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[No. 595.]

PROKLAMASIES

VAN DIE STAATSPRESIDENT VAN DIE REPUBLIEK VAN
SUID-AFRIKA.

No. R. 254, 1963.]

DATUM VAN INWERKINGTREDING VAN DIE
WYSIGINGSWET OP DIE BEHEER VAN
EFFEKTE-TRUSTSKEMA, 1962 (WET No. 11
VAN 1962), EN DIE WYSIGINGSWET OP DIE
BEHEER VAN EFFEKTE-TRUSTSKEMAS, 1963
(WET No. 65 VAN 1963).

Kragtens die bevoegdheid my verleen by artikel *drie-en-veertig* van die Wysigingswet op die Beheer van Effekte-trustskemas, 1962 (Wet No. 11 van 1962), en artikel *elf* van die Wysigingswet op die Beheer van Effekte-trustskemas, 1963 (Wet No. 65 van 1963), verklaar ek hierby dat al die bepalings van genoemde Wette in werking tree op die datum van publikasie van hierdie Proklamasie.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Pretoria, op hede die Veertiende dag van Augustus Eenduisend Negehoenderd Drie-en-sestig.

C. R. SWART,
Staatpresident.

Op las van die Staatspresident-in-rade.

T. E. DÖNGES.

No. R. 255, 1963.]

DROEVrugTESKEMA.—WYSIGING.

Nademaal die Minister van Landbou-ekonomie en -bemarking, ingevolge die bepalings van subartikel (4) van artikel *drie-en-twintig*, gelees met paragraaf (c) van subartikel (3) van artikel *sewentien* van die Bemarkingswet, 1937 (Wet No. 26 van 1937), soos gewysig, die voorgestelde wysiging, soos in die Bylae hiervan uiteengesit, van die Droëvrugteskema gepubliseer in die Bylae van Proklamasie No. R. 302 van 1962, aangeneem het en kragtens paragraaf (b) van subartikel (1) van artikel *een-en-twintig* van genoemde Wet, goedkeuring van daardie voorgestelde wysiging aanbeveel het;

So is dit dat ek, kragtens die bevoegdheid my verleen by paragraaf (a) van subartikel (1) van artikel *twee-en-twintig*, gelees met subartikel (4) van artikel *drie-en-twintig* van genoemde wet, hierby verklaar dat genoemde wysiging op die datum van publikasie hiervan in werking tree.

A—4370674

PROCLAMATIONS

BY THE STATE PRESIDENT OF THE REPUBLIC OF
SOUTH AFRICA.

No. R. 254, 1963.]

DATE OF COMMENCEMENT OF THE UNIT
TRUSTS CONTROL AMENDMENT ACT, 1962
(ACT No. 11 OF 1962), AND THE UNIT TRUSTS
CONTROL AMENDMENT ACT, 1963 (ACT No.
65 OF 1963).

Under the powers vested in me by section *forty-three* of the Unit Trusts Control Amendment Act, 1962 (Act No. 11 of 1962), and section *eleven* of the Unit Trusts Control Amendment Act, 1963 (Act No. 65 of 1963), I do hereby declare that all the provisions of the said Acts shall come into operation on the date of publication of this Proclamation.

Given under my Hand and the Seal of the Republic of South Africa at Pretoria on this Fourteenth day of August, One thousand Nine hundred and Sixty-three.

C. R. SWART,
State President.

By Order of the State President-in-Council.

T. E. DÖNGES.

No. R. 255, 1963.]

DRIED FRUIT SCHEME.—AMENDMENT.

Whereas the Minister of Agricultural Economics and Marketing has, by virtue of the provisions of sub-section (4) of section *twenty-three*, read with paragraph (c) of sub-section (3) of section *seventeen* of the Marketing Act, 1937 (Act No. 26 of 1937), as amended, accepted the proposed amendment, as set out in the Schedule hereto, to the Dried Fruit Scheme published in the Schedule to Proclamation No. R. 302 of 1962, and has in terms of the provisions of paragraph (b) of sub-section (1) of section *twenty-one* of the said Act recommended the approval of the said proposed amendment;

Now, therefore, under the powers vested in me by paragraph (a) of sub-section (1) of section *twenty-two*, read with sub-section (4) of section *twenty-three* of the said Act, I do hereby declare that the said amendment shall come into operation on the date of publication hereof.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Pretoria, op hede die Ses-en-twintigste dag van Augustus Eenduisend Negehoenderd drie-en-sestig.

C. R. SWART,
Staatspresident.

Op las van die Staatspresident-in-rade.

D. C. H. UYS.

BYLAE.

Die Droëvrugteskema, afgekondig by Proklamasie No. R. 302 van 1962, word hierby gewysig deur in artikel een daarvan die uitdrukking "sluit 'droëvrugte' neute in, maar nie dadels nie en beteken" deur die uitdrukking "sluit 'droëvrugte' nie neute en dadels in nie en beteken" te vervang.

GOEWERMENSKENNISGEWINGS.

DEPARTEMENT VAN FINANSIES.

No. R. 1378.]

[6 September 1963.

Kragtens die bevoegdheid my verleen by artikel veertig van die Wet op Beheer van Effektetrustskemas, 1947 (Wet No. 18 van 1947), soos gewysig, herroep ek, THEOPHILUS EBENHAEZER DÖNGES, Minister van Finansies, hierby die regulasies afgekondig by Goewermentskennisgewing No. 2697 van 24 Desember 1947 en vaardig ek onderstaande regulasies uit.

T. E. DÖNGES,
Minister van Finansies.

REGULASIES KRAGTENS DIE WET OP BEHEER VAN EFFEKTETRUSTSKEMAS, 1947, SOOS GEWYSIG.

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

- het alle uitdrukkings dieselfde betekenis as in die Wet;
- beteken „die Wet” die Wet op Beheer van Effektetrustskemas, 1947, soos gewysig;
- beteken „artikel” ’n artikel van die Wet; en
- is enige regulasie gemaak kragtens of vir die doeleindes van ’n bepaling van die Wet wat by artikel vyf-en-dertig van toepassing gemaak word op en ten aansien van ’n bestuursmaatskappy in eiendomsaandeel en ’n trustee ingevolge ’n effektetrustskema in eiendomsaandeel, ewe-eens van toepassing op so ’n bestuursmaatskappy en trustee.

APPELLE BY DIE MINISTER INGEVOLGE ARTIKEL twee.

2. Iemand wat, soos by artikel twee bepaal, by die Minister appèl wil aanteken teen ’n beslissing van die Registrateur, moet binne een maand na die bekendmaking van die betrokke beslissing, ’n skriftelike kennisgewing van appèl by die Registrateur indien wat duidelik die beslissing waarteen hy wil appelleer en die gronde vir die appèl uiteensit.

3. By ontvangs van die kennisgewing van appèl in regulasie 2 genoem, moet die Registrateur ’n opgawe van die redes vir sy beslissing opstel. Die Registrateur moet ’n afskrif van die opgawe per geregistreerde pos aan die appellante stuur en die appellante versoek om binne 30 dae na afsending van die opgawe, of binne sodanige verdere tydperk as wat die Registrateur op aansoek vóór die verstryking van genoemde 30 dae mag goedkeur, skriftelik te verklaar of hy voornemens is om met sy appèl voort te gaan al dan nie.

