule 6;

(ii) op las of op die versoek van sy werkgewer;

(iii) met siekteverlof ooreenkomstig subklousule (1);

(iv) terwyl hy militêre opleiding ondergaan;

wat altesaam hoogstens tien weke in 'n jaar beïoep ten opsigte van items (i), (ii) en (iii), plus enige tydperk van militêre opleiding van hoogstens drie maande wat in dié jaar ondergaan is, en enige tydperk wat 'n werknemer by dieselfde werkgewer in diens was onmiddellik voor die inwerkingtreedingsdatum van hierdie Vasstelling, word vir die toepassing van hierdie klousule geag diens ooreenkomstig hierdie Vasstelling te wees, en enige siekteverlof met volle besoldiging wat gedurende sodanige tydperk aan sodanige werknemer verleen is, word geag kragtens hierdie Vasstelling verleen te gewees het;

(b) beteken „ongeskiktheid” onvermoë om te werk weens enige siekte of besering uitgesonderd dié wat deur 'n werknemer se eie wangedrag veroorsaak is: Met dien verstande dat enige ongeskiktheid om te werk wat deur 'n ongeluk veroorsaak is waarvoor skadeloosstelling ingevolge die Ongevallewet, 1941, betaalbaar is, geag word ongeskiktheid te wees slegs ten opsigte van enige tydperk van ongeskiktheid om te werk waarvoor geen ongeskiktheidsbetaling ingevolge daardie Wet betaalbaar is nie.

8. OPENBARE VAKANSIEDAE EN SONDAE.

(1) Behoudens die bepalings van klousule 4 (6), moet 'n werkgewer aan sy werknemer, indien hy nie op Nuwejaarsdag, Goëie Vrydag, Hemelvaartdag, Geloftedag of Kersdag werk nie, minstens sy weekloon betaal vir die week waarin sodanige dag val.

(2) Wanneer 'n werknemer op Nuwejaarsdag, Goëie Vrydag, Hemelvaartdag, Geloftedag of Kersdag werk, moet sy werkgewer hom, behoudens die bepalings van klousule 4 (6), minstens sy weekloon betaal vir die week, waarin sodanige dag val, plus 'n bedrag van minstens sy gewone loon ten opsigte van die totale tydperk wat hy op sodanige dag gewerk het: Met dien verstande dat, waar daar van sodanige werknemer vereis word of hy toegelaat word om vir minder as vier uur op sodanige dag te werk, hy geag word vier ure te gewerk het.

(3) *Vergoeding vir werk op 'n Sondag.*—Wanneer 'n werknemer, uitgesonderd 'n skofwerker, op 'n Sondag werk, moet sy werkgewer of—

(a) aan die werknemer—

(i) indien hy vir 'n tydperk van hoogstens vier uur aldus werk, minstens sy dagloon betaal;

(ii) indien hy vir 'n tydperk van langer as vier uur aldus werk teen 'n tarief van minstens dubbel sy gewone loon betaal ten opsigte van die totale tydperk wat hy op sodanige Sondag werk, of minstens dubbel sy dag-

(4) Whenever a shift worker works on a Sunday, his employer shall pay him not less than one and one-third times his hourly wage for each hour or part of an hour worked by him on such Sunday: Provided that where such an employee is required or permitted to work for less than four hours on such Sunday, he shall be deemed to have worked for four hours.

(5) Whenever a shift worker works on his day of rest, his employer shall pay him not less than double his hourly wage for each hour or part of an hour worked by him on such day of rest: Provided that where such an employee is required or permitted to work for less than four hours on such day of rest, he shall be deemed to have worked for four hours.

(6) Whenever a shift worker works on a shift which falls partly on any public holiday mentioned in sub-clause (1) or on a Sunday or on his day of rest and partly on any other calendar day, the whole shift shall be deemed to have been worked on the calendar day on which more than half the hours of such shift fall.

(7) This clause shall not apply to a smallgoodsman or bacon curer or to a senior managerial, professional or administrative employee if and for so long as such an employee is in receipt of regular remuneration at a rate of not less than R180 per month or to a casual employee or a watchman.

9. PIECE-WORK AND COMMISSION WORK.

(1) An employer may, after at least one week's notice to his employee, introduce any piece-work system and, save as provided in clause 4 (6), the employer shall pay such employee, who is employed on such piece-work system, remuneration at the rates applicable under such system: Provided that, irrespective of the quantity of work done, the employer shall pay such employee not less than—

(a) in the case of an employee other than a casual employee, in respect of each week in which piece-work is performed, the amount which he would have been required to pay such employee for that week had he been remunerated on the basis of time worked;

(b) in the case of a casual employee, in respect of each day on which piece-work is performed the amount which he would have been required to pay such employee for that day had he been remunerated on the basis of time worked.