Given under my Hand and the Seal of the Republic of South Africa at Pretoria on the Twenty-sixth day of August, One thousand Nine hundred and Sixty-three.

C. R. SWART,
State President.

By Order of the State President-in-Council.

D. C. H. UYS.

SCHEDULE.

The Dried Fruit Scheme, published by Proclamation No. R. 302 of 1962, is hereby amended by the substitution in section one thereof for the expression "dried fruit" includes nuts but not dates; of the expression "dried fruit" does not include nuts and dates;".

GOVERNMENT NOTICES.

DEPARTMENT OF FINANCE.

No. R. 1378.]

[6 September 1963.

Under the powers conferred upon me by section forty of the Unit Trusts Control Act, 1947 (Act No. 18 of 1947), as amended, I, THEOPHILUS EBENHAEZER DÖNGES, Minister of Finance, hereby repeal the regulations published under Government Notice No. 2697, dated 24th December, 1947, and make the following regulations.

T. E. DÖNGES,
Minister of Finance.

REGULATIONS UNDER THE UNIT TRUSTS CONTROL ACT, 1947, AS AMENDED.

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

- all expressions shall have the same meanings as in the Act;
- "the Act" means the Unit Trusts Control Act, 1947, as amended;
- "section" means a section of the Act; and
- any regulations made under or for the purposes of any provision of the Act which is by section thirty-five applied to and in respect of a management company in property shares and a trustee under a unit trust scheme in property shares, shall likewise apply to such a management company and trustee.

APPEALS TO THE MINISTER UNDER SECTION two.

2. Any person who desires to appeal to the Minister, as provided in section two, against any decision of the Registrar shall within one month after the pronouncement of the decision at issue, lodge a written notice of appeal with the Registrar, which shall clearly set out the decision it is desired to appeal against and the grounds for the appeal.

3. Upon receipt of the notice of appeal mentioned in regulation 2 the Registrar shall prepare a statement of the reasons for his decision. The Registrar shall despatch a copy of the statement to the appellant by registered post, and require the appellant to declare, in writing, within 30 days of the despatch of the statement, or within such further period as the Registrar may, upon application before the expiry of the said 30 days, approve, whether he proposes to continue with his appeal or not.

4. Indien die appellant verklaar dat hy nie van voorneme is om met sy appèl voort te gaan nie of indien hy die Registrateur nie binne die tydperk in regulasie 3 voorgeskryf van 'n antwoord voorsien nie, verval die appèl.

5. Indien die appellant binne die tydperk in regulasie 3 voorgeskryf, verklaar dat hy van voorneme is om met sy appèl voort te gaan, moet hy tesame met sy verklaring 'n antwoord op die opgawe in regulasie 3 genoem, by die Registrateur indien.

6. By ontvangs van die appellant se verklaring en antwoord moet die Registrateur so gou doenlik aan die Minister die volgende deurstuur:—

- (a) Die kennisgewing van appèl in regulasie 2 genoem;
- (b) die opgawe deur hom opgestel en in regulasie 3 genoem;
- (c) die verklaring en antwoord in regulasie 5 genoem; en
- (d) alle ander dokumente wat ter sake is.

7. Die Minister kan die appellant of die Registrateur versoek om hom skriftelik van enige verdere of ander inligting te voorsien wat hy nodig mag ag vir 'n regverdige beslissing oor die appèl.

8. By ontvangs van die Minister se bekendmaking van sy beslissing oor die appèl, moet die Registrateur onmiddellik die beslissing per geregistreerde pos aan die appellant meedeel.

APPELLE BY DIE HOOGGEREGSHOF INGEVOLGE ARTIKEL *sewe*.

9. Indien 'n bestuursmaatskappy uit hoofde van sub-artikel (3) van artikel *sewe* van die Wet by die Hooggeregshof teen die Minister se beslissing appèl wil aanteken, moet hy binne een maand nadat sodanige beslissing aan sy sekretaris of ander verteenwoordiger meegedeel is, skriftelike kennisgewing van appèl indien by die Griffier van die Provinsiale of Plaaslike Afdeling van die Hooggeregshof met jurisdiksie op die plek waar die hoofkantoor van die bestuursmaatskappy geleë is en moet hy tegelykertyd ware afskrifte van sodanige kennisgewing by die Minister en die Registrateur van Effektetrustmaatskappye indien.

10. Sodanige kennisgewing moet 'n beknopte uiteensetting bevat van die hoofinhoud van die Minister se beslissing waarteen geappelleer word asook van die redes waarom die appellant beweer dat sodanige beslissing ter syde gestel of gewysig moet word en in hoeverre of hoedanig die beslissing volgens die mening van die appellant gewysig moet word.

11. Die appellant moet by die indiening van die kennisgewing van appèl sekerheid stel vir 'n bedrag wat na die mening van die Griffier van die Hof toereikend sal wees om te voldoen aan sodanige bevel ten aansien van koste as wat die Hof mag uitreik.

12. Binne een maand nadat die Registrateur van Effektetrustmaatskappye die afskrif van die kennisgewing waarna in regulasies 9 en 10 verwys word, ontvang het, moet hy aan die Griffier van die betrokke Hooggeregshof 'n verslag verstrek waarin hy die ter sake dienende feite en omstandighede, soos aan hom bekend, uiteensit, met inbegrip van 'n uiteensetting van sy sienswyse oor die geskilpunt.

BESONDERHEDE VAN KAPITAALRESERWE IN STAND GEHOUD DEUR 'N BESTUURSMATSKAPPY OP WIE ARTIKEL *twee-en-veertig* VAN WET NO. 11 VAN 1962 VAN TOEPASSING IS.

13. Elke bestuursmaatskappy op wie artikel *twee-en-veertig* van Wet No. 11 van 1962 van toepassing is, moet binne twee maande (of sodanige langer tydperk as wat die Registrateur op aansoek van die maatskappy mag toelaat) na die afsluiting van elke boekjaar van die maatskappy, die Registrateur van 'n sertifikaat deur die maatskappy se ouditeure voorsien

4. If the appellant declares that he does not propose to continue with his appeal or if he does not furnish the Registrar with a reply within the period prescribed in regulation 3, the appeal shall lapse.

5. If the appellant declares, within the period prescribed in regulation 3, his intention to continue with his appeal, he shall, together with his declaration, lodge with the Registrar a reply to the statement mentioned in regulation 3.

6. Upon receipt of the appellant's declaration and reply the Registrar shall as soon as may be transmit to the Minister—

- (a) the notice of appeal mentioned in regulation 2;
- (b) the statement prepared by him and mentioned in regulation 3;
- (c) the declaration and reply mentioned in regulation 5; and
- (d) all other relevant documents.

7. The Minister may require the appellant or the Registrar to furnish him, in writing, with any further or other information which he may consider necessary for a just decision on the appeal.

8. Upon receipt of the Minister's notification of his decision on the appeal the Registrar shall immediately communicate that decision to the appellant by registered post.

APPEALS TO THE SUPREME COURT UNDER SECTION *seven*.

9. If a management company desires to appeal under sub-section (3) of section *seven* of the Act to the Supreme Court against the Minister's decision, it shall not later than one month after such decision has been communicated to its secretary or other representative, lodge with the Registrar of the Provincial or Local Division of the Supreme Court having jurisdiction in the place where the head office of the management company is situated, written notice of appeal and shall at the same time lodge with the Minister and the Registrar of Unit Trust Companies true copies of such notice.

10. Such notice shall set out concisely the substance of the Minister's decision which is appealed against, the reasons why the appellant contends that such decision should be set aside or varied and to what extent or in what way the appellant claims such decision should be varied.

11. The appellant shall, on lodging notice of appeal, give security for an amount which will in the opinion of the Registrar of the Court be sufficient to satisfy such order in respect of costs as the Court may make.

12. Within one month after receipt by him of the copy of the notice referred to in regulations 9 and 10 the Registrar of Unit Trust Companies shall furnish to the Registrar of the Supreme Court Concerned a report setting out the relevant facts and circumstances as known to him and including a statement of his views on the question at issue.

PARTICULARS OF CAPITAL RESERVE MAINTAINED BY A MANAGEMENT COMPANY TO WHICH SECTION *forty-two* OF ACT NO. 11 OF 1962 APPLIES.

13. Every management company to which section *forty-two* of Act No. 11 of 1962 applies shall within two months (or such longer period as the Registrar may, on application by the company, allow) after the close of each accounting year of the company, furnish to the Registrar a certificate

waarin die volgende besonderhede ten opsigte van die maatskappy verstrek word soos op die afsluiting van elke sodanige boekjaar, te wete—

- (a) die bedrag van sy opbetaalde aandelekapitaal;
 - (b) die bedrag van sy kapitaalreserwe;
- en in gevalle waar die som van die bedrae waarna in (a) en (b) hierbo verwys word minder as vyfhonderdduisend rand is—

- (c) die totale waardes, onderskeidelik, van onderaandeel-sertifikate deur hom uitgereik en in die besit van houters, gewaardeer teen die oorspronklike verkoopprijs daarvan, onder—

- (i) enige effektrustskema waarvan die duur tot tien jaar of minder beperk is of ten opsigte waarvan die bestuursmaatskappy se invorderingsgeld op drie persent of meer van die opbrengs aan die besitters van onderaandeel-sertifikate uitgekeer, te staan kom; en
- (ii) enige ander effektrustskema.

BEREKENING VAN BESTUURSMATSKAPPY SE KAPITAAL-MIDDELE VIR DIE DOELEINDES VAN ARTIKELS drie EN tien.

14. Vir die doeleindeg van paragraaf (b) van subartikel (2) van artikel drie en paragrafe (a) en (b) van subartikel (1) van artikel tien, moet die bestuursmaatskappy se kapitaalmiddele, vir sover as wat sy fondse belê is in die effektrustskema deur hom bestuur, bereken word op die grondslag van die insetprijs van onderaandeel.

INLIGTING WAT DEUR BESTUURSMATSKAPPY INGEVOLGE ARTIKEL tien (1) VERSTREK MOET WORD.

15. Die besonderhede wat ingevolge paragraaf (g) van subartikel (1) van artikel tien in verband met die bestuursmaatskappy se inkomste verstrek moet word, moet onderskei tussen die bruto wins verkry uit 'n appresiasie in die waarde van onderaandeel deur die bestuursmaatskappy van die hand gesit en die bruto wins verkry uit die koop en verkoop van onderaandeel vir die bestuursmaatskappy se eie rekening (tussenmakelaarswerk).

16. Die oorsig van wisselings in die verkoop- en terugkooppryse van onderaandeel voorgeskryf by paragraaf (h) van subartikel (1) van artikel tien, mag in algemene bewoording wees maar die hoogste en die laagste verkooppryse en die hoogste en die laagste terugkooppryse gedurende die betrokke tydperk moet uitdruklik vermeld word.

STUKKE WAT INGEVOLGE ARTIKEL tien (4) BY DIE REGISTRATEUR INGEDIEN MOET WORD.

17. (1) Elke bestuursmaatskappy moet voor die beoogde datum van publikasie daarvan, twee afskrifte van elke advertensie, brosjure of pamflet wat die maatskappy of enigeen van sy gemagtigde agente voornemens is om te publiseer asook van elke voorgenome byvoeging tot of wysiging van 'n advertensie, brosjure of pamflet wat deur hulle gepubliseer is, by die Registrateur indien.

(2) Alle sodanige afskrifte moet voorsien wees of versig gaan van 'n begeleidende sertifikaat, onderteken namens die direkteur van die maatskappy deur 'n direkteur of ander verantwoordelike beampde deur die direkteur daartoe gemagtig ten effekte dat die aangeleenthede waarvan die publikasie in die vooruitsig gestel word, voldoen aan die vereistes van artikel elf of, in gevalle waar die bepalinge van subartikels (1) en (2) van artikel vier-en-dertig van toepassing is, aan die vereistes van daardie bepalinge en van subartikels (1), (2) en (3) van artikel elf.

(3) Geen bestuursmaatskappy mag enige advertensie, brosjure of pamflet wat ingevolge subregulasie (1) by die Registrateur ingedien is, publiseer nie, tensy hy deur die Registrateur meegeedeel is dat hy die bewoording daarvan goedkeur.

(4) Subregulasie (1), (2) en (3) is nie van toepassing nie op 'n publikasie ten aansien waarvan die Registrateur die maatskappy kragtens die voorbehoudsbepaling by subartikel (4) van artikel tien vrystelling verleen het.

by the company's auditors showing the following particulars in respect of the company as at the close of each such accounting year:—

- (a) The amount of its paid-up share capital;
- (b) the amount of its capital reserve;

and in cases where the total of the amounts referred to in (a) and (b) above is less than five hundred thousand rand—

- (c) the total values, respectively, of unit certificates issued by it and in the hands of holders, valued at the original selling price thereof, under—
 - (i) any unit trust scheme the duration whereof is limited to ten years or less or in respect of which the management company's collection charge amounts to three *per centum* or more of the yield distributed to holders of unit certificates; and
 - (ii) any other unit trust scheme.

CALCULATION OF MANAGEMENT COMPANY'S CAPITAL RESOURCES FOR PURPOSES OF SECTIONS three AND ten.

14. For the purposes of paragraph (b) of sub-section (2) of section three and paragraphs (a) and (b) of sub-section (1) of section ten the management company's capital resources shall be calculated, in so far as its funds are invested in the unit trust scheme managed by it, on the basis of the made-up price of units.

INFORMATION TO BE FURNISHED BY MANAGEMENT COMPANY IN TERMS OF SECTION ten (1).

15. The particulars concerning the management company's income to be furnished in terms of paragraph (g) of sub-section (1) of section ten shall distinguish between the gross profit derived from an appreciation in value of units disposed of by the management company and the gross profit derived from the buying and selling of units for the management company's own account (jobbing).

16. The review of fluctuations in the selling and repurchase prices of units prescribed by paragraph (h) of sub-section (1) of section ten may be in general terms but must mention specifically the highest and the lowest selling prices and the highest and the lowest repurchase prices during the period in question.

PAPERS TO BE LODGED WITH THE REGISTRAR IN TERMS OF SECTION ten (4).

17. (1) Every management company shall before the proposed date of publication thereof lodge with the Registrar two copies of every advertisement, brochure or pamphlet proposed to be published by the Company or any of its authorised agents and of every proposed addition to or variation of any advertisement, brochure, or pamphlet published by them.

(2) All such copies shall bear or be accompanied by a covering certificate, signed on behalf of the directors of the company by a director or other responsible officer authorized thereto by the directors, that the matter which it is proposed to publish complies with the requirements of section eleven or, in cases where the provisions of sub-sections (1) and (2) of section thirty-four apply, with the requirements of those provisions and of sub-sections (1), (2) and (3) of section eleven.