(2) An employer shall keep posted up in a conspicuous place in his establishment a schedule of the rates referred to in sub-clause (1).

(3) An employer who intends to cancel or amend any piece-work system in operation or the rates applicable thereunder shall give his employee employed on such system not less than one month's notice of such intention: Provided that an employer and his employee may agree on a longer period of notice, in which case the employer shall give not less than the period of notice agreed upon.

(4) Notwithstanding anything to the contrary in this clause, an employer need not give a casual employee notice of his intention to introduce any piece-work system or to cancel or amend it.

10. PROHIBITION OF EMPLOYMENT.

An employer shall not employ any person under the age of fifteen years.

11. UNIFORMS, OVERALLS AND PROTECTIVE CLOTHING.

An employer shall supply and maintain in serviceable and clean condition, free of charge, any uniform, overall, gumboots or other protective clothing which he requires his employee to wear or which by any law or regulation he is compelled to provide for his employee and any such uniform, overall, gumboots or other protective clothing shall remain the property of the employer: Provided that an employer may require an employee to launder any such uniform, overall or protective clothing in which event the employer shall pay such employee an allowance of not less than 10 cents every week.

12. TERMINATION OF CONTRACT OF EMPLOYMENT.

(1) An employer or his employee, other than a casual employee, who desires to terminate the contract of employment, shall give—

(a) during the first four weeks of employment, not less than one work day's,

(b) after the first four weeks of employment, not less than one week's,

notice of termination of contract, or an employer or employee may terminate the contract without notice by paying the employee or paying or forfeiting to the employer, as the case may be, in

(4) Wanneer 'n skofwerker op 'n Sondag werk, moet sy wer gewer hom minstens een en 'n derde maal sy uurloon betaal vir elke uur of gedeelte van 'n uur wat hy aldus op sodanige Sondag gewerk het: Met dien verstande dat waar daar van so 'n werknemer vereis word of hy toegelaat word om vir minder as vier uur op sodanige Sondag te werk, hy geag word vier uur te gewerk het.

(5) Wanneer 'n skofwerker op sy rusdag werk, moet sy wer gewer hom minstens dubbel sy uurloon betaal vir elke uur of gedeelte van 'n uur aldus op sodanige rusdag gewerk: Met dien verstande dat waar daar van so 'n werknemer vereis word of hy toegelaat word om vir minder as vier uur op sodanige rusdag te werk, hy geag word vier uur te gewerk het.

(6) Wanneer 'n skofwerker 'n skof werk wat gedeeltelik op 'n openbare vakansiedag wat in subklousule (1) genoem word of op 'n Sondag of op sy rusdag en gedeeltelik op 'n ander kalenderdag val, word hy geag die hele skof te gewerk het op die kalenderdag waarop meer as die helfte van die ure van sodanige skof val.

(7) Hierdie klousule is nie op 'n kleingoederwerker of 'n spekbereider of op 'n senior bestuurs-, professionele of administratiewe werknemer van toepassing nie indien en solank sodanige werknemer 'n gereelde besoldiging teen 'n tarief van minstens R180 per maand ontvang of op 'n los werknemer of op 'n wag

9. STUKWERK EN KOMMISSIEWERK.

(1) 'n Werkgewer mag, na minstens een week kennisgewing aan sy werknemer, 'n stukwerkstelsel invoer en die werkgewer moet behoudens die bepalings van klousule 4 (6), sodanige werknemer wat volgens sodanige stukwerkstelsel werk, besoldig teen die lone wat volgens sodanige stelsel van toepassing is: Met dien verstande dat die werkgewer sodanige werknemer minstens die volgende moet betaal, afgesien van die hoeveelheid werk wat verrig is:—

(a) In die geval van 'n werknemer, uitgesonderd 'n los werknemer, ten opsigte van elke week waarin stukwerk verrig word, die bedrag wat hy sodanige werknemer vir daardie week sou moes betaal het as hy op die grondslag van tyd wat daar gewerk is, besoldig was;

(b) in die geval van 'n los werknemer, ten opsigte van elke dag waarop stukwerk verrig word, die bedrag wat hy sodanige werknemer vir daardie dag sou moes betaal het as hy op die grondslag van tyd wat gewerk is, besoldig was.

(2) 'n Werkgewer moet 'n lys van die lone in subklousule (1) genoem, in 'n opvallende plek in sy bedryfsinrigting opgeplak hou.