(3) No management company shall publish any advertisement, brochure or pamphlet lodged with the Registrar in terms of sub-regulation (1) unless it has received notification from the Registrar that he approves of the terms thereof.

(4) Sub-regulations (1), (2) and (3) shall not apply to any publication in respect of which the Registrar has exempted the company under the proviso to sub-section (4) of section ten.

18. Elke bestuursmaatskappy moet binne veertien dae na die datum van die eerste publikasie daarvan, twee eksemplare, soos gepubliseer, van elke advertensie, brochure of pamflet ten aansien waarvan die Registrateur die maatskappy vrygestel het van die verpligting om afskrifte voor die publikasie daarvan by hom in te dien, by die Registrateur indien.

19. Die afskrif van die opgawe of kennisgewing waarvan in paragraaf (b) van subartikel (4) van artikel *tien* verwys word, moet binne die tydperk waarna in subartikel (7) van artikel *sewentig* van die Maatskappywet, 1926 (Wet No. 46 van 1926), verwys word, deur die bestuursmaatskappy by die Registrateur ingedien word.

AFRONDING VAN DIVIDENDBETALING INGEVOLGE ARTIKEL *negentien* (2).

20. Geen bestuursmaatskappy rond enige bedrag aan dividend wat uitgekeer staan te word af, ingevolge subartikel (2) van artikel *negentien*, op so 'n wyse dat die bedrag aan dividend vir uitkering enige deel van die groepvormende effekte wat in die betrokke effektegroepe ingesluit is of enige deel van die opbrengs van kapitaalwinste, regte of bonusuitgifte, insluit nie.

BEREKENING VAN VERKOOP- EN TERUGKOOPPRISE VAN ONDERAANDELE SOOS VEREIS BY ARTIKEL *twee-en-twintig*.

21. Vir die doel om die wyse voor te skryf waarop die verkoopprijs en die terugkoopprijs van onderaandeले bereken moet word, soos vereis by paragrafe (b) en (c) van subartikel (2) van artikel *twee-en-twintig*, mag die trustakte bepaal dat onderskeidelik die laagste verkoperspryse en die hoogste koperspryse op 'n erkende effekthebbers, in die onderskeie berekenings gebruik mag word.

OPGAWES WAT DEUR 'N BESTUURSMATSKAPPY IN EIENDOMSAANDELE INGEVOLGE ARTIKELS *een-en-dertig* (1) EN *twee-en-dertig* (1) VERSTREK MOET WORD.

22. Die opgawes wat 'n geregistreerde bestuursmaatskappy in eiendomsaandeले ooreenkomstig die bepalings van subartikel (1) van artikel *een-en-dertig* en subartikel (1) van artikel *twee-en-dertig* aan die Registrateur moet verstrek, moet namens die direkteure van die maatskappy deur 'n direkteur of ander verantwoordelike beamppte deur die direkteure daartoe gemagtig, onderteken word.

BESONDERHEDE WAT INGEVOLGE ARTIKEL *vier-en-dertig* (2) DEUR 'N BESTUURSMATSKAPPY IN EIENDOMSAANDELE IN SY REKENINGS VERSTREK MOET WORD.

23. Elke bestuursmaatskappy in eiendomsaandeले moet in sy rekenings die besonderhede waarna in subartikel (2) van artikel *vier-en-dertig* verwys word, verstrek.

DOKUMENTE EN BESONDERHEDE WAT DEUR DIE BESTUURDERS VAN DEELNEMERSVERBANDSKEMAS VERSTREK MOET WORD WANNEER OM VRYSTELLING INGEVOLGE ARTIKEL *ses-en-dertig* AANSOEK GEDOEN WORD.

24. Elke aansoek wat ingevolge paragraaf (b) van subartikel (3) van artikel *ses-en-dertig* gedoen word om vrystelling van die bepalings van die Wet van 'n bestaande of voorgename deelnemersverbandskema, moet deur of namens die persoon wat sodanige skema bestuur of sal bestuur, gedoen word en van die volgende dokumente versigsel gaan:—

- 'n Beskrywing van die wyse waarop die skema gedryf word of gedryf staan te word;
- twee afskrifte van die reëls van die skema of van elke ander dokument (behoorlik voltooi wat betref bedinge en voorwaardes) wat die skema konstitueer;
- twee afskrifte van die kennisgewing van deelname (behoorlik voltooi wat betref bedinge en voorwaardes) uitgereik aan deelnemers in verbande;
- indien 'n genomineerde maatskappy in verband met die skema gedryf word, twee afskrifte van die Akte van Oprigting en Statute van sodanige genomineerde maatskappy; en

18. Every management company shall, not later than fourteen days after the date of first publication thereof, lodge with the Registrar two specimens, as published, of every advertisement, brochure and pamphlet in respect of which the Registrar has exempted the company from the obligation to lodge copies with him prior to publication thereof.

19. The copy of the return or notice referred to in paragraph (b) of sub-section (4) of section *ten* shall be lodged with the Registrar by the management company within the period referred to in sub-section (7) of section *seventy* of the Companies Act, 1926 (Act No. 46 of 1926).

ROUNDING-OFF OF DIVIDEND PAYMENTS IN TERMS OF SECTION *nineteen* (2).

20. No management company shall round off, in terms of sub-section (2) of section *nineteen*, any amount to be paid by way of dividends in such a manner that the amount of dividend for distribution will include any part of the underlying securities included in the unit portfolio concerned or of the proceeds of capital gains, rights or bonus issues.

CALCULATION OF SELLING AND REPURCHASE PRICES OF UNITS AS REQUIRED BY SECTION *twenty-two*.

21. For the purpose of prescribing the manner in which the selling price and the repurchase price of units are to be calculated, as required by paragraphs (b) and (c) of sub-section (2) of section *twenty-two*, the trust deed may determine that the lowest dealing offered prices and the highest dealing bid prices, respectively, on a recognised Stock Exchange may be used in the respective calculations.

STATEMENTS TO BE FURNISHED BY A MANAGEMENT COMPANY IN PROPERTY SHARES UNDER SECTIONS *thirty-one* (1) AND *thirty-two* (1).

22. The statements which a registered management company in property shares is required to furnish to the Registrar in accordance with the provisions of sub-section (1) of section *thirty-one* and sub-section (1) of section *thirty-two* shall be signed on behalf of the directors of the company by a director or other responsible officer authorised thereto by the directors.

DETAILS UNDER SECTION *thirty-four* (2) TO BE BROUGHT UP IN ITS ACCOUNTS BY A MANAGEMENT COMPANY IN PROPERTY SHARES.

23. Every management company in property shares shall bring up in its accounts the details referred to in sub-section (2) of section *thirty-four*.

DOCUMENTS AND PARTICULARS TO BE FURNISHED BY THE MANAGERS OF PARTICIPATION MORTGAGE SCHEMES WHEN APPLYING FOR EXEMPTION IN TERMS OF SECTION *thirty-six*.

24. Every application made in terms of paragraph (b) of sub-section (3) of section *thirty-six* for the exemption from the provisions of the Act of an existing or proposed participation mortgage scheme shall be made by or on behalf of the person managing, or who will manage, such scheme and shall be accompanied by the following documents:—

- A description of the manner in which the scheme is operated or proposed to be operated;
- two copies of the rules of the scheme or every other document (fully completed as to terms and conditions) which constitutes the scheme;
- two copies of the notification of participation (fully completed as to terms and conditions) issued to participants in mortgages;
- if a nominee company is operated in conjunction with the scheme, two copies of the Memorandum and Articles of Association of such nominee company; and

- (e) twee afskrifte van elke getrouheidsversekeringspolis wat vir die doeleindes van die skema in stand gehou word of twee afskrifte van 'n memorandum waarin besonderhede vervat is van enige ander getrouheidsvoorsiening wat vir die doeleindes van die skema in stand gehou word.

BOETE VIR LAAT INDIENING VAN REKENINGS, ENS.

25. Enige persoon wat versuim het om 'n opgawe te verstrek of om 'n balansstaat, rekening, staat, verslag of ander dokument aan te stuur of by die Registrateur in te dien binne die tydperk by die Wet voorgeskryf, of binne enige verlengde tydperk deur die Registrateur kragtens subartikel (3) *bis* van artikel *veertig* toegelaat, mag, sonder dat daardeur aan die bepalings van artikel *twee-en-veertig* van die Wet afbreuk gedoen word, daarna deur die Registrateur toegelaat word om sodanige opgawe te verstrek of balansstaat, rekening, staat, verslag of ander dokument aan te stuur of in te dien by betaling van 'n boete soos deur die Registrateur bepaal, welke boete nie R10 vir elke dag wat sodanige persoon aldus versuim het, en ook nie in totaal die bedrag van tweehonderd rand waarvoor in subartikel (3) van artikel *veertig* voorsiening gemaak word, mag oorskry nie.

No. R. 1379.] [6 September 1963.]

DIE TRANSVAALSE GENOOTSAP VAN REKENMEESTERS.

[Geïnkorporeer kragtens Ordonnansie No. 111 (Privaat), 1904 (Transvaal) soos gewysig.]

Kragtens die bepalings van artikel *twintig* van bogenoemde Ordonnansie word onderstaande Verordeninge van die Transvaalse Genootskap van Rekenmeesters hierby afgekondig en vanaf datum van hierdie afkondiging word alle Verordeninge soos afgekondig in *Staatskoerant* No. 4849 van 23 Mei 1952 en van tyd tot tyd gewysig by kennisgewings in *Staatskoerant*—

- No. 5303 van 2 Julie 1954;
- No. 5514 van 8 Julie 1955;
- No. 5737 van 7 September 1956;
- No. 6111 van 19 September 1958;
- No. 6268 van 7 Augustus 1959;
- No. 350 van 12 Oktober 1962;

en vir algemene inligting herpubliseer in *Regulasiekoerant* No. 63 van 9 Februarie 1962, hierby herroep, behoudens die voorbehoudsbepalings in Verordening 68 van onderstaande Verordeninge.

VERORDENINGE.

1. *Inwerkingtreding van verordeninge.*

Hierdie verordeninge, opgestel kragtens die Ordonnansie, tree in werking op die datum van afkondiging in die *Staatskoerant*.

2. *Woordoms krywing.*

In hierdie verordeninge, tensy dit strydig met die verband is, beteken—

- „Genootskap” die Transvaalse Genootskap van Rekenmeesters, geïnkorporeer in die Provinsie Transvaal, kragtens die Rekenmeestersordonnansie, 1904, van Transvaal, soos gewysig;
- „Raad” die dan diensdoende Raad van die Genootskap;
- „Ordonnansie” die Rekenmeestersordonnansie, 1904, van Transvaal, soos gewysig;
- „Registrateur” die Registrateur van die Genootskap, aangestel deur die Raad, of die persoon wat op las van die Raad in daardie hoedanigheid optree;
- „Sekretaris” die Sekretaris of Sekretaris van die Genootskap, aangestel deur die Raad, of die firma of persoon wat op las van die Raad in daardie hoedanigheid optree;

- (e) two copies of every fidelity insurance policy maintained for the purposes of the scheme or two copies of a memorandum furnishing particulars of any other fidelity provision maintained for the purposes of the scheme.

PENALTY FOR LATE RENDITION OF ACCOUNTS, ETC.

25. Any person who has failed to make a return or to transmit or deposit with the Registrar any balance sheet, account, statement, report or other document within the time prescribed by the Act or within any extended period allowed by the Registrar in terms of sub-section (3) *bis* of section *forty*, may, without derogation from the provisions of section *forty-two* of the Act, thereafter be permitted by the Registrar to furnish such return or to transmit or deposit such balance sheet, account, statement, report or other document on payment of a penalty as determined by the Registrar, which penalty shall not exceed R10 for every day during which such person has remained in default, nor in the aggregate the amount of two hundred rand provided for in sub-section (3) of section *forty*.

No. R. 1379.] [6 September 1963.]

THE TRANSVAAL SOCIETY OF ACCOUNTANTS.

[Incorporated under Ordinance No. 111 (Private), 1904 (Transvaal), as amended.]

In terms of the provisions of section *twenty* of the above-mentioned Ordinance the undermentioned Bye-laws of the Transvaal Society of Accountants are hereby promulgated and with effect from the date of this promulgation all the bye-laws as promulgated in *Government Gazette* No. 4849 of the 23rd May, 1952, and amended from time to time by notices in *Government Gazette*—

- No. 5303, dated 2nd July, 1954;
- No. 5514, dated 8th July, 1955;
- No. 5737, dated 7th September, 1956;
- No. 6111, dated 19th September, 1958;
- No. 6268, dated 7th August, 1959;
- No. 350, dated 12th October, 1962;

and republished for general information in *Regulation Gazette* No. 63 of the 9th February, 1962, are hereby subject to the provisos in section 68 of the undermentioned bye-laws.

BYE-LAWS.

1. *Commencement of Bye-laws.*

These bye-laws made under the Ordinance shall come into operation on the date of publication in the *Gazette*.

2. *Definitions.*

In these bye-laws, unless inconsistent with the context—

- “the Society” means The Transvaal Society of Accountants incorporated in the Transvaal Province by the Accountants Ordinance, 1904, of the Transvaal as amended;
- “the Council” means the Council for the time being of the Society;
- “the Ordinance” means the Accountants Ordinance, 1904, of the Transvaal, as amended;
- “Registrar” means the Registrar of the Society appointed by the Council or the person acting in that capacity by direction of the Council;
- “Secretary” means the Secretary or Secretaries of the Society appointed by the Council, or the firm or person acting in that capacity by direction of the Council;