(3) 'n Werkgewer wat voornemens is om 'n bestaande stukwerkstelsel of die lone wat daarvolgens van toepassing is, in te trek of te wysig, moet sy werknemer wat volgens sodanige stelsel werk, minstens een maand vooraf van sodanige voorneme kennis gee: Met dien verstande dat 'n werkgewer en sy werknemer oor 'n langer tydperk van kennisgewing mag ooreenkom, en dan moet die werkgewer minstens dié tydperk waaroor daar ooreengekom is, kennis gee.

(4) Ondanks andersluidende bepalings in hierdie klousule, hoef 'n werkgewer nie 'n los werknemer kennis te gee van sy voorneme om 'n stukwerkstelsel in te voer, in te trek of te wysig nie.

10. VERBOD OP INDIENSNEMING.

'n Werkgewer mag niemand onder die ouderdom van vyftien jaar in diens neem nie.

11. UNIFORMS, OORPAKKE EN BESKERMENDE KLERE.

'n Werkgewer moet enige uniform, oorpak, oorskoene of ander beskermende klere wat hy van sy werknemer vereis om te dra, of wat hy by enige wet of regulasie verplig is om aan sy werknemer te verskaf, gratis verskaf en in 'n bruikbare en skoon toestand hou, en sodanige uniform, oorpak, oorskoene of ander beskermende klere bly die eiendom van die werkgewer: Met dien verstande dat 'n werkgewer kan vereis dat 'n werknemer sodanige uniform, oorpak of beskermende klere was, en dan moet die werkgewer so 'n werknemer 'n toelae van minstens 10 sent elke week betaal.

12. BEÏNDIGING VAN DIENSKONTRAK.

(1) 'n Werkgewer of sy werknemer, uitgesonderd 'n los werknemer, wat die dienskontrak wil beëindig, moet—

(a) gedurende die eerste vier weke diens, minstens een werkdag vooraf kennis gee,

(b) na die eerste vier weke diens, minstens een week vooraf kennis gee,

van die beëindiging van die kontrak, of 'n werkgewer of werknemer mag die kontrak sonder kennisgewing beëindig deur, in plaas van sodanige kennisgewing, minstens die volgende aan die werknemer te betaal of die werkgewer te betaal of te verbeur, na gelang van die geval:—

(a) In die geval waar een werkdag kennis gegee moet word

- (ii) any written agreement between an employer and his employee which provides for a period of notice of equal duration on both sides and for longer than that prescribed in this clause;
- (iii) the operation of any forfeitures or penalties which by law may be applicable in respect of an employee who deserts:

provided further that where the wage of an employee at the date of termination has been reduced by deductions in respect of short-notice, the expression "is receiving at the time of such termination" shall, when an employer pays an employee in lieu of notice, be deemed to mean "would have received at the time of such termination if no deductions had been made in respect of short-notice".

(2) Where there is an agreement in terms of the second proviso of sub-clause (1), the payment or forfeiture in lieu of notice shall correspond to the period of notice agreed upon.

(3) The notice prescribed in sub-clause (1) may be given on any work day: Provided—

- (i) that the period of notice shall not run concurrently with, nor shall notice be given during, an employee's absence on leave granted in terms of clause 6 or any period of military training;
- (ii) that notice shall not be given during an employee's absence on sick leave granted in terms of clause 7.

13. CERTIFICATE OF SERVICE.

An employer shall upon termination of the contract of employment, other than through the desertion of an employee, furnish to his employee, other than a casual employee, with a certificate of service, substantially in the form prescribed in the Schedule to this Determination, showing the full names of the employer and his employee, the occupation of the employee, the date of commencement and the date of termination of the contract and the employee's weekly wage at the date of such termination.

SCHEDULE.

I/We(a),carrying on trade in the Cold Storage, Bacon Curing and Small Goods Manufacturing certify that..... hereby certify that..... was employed by me/us(a) from the..... day of..... 19..... to the..... day of..... 19..... in the occupation of (b)..... At the termination of employment his/her(a) wage was..... rand..... cents per week.

(Signature of Employer or Authorised Representative.)

Date.....

- (a) Delete whichever inapplicable.
- (b) State occupation in which employee was wholly or mainly engaged, e.g., clerk, grade III employee, labourer.

No. R. 961.]

[28 June 1963.]

WAR MEASURES ACT, 1940.

SUSPENSION OF PAYMENT OF COST OF LIVING ALLOWANCES PAYABLE UNDER WAR MEASURE No. 43 OF 1942, AS AMENDED.

COLD STORAGE, BACON CURING AND SMALL GOODS MANUFACTURING INDUSTRY, CERTAIN AREAS.