- „amptenaar van die Genootskap” die registrateur, sekretaris of enige lid of behoorlik geakkrediteerde verteenwoordiger van enige firma wat een van die genoemde twee ampte beklee of enige ander vaste amptenaar wat van tyd tot tyd as sodanig deur die Raad aangestel is, of enige persoon wat op las van die Raad in engeen van hierdie hoedanighede optree;
- „ingeskrewe klerk” ’n klerk wat kragtens ’n leerkontrak by ’n lid van die Genootskap werk;
- „geregistreerde adres”, vir sover dit enige lid betref, die jongste adres van sodanige lid wat aangeteken is, of geag word aangeteken te wees kragtens die bepalings van Verordening 59;
- „lede” en „vergaderings” onderskeidelik die lede en vergaderings van die Genootskap, tensy ’n ander betekenis duidelik uit die verband blyk;
- „algemene jaarvergadering” die algemene vergadering van die Genootskap wat kragtens die bepalings van artikel *agtien* van die Ordonnansie eenmaal in elke jaar gehou moet word;
- „die Suid-Afrikaanse Genootskappe” die Transvaalse Genootskap van Rekenmeesters, die Natalse Genootskap van Rekenmeesters (Geïnkorporeer), die Kaaplandse Genootskap van Rekenmeesters en Ouditeure (Geïnkorporeer, 1907), Die Genootskap van Rekenmeesters en Ouditeure in die Oranje-Vrystaat;
- „Openbare Raad” die Raad aangestel kragtens die bepalings van artikel *twee* van die Wet op Openbare Rekenmeesters en Ouditeure, 1951;
- „openbare rekenmeester” ’n persoon wat ’n openbare praktyk beoefen soos later hierin omskryf;
- „openbare praktyk” die praktyk van ’n persoon wat die funksies van ’n rekenmeester of ouditeur verrig en vir daardie doel hom uitgee vir ’n rekenmeester of ouditeur, en sy dienste teen vergoeding tot beskikking van die publiek stel, maar dit sluit nie in dienste wat wesenlik ter beskikking van enige enkele persoon of van die Staat is nie;
- „geregistreerde rekenmeester en ouditeur” enige persoon wie se naam opgeneem is in die register van rekenmeesters en ouditeure soos opgestel en in stand gehou deur die Openbare Rekenmeesters- en Ouditeursraad;
- „maand” ’n kalendermaand;
- „Staatskoerant” die *Staatskoerant van die Republiek van Suid-Afrika*.

DIE RAAD.

3. Samestelling van Raad.

Die Raad bestaan uit twaalf lede wat ten tye van die verkiesing werklik in Transvaal woonagtig is.

4. Verkiesing en aftrede van Raadslede.

Op iedere algemene jaarvergadering lê vier lede van die Raad hul amp neer, en is nie herkiesbaar as lede van die Raad voor die eersvolgende algemene jaarvergadering nie. Die plekke van die aftredende lede word deur middel van ’n verkiesing op iedere algemene jaarvergadering gevul, en op sodanige vergadering word enige vakature wat nie reeds deur die Raad kragtens die bepalings van artikel 7 aangevul is nie, ook gevul.

Die aftredende lede van die Raad is dié wat hul amp die langste beklee het sedert die datum van hul verkiesing, en in geval meer lede as die aantal wat moet aftree hul amp ewe lank beklee het, word lootjies getrek om te besluit watter lede moet aftree soos hierbo genoem.

5. Aftredende Raadslede op algemene vergaderings.

Op elke algemene jaarvergadering waarop enige lid van die Raad aftree, beklee hy sy amp tot na ontbinding van die vergadering, wanneer hy dan sy amp neerlê.

6. Nominasie van Raadslede.

Behoudens die hieropvolgende bepalings, word elke kandidaat vir verkiesing genomineer by wyse van ’n skriftelike nominasie wat deur vyf lede van die Genootskap onderteken is en wat vergesel gaan van ’n skriftelike aanvaarding van die nominasie deur die kandidaat, met vermelding dat hy in Transvaal woonagtig is. Die nominasie

„officer of the Society” means the Registrar, Secretary or any member or duly accredited representative of any firm holding either office or any other permanent official who may be appointed as such from time to time by the Council, or any person acting in any of these capacities by direction of the Council;

„articled clerk” means a clerk who is serving under articles of clerkship with a member of the Society;

„registered address” in respect of any member means the address of such member last recorded or deemed to have been recorded in terms of bye-law 59;

„members” and „meetings” shall, unless the contrary intention appears, mean members and meetings respectively of the Society;

„annual general meeting” means the general meeting of the Society required to be held once in each year in terms of section *eighteen* of the Ordinance;

„The South African Societies” means The Transvaal Society of Accountants, The Natal Society of Accountants (Incorporated), The Cape Society of Accountants and Auditors (Incorporated, 1907), The Society of Accountants and Auditors in the Orange Free State;

„Board” shall mean the Board established in terms of section *two* of the Public Accountants’ and Auditors’ Act, 1951;

„public accountant” means a person who is in public practice as hereinafter defined;

„public practice” means the practice of a person who performs the functions of an accountant or auditor, and for that purpose holds himself out as an accountant or auditor, and places his services at the disposal of the public for reward, but does not include services which are substantially at the command of any one person or of the State;

„registered accountant and auditor” means any person whose name is enrolled on the register of accountants and auditors established and maintained by the Public Accountants’ and Auditors’ Board;

„month” means calendar month;

„Gazette” means the *Republic of South Africa Government Gazette*.

THE COUNCIL.

3. Constitution of Council.

The Council shall consist of twelve members who are all actually resident in the Transvaal at the date of election.

4. Election and Retirement of Council.

At each annual general meeting four members of the Council shall retire from office and shall not be eligible for re-election to the Council before the next ensuing annual general meeting. The places of the retiring members shall be filled by election at each annual general meeting and at such meeting any vacancy not already filled by the Council in terms of clause 7, shall also be filled.

The retiring members of the Council shall be those who shall have been longest in office since the date of their election, and in the event of there being more than the number who have to retire who shall have been in office an equal length of time, the names of the members to retire as aforesaid shall be decided by lot amongst them.

5. Retiring Council Members at General Meetings.

At every annual general meeting at which any member of the Council retires from office, he shall remain in office until the dissolution of the meeting, when he shall retire from office.

6. Nomination of Members of Council.

Save as is hereinafter provided, each candidate for election to the Council shall be nominated by written nomination signed by five members of the Society and accepted in writing by such candidate stating that he is resident in the Transvaal and delivered to the Registrar not

moet die Registrateur ten minste tien volle dae voor die bepaalde datum van die algemene jaarvergadering bereik. Indien daar, na verstryking van die tyd waarin nominasies aldus ingedien moet word, nie meer kandidate genomineer is as wat nodig is om die vakatures in die Raad te vul nie, word die kandidate wat aldus behoorlik genomineer is, na afloop van daardie vergadering, as verkose geag. Indien die aantal behoorlik genomineerde kandidate die getal oorskry wat nodig is om die vakatures in die Raad te vul, moet 'n kennisgewing waarin vermeld word dat die getal kandidate die getal vakaures oorskry, en waarin die name van die kandidate verstrek word, ten minste vyf dae voor die datum waarop die algemene jaarvergadering plaasvind aan elke lid by sy geregistreerde adres gestuur word.

Die Raad moet 'n kennisgewing waarin om die nominasie van die kandidate vir verkiesing tot die Raad gevra word, ten minste agt-en-twintig dae voor elke algemene jaarvergadering van die Genootskap aan elke lid by sy geregistreerde adres stuur.

Die vereistes van hierdie verordeninge moet in sodanige kennisgewing uiteengesit word.