On behalf of the Minister of Labour, I, MARAIS VILJOEN, Deputy-Minister of Labour, in terms of sub-regulation (1) of regulation 4 of the regulations published under War Measure No. 43 of 1942, as amended, hereby suspend the operation of the said regulations in respect of all employees for whom wages are prescribed in clause 3

- (ii) 'n skriftelike ooreenkoms tussen 'n werkgewer en sy werknemer wat voorsiening maak vir 'n tydperk van kennisgewing wat vir albei partye ewe lank en langer is as dié wat in hierdie klousule voorgeskryf word;
- (iii) die inwerkingtreding van verbeurings of boetes wat by wet van toepassing mag wees ten opsigte van 'n werknemer wat dros;

En voorts met dien verstande dat waar die loon van 'n werknemer ten tyde van diensbeëindiging verlaag is weens aftrekkings ten opsigte van korttyd, die uitdrukking "ten tyde van sodanige beëindiging ontvang" in gevalle waar 'n werkgewer 'n werknemer betaal in plaas daarvan om hom kennis te gee, geag word te beteken "sou ontvang het ten tyde van sodanige beëindiging indien geen bedrae ten opsigte van korttyd afgetrek is nie".

(2) Waar daar 'n ooreenkoms kragtens die tweede voorbehoudsbepaling, van subklousule (1) bestaan, moet die betaling of verbeuring in plaas van kennisgewing ooreenstem met die tydperk van kennisgewing waarvoor daar ooreengekom is.

(3) Die kennisgewingtermyn wat in subklousule (1) voorgeskryf word, mag op enige werkdag gegee word: Met dien verstande—

- (i) dat die kennisgewingtermyn nie mag saamval nie met, of dat kennis nie gegee mag word nie gedurende 'n werknemer se afwesigheid met verlof wat ooreenkomstig klousule 6 verleen is of enige tydperk van militêre opleiding;
- (ii) dat kennis nie gegee mag word nie gedurende 'n werknemer se afwesigheid met siekteverlof wat ooreenkomstig klousule 7 verleen is.

13. DIENSSERTIFIKAAT.

'n Werkgewer moet by die beëindiging van die dienskontrak, uitgesonderd diensbeëindiging weens die dros van 'n werknemer, aan sy werknemer, uitgesonderd 'n los werknemer, 'n dienssertifikaat verskaf wat wesenlik in die vorm is soos in die Bylae van hierdie Vasstelling voorgeskryf, wat die volle naam van die werkgewer en sy werknemer, die beroep van die werknemer, die datum waarop die kontrak in werking getree het en die datum waarop dit beëindig is en die werknemer se weekloon op die datum van sodanige beëindiging moet vermeld.

BYLAE.

Ek/Ons (a) wat sake doen in die Koelkamer-, Spekberediging- en Klein-goederenyerwerheid te..... sertifiseer hierby dat..... by my/ons in diens was (a) vanaf die..... dag van..... 19..... tot die..... dag van..... 19..... in die beroep van (b)..... By diensbeëindiging was sy/haar (a) loon..... rand..... sent per week.

(Handtekening van Werkgewer of gemagtigde Verteenwoordiger.)

Datum.....

- (a) Skrap wat nie van toepassing is nie.
- (b) Vermeld beroep waarin werknemer uitsluitlik of hoofsaaklik werksaam was, bv. klerk, werknemer, graad III, arbeider.

No. R. 961.]

[28 Junie 1963.]

WET OP OORLOGSMAATREËLS, 1940.

OPSKORTING VAN BETALING VAN LEWENS-KOSTETOELAE BETAALBAAR INGEVOLGE OORLOGSMAATREËL No. 43 VAN 1942, SOOS GEWYSIG.

KOELKAMER-, SPEKBEREIDING- EN KLEIN-GOEDERENYWERHEID, SEKERE GEBIEDE.

Namens die Minister van Arbeid, skort ek, MARAIS VILJOEN, Adjunk-minister van Arbeid, kragtens die bepalings van subregulasie (1) van regulasie 4 van die regulasies gepubliseer by Oorlogsmaatreël No. 43 van 1942, soos gewysig, hierby die toepassing van genoemde regulasies op ten opsigte van alle werknemers vir wie

No. R. 962.] [28 June 1963.
**FACTORIES, MACHINERY AND BUILDING WORK
 ACT, 1941, AS AMENDED.**

**COLD STORAGE, BACON CURING AND SMALL
 GOODS MANUFACTURING INDUSTRY, CER-
 TAIN AREAS.**

On behalf of the Minister of Labour, I, MARAIS VILJOEN, Deputy-Minister of Labour, in terms of sub-section (1) of section *twenty-two* of the Factories, Machinery and Building Work Act, 1941, as amended, declare the provisions of the Determination for the Cold Storage, Bacon Curing and Small Goods Manufacturing Industry published under Government Notice No. 960 of the 28th June, 1963, on the whole to be not less favourable to the employees whose hours of work and remuneration in respect of overtime, public holidays and work on Sundays and public holidays are regulated thereby than the relative provisions of the said Act.

M. VILJOEN,
 Deputy-Minister of Labour,

No. R. 962.] [28 Junie 1963
**WET OP FABRIEKE, MASJINERIE EN BOUWERK
 1941, SOOS GEWYSIG.**

**KOELKAMER-, SPEKBEREIDING- EN KLEIN-
 GOEDERENYWERHEID, SEKERE GEBIEDE.**

Namens die Minister van Arbeid, verklaar ek, MARAIS VILJOEN, Adjunk-minister van Arbeid, kragtens subartike (1) van artikel *twee-en-twintig* van die Wet op Fabriek Masjinerie en Bouwerk, 1941, soos gewysig, dat die bepalings van die Vasstelling vir die Koelkamer-, Spek bereiding- en Kleingoederenrywerheid gepubliseer by Goewermenskennisgewing No. 960 van 28 Junie 1963 oor die algemeen nie vir die werknemers wie se werke en beloning ten opsigte van oortyd, openbare feesdae en werk op Sondae en openbare feesdae daarby gereël word minder gunstig as die desbetreffende bepalings van genoemde Wet is nie.

M. VILJOEN,
 Adjunk-minister van Arbeid.

CONTENTS.

No.	Department of Labour. GOVERNMENT NOTICES.	PAGE
R. 960.	Wage Determination No. 240: Cold Storage, Bacon Curing and Small Goods Manufacturing Industry, Certain Areas	1
R. 961.	Suspension of Payment of Cost of Living Allowances Payable Under War Measure No. 43 of 1942: Cold Storage, Bacon Curing and Small Goods Manufacturing Industry, Certain Areas	17
R. 962.	Factories, Machinery and Building Work Act, 1941: Cold Storage, Bacon Curing and Small Goods Manufacturing Industry, Certain Areas	18

INHOUD.

No.	Departement van Arbeid. GOEWERMENSKENNISGEWINGS.	BLADSY
R. 960.	Loonvasstelling No. 240: Koelkamer-, Spekbereiding- en Kleingoederenrywerheid, Sekere Gebiede	1
R. 961.	Opskorting van Betaling van Lewenskostoelae Betaalbaar Ingevolge Oorlogsmaatreël No. 43 van 1942: Koelkamer-, Spekbediening- en Kleingoederenrywerheid, Sekere Gebiede	17
R. 962.	Wet op Fabriek, Masjinerie en Bouwerk, 1941: Koelkamer-, Spekbereiding- en Kleingoederenrywerheid, Sekere Gebiede	18

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WORD NOU 'N INTEKENAAR OP DIE MAANDBULLETIN!

en bestel die Buro se publikasies.

IT PAYS YOU WELL TO SAVE!

SAVE

- ★ FOR YOUR FAMILY'S FUTURE!
- ★ FOR YOUR OWN HOME!
- ★ FOR YOUR RETIREMENT!
- ★ FOR ALL EMERGENCIES!

POST OFFICE SAVINGS BANK

The Post Office Savings Bank earns $2\frac{1}{2}\%$ interest on the monthly balance, of which interest up to R100 per annum is *Free of Income Tax*.

The first deposit need to be no more than 10c. Such an account is very handy in times of emergency or when on holiday, as deposits or withdrawals can be made at any Post Office in the Republic.

Not more than R4,000 may be deposited by one person during a financial year

DIT BETAAL U OM TE SPAAR!

SPAAR

- ★ VIR U FAMILIE SE TOEKOMS!
- ★ VIR U EIE HUIS!
- ★ VIR U AFTREDE!
- ★ VIR ALLE GEVALLE VAN NOOD!

POSSPAARBANK

Die Posspaarbank verdien $2\frac{1}{2}\%$ rente op die maandelikse balans, waarvan tot R100 per jaar van die rente van *Inkomstebelasting Vrygestel* is.

Die eerste belegging hoef nie meer as 10c te wees nie. So 'n rekening is baie handig in tye van nood of wanneer met vakansie, omdat stortings en terugvorderings by enige Poskantoor in die Republiek gedoen kan word.