7. Vakatures in die Raad.

Enige toevallige vakature in die Raad kan deur die Raad gevul word op 'n vergadering waarvan kennis om die vakature te vul, gegee is. Die persoon wat aldus aangestel word, beklee sy amp tot op die datum van die eersvolgende algemene jaarvergadering. Die vergadering kan sy aanstelling voortsit, en, indien dit aldus voortgesit word, is sodanige persoon verplig om af te tree op die datum waarop hy sou moes afgetree het indien hy lid geword het van die Raad op die dag waarop die lid in wie se plek hy aangestel is, laas tot lid van die Raad verkies is. Ondanks enige vakature wat in die Raad ontstaan, kan die oorblywende lede van die Raad optree en al die bevoegdhede van die Raad uitoefen. Maar indien die Raadslede *en bloc* bedank, of indien daar ten gevolge van bedankings minder as 'n kworum van lede oorbly, moet 'n algemene vergadering van die Genootskap onmiddellik deur die Registrateur belê word sodat 'n lid of lede om die vakature of vakatures te vul, verkies kan word, en in dié geval is die bepaling van verordening 6 van toepassing.

8. Ampsneerlegging deur 'n lid van die Raad.

'n Lid van die Raad lê sy amp neer—

- (a) indien hy sy bedanking skriftelik aan die Raad voorlê;
- (b) indien hy ophou om lid van die Genootskap te wees, of kragtens di ebealing van hierdie verordeninge geskors word;
- (c) indien hy afwesig is van meer as drie agtereenvolgende vergaderings van die Raad sonder spesiale afwesighedsverlof van die Raad;
- (d) indien daar bevind word dat hy kranksinnig of swak-sinnig geword het;
- (e) indien hy insolvent raak of afstand van sy boedel doen ten bate van, of 'n akkoord tref of aanbied om 'n akkoord te tref met sy krediteure;
- (f) indien hy in enige bevoegde gereghof skuldig bevind word aan enige kriminele misdaad wat, volgens die mening van die Raad, van 'n skandelijke of oneerlike aard is;
- (g) indien, op 'n vergadering van die Raad wat spesiaal vir daardie doel belê is en waarop ten minste tien lede van die Raad aanwesig is, 'n voorstel deur ten minste driekwart van die aanwesiges aangeneem word waarin verklaar word dat sodanige lid van sy amp onthef is, maar in so 'n geval het die betrokke lid die reg om appèl aan te teken by 'n spesiale algemene vergadering van lede, en, indien hy skriftelik daarom vra, moet die Raad so 'n vergadering vir die genoemde doel belê;
- (h) indien hy nie langer in die provinsie Transvaal woonagtig is nie.

less than ten clear days before the day appointed for the annual general meeting. If upon the expiry of the time within which nomination may be so delivered, no more candidates have been duly nominated than are required to fill the vacancies occurring in the Council those candidates who have been duly nominated shall be deemed to have been elected as from the termination of that meeting. If the number of candidates duly nominated is in excess of the number required to fill the vacancies occurring in the Council there shall not less than five days before the day appointed for the annual general meeting, be sent to each member at his registered address a notice stating that the number of candidates is so in excess and giving the names of the candidates.

The Council shall, not less than twenty-eight days before each annual general meeting of the Society send to each member at his registered address a notice calling for nominations of candidates for election to the Council.

The requirements of this bye-law shall be set out in such notice.

7. Vacancies in Council.

Any casual vacancy occurring in the Council may be filled by the Council at a meeting of which notice to fill such vacancy has been given. The person so appointed shall hold office until the date of the next annual general meeting. Such meeting may continue his appointment and if so continued such person shall be subject to retirement at the same time as if he had become a member of the Council on the day on which the member in whose place he is appointed was last elected a member of the Council. The continuing members of the Council may act and exercise all the powers of the Council notwithstanding any vacancy in their body. But should the Council resign *en bloc* or resignations leave less than a quorum of members, a general meeting of the Society shall immediately be summoned by the Registrar for the purpose of electing a member or members to fill the vacancy or vacancies, in which event the provisions of bye-law 6 shall apply.

8. Vacation of Office by Member of Council.

The office of a member of the Council shall be vacated—

- (a) if by notice in writing to the Council he resign his office;
- (b) if he ceases to be a member of the Society or is suspended in terms of these bye-laws;
- (c) if he absents himself from more than three consecutive meeting of the Council without special leave of absence from the Council;
- (d) if he be found lunatic or becomes of unsound mind;
- (e) if he becomes insolvent or assigns his estate for the benefit of or compounds or offers to compound with his creditors;
- (f) if he be convicted by any competent court of any criminal offence which in the opinion of the Council is of a disgraceful or dishonourable nature;
- (g) if at a meeting of the Council, especially convened for that purpose, at which not less than ten members of the Council are present, a resolution be passed by not less than three-fourths of those present, declaring the office of such member vacated, but in such a case he shall have the right of appeal to a special general meeting of members and at his desire expressed in writing, the Council shall convene a special meeting for that purpose;
- (h) if he ceases to be resident in the Transvaal Province.

9. Uitsetting van 'n lid van die Raad.

Die Genootskap kan enige tyd, deur middel van 'n besluit aangeneem deur twee-derdes van die lede aanwesig op 'n spesiale algemene vergadering wat vir hierdie doel belê is, enige lid van die Raad van sy amp onthef voor die verstryking van sy ampstermyn, met dien verstande dat as 'n stemming met stembriefies op die vergadering geëis word oor die besluit of uitsetting, twee-derdes van die stemme wat met die stemming uitgebring word, nodig is vir die aanneming van die besluit; en die Genootskap kan, kragtens 'n besluit aangeneem met 'n meerderheid van stemme van die lede wat op daardie vergadering aanwesig is, 'n ander gekwalifiseerde persoon wat op die vergadering genomineer word, in sy plek verkies. Die persoon wat aldus verkies word, beklee sy amp alleen vir die tydperk wat die lid, in wie se plek hy verkies word, geregtig sou gewees het om daardie amp te beklee as hy nie uitgesit was nie.

AMPTENARE.**10. Registrateur en ander amptenare.**

Die Raad kan 'n Registrateur en ander amptenare en dienare van die Genootskap aanstel op enige voorwaardes wat die Raad goed ag, en kan hulle of enigeen van hulle ontslaan en 'n ander of andere in sy of hul plek aanstel.

Die kantoor van die Registrateur en/of Sekretaris sal geleë wees op 'n plek of plekke in Transvaal soos van tyd tot tyd deur die Raad besluit.

11. Pligte van Registrateur en Sekretaris.

Die register van lede van die Genootskap word aan die sorg van die Registrateur toevertrou, en hy is verantwoordelik daarvoor aan die Raad; hy moet ook enige ander pligte nakom wat van tyd tot tyd deur die Raad aan hom toevertrou word.

Die Sekretaris of die Registrateur of 'n plaasvervanger goedgekeur deur die Raad woon alle vergaderings van die Genootskap en van die Raad en, indien verlang, van Komitees van die Raad by; hy sorg vir die uitvoering van alle opdragte van die Raad, en kom enige ander pligte wat van tyd tot tyd deur die Raad aan hom toevertrou word, na.

VERRIGTINGE EN BEVOEGDHEDE VAN DIE RAAD.**12. Vergaderings van die Raad.**

Die Raad vergader ten minste een maal per maand, en op sodanige ander tye en plekke as wat van tyd tot tyd deur die Raad besluit word.

13. Verkiesing van President en Vice-president.

Op die eerste vergadering van die Raad wat na elke algemene jaarvergadering gehou word, kies die aanwesige lede van die Raad, indien daar genoeg van hulle is om 'n kworum te vorm, een van die Raadslede as President en twee ander as Vice-presidente van die Genootskap. Die President en Vice-presidente beklee hul amp tot na afloop van die eersvolgende algemene jaarvergadering. As die amp van President of Vice-president vakant raak, moet die vakature deur die Raad aangevul word.

14. Spesiale Raadsvergaderings.

'n Spesiale vergadering van die Raad kan enige tyd op las van die President of een van die Vice-presidente belê word, en moet belê word na die ontvangs van 'n skriftelike versoek onderteken deur drie lede van die Raad. Die kennisgewing ingevolge waarvan die vergadering belê word, moet die algemene aard noem van die sake wat op die betrokke vergadering verrig sal word.

15. Voorsitter van Raadsvergaderings.

Die President van die Genootskap of, in sy afwesigheid, een van die Vice-presidente, en, in geval van 'n botsing tussen die twee Vice-presidente, die een wat deur die aanwesige Raadslede verkies word, is geregtig om die stoel op elke vergadering van die Raad in te neem. Indien, na verstryking van 15 minute vanaf die tyd vasgestel vir die aanvang van die vergadering, nóg die President nóg die Vice-presidente aanwesig is, kan die aanwesige lede een van die aanwesiges as voorsitter kies.

9. Removal of Member of Council.

The Society may at any time, by a resolution passed by two-thirds of the votes of members present at a special general meeting called for that purpose, remove any member of the Council from his office before the expiration of his period of office, provided that if a poll be demanded at such meeting as to the resolution or removal two-thirds of the votes recorded at the poll shall be necessary for carrying that resolution; and the Society may by a resolution passed by a majority of the votes of members present at that meeting, elect another qualified person who may be nominated at the meeting in his stead. The person so elected shall hold office during such time only as the member in whose place he was elected would have been entitled to hold the same if he had not been removed.

OFFICERS.**10. Registrar and Other Officers.**

The Council may appoint a Registrar and other officers and servants of the Society on such terms and conditions as it shall deem fit and may remove them or any of them and appoint another or others in their place.

The office of the Registrar and/or Secretary shall be situate at such place or places in the Transvaal as the Council may from time to time decide.

11. Duties of Registrar and Secretary.

The Registrar shall have control of the register of the members of the Society, and shall be responsible therefor to the Council and shall have such other duties as the Council may from time to time appoint.

The Secretary or the Registrar or a substitute approved of by the Council shall attend all meetings of the Society and of the Council and, if required, of committees thereof, and shall carry into effect all instructions of the Council and shall have such other duties as the Council may from time to time appoint.

PROCEEDINGS AND POWERS OF THE COUNCIL.**12. Meetings of the Council.**

The Council shall meet at least once in each month and at such times and at such places as the Council may from time to time determine.

13. Election of President and Vice-Presidents.

At the first meeting of the Council held after each annual general meeting, the members of the Council then present, if sufficient to form a quorum, shall elect one of their number as President of the Society and two others as Vice-Presidents. The President and Vice-Presidents shall hold office until the termination of the next annual general meeting. Any vacancy occurring in the office of President or Vice-Presidents shall be filled by the Council.

14. Special Council Meetings.

A special meeting of the Council may at any time be called by order of the President or either of the Vice-Presidents, and shall be called at the written request of three members of the Council. The notice calling the meeting shall specify the general nature of the business to be transacted thereat.

15. Chairman of Council Meetings.

The President of the Society or, in his absence, one of the Vice-Presidents, and in the event of a conflict between the Vice-Presidents, such one of them as shall be elected by the members of the Council present, shall be entitled to take the chair at every meeting of the Council. If at the expiration of 15 minutes from the time appointed for any meeting the President and both Vice-Presidents be absent, the members present may choose a chairman from amongst those present.

16. Hoe daar oor kwessies besluit word.

Oor kwessies wat op enige vergadering van die Raad ontstaan, word daar met 'n meerderheid, van stemme beslis. Ingeval die stemme staak, het die voorsitter geen tweede of beslissende stem nie.

17. Verdaging van Raadsvergaderings.

Die voorsitter kan met die toestemming van die vergadering, 'n vergadering van die Raad van tyd tot tyd en van plek tot plek verdaag, maar geen sake, behalwe die sake wat onafgehandel gelaat is op die vergadering alwaar die verdaging plaasgevind het, kan op so 'n verdaagde vergadering behandel word nie. Dit is nie nodig om kennis van 'n verdaagde vergadering te gee nie, tensy die vergadering alwaar die verdaging plaasvind besluit dat dit gedoen moet word.

18. Kworum op Raadsvergaderings.

Sewe lede van die Raad wat persoonlik aanwesig is, vorm 'n kworum op 'n vergadering van die Raad.

19. Notule moet gehou word.

Notule van alle verrigtinge op vergaderings van die Genootskap en van die Raad en van alle Komitees daarvan moet aangeteken word in boeke wat spesiaal vir daardie doel gehou word, en enige sodanige notule wat heet onderteken te wees deur die voorsitter van die vergadering waarop die betrokke verrigtinge plaasgevind het, of deur die voorsitter van die eerste vergadering wat daarop volg, word beskou as bewys dat genoemde verrigtinge wel plaasgevind het.

20. Verlof van Afwesigheid vir lede van die Raad.

Die Raad het nie die reg om verlof van afwesigheid aan enigeen van sy lede toe te staan vir 'n tydperk van meer as ses maande in enige ampsjaar nie.

21. Raad bestuur die sake van die Genootskap.

Onderworpe aan die bepalinge van die Ordonnansie en van hierdie verordeninge, behartig en bestuur die Raad die sake en aangeleenthede van die Genootskap, en oefen al die bevoegdhede van die Genootskap uit, behalwe die bevoegdhede wat spesiaal vir die Genootskap in algemene vergadering voorbehou word.

Alle tjeks getrek op die Genootskap se bankrekening word onderteken deur een lid van die Raad en mede-onderteken deur die Registrateur of 'n ander persoon wat vir daardie doel deur die Raad aangewys is.

Die Raad sorg dat behoorlike boeke en rekenings gehou word van alle transaksies wat op naam van die Genootskap aangegaan word. Sodanige rekenings word op 31 Desember van elke jaar afgesluit en dan geouditeer deur die ouditeur van die Genootskap vir voorlegging aan lede.

22. Bestuur van die Genootskap se sake.

By die bestuur van die Genootskap se sake het die Raad die volgende bevoegdhede benewens enige ander bevoegdhede wat hierin uiteengesit word:—

- (a) (i) Om enige roerende of vaste eiendom te koop, kragtens 'n huurkontrak of ruilsoonekoms te neem, te huur, of andersins te verkry.
- (ii) Om geboue op te rig op enige vaste eiendom wat aan die Genootskap behoort.
- (b) Om die Genootskap se fondse van tyd tot tyd te belê op enige wyse wat deur die Raad goedgeag word.
- (c) Om al die eiendom van die Genootskap of enige deel daarvan, hetsy roerend of onroerend, te verkoop, te verbeter, te verhuur, te verhipotekeer, van die hand te sit of andersins te vervreem, of daarmee te handel.
- (d) Om geld te leen of te verkry op enige voorwaardes wat die Raad wenslik ag, en in besonder op sekuriteit van verbande of deur die uitreiking van obligasies, versekureer deur verbande op al die onroerende eiendom van die Genootskap, of enige deel daarvan.

16. How Questions to be Decided.

Questions arising at any meeting of the Council shall be decided by a majority of votes. In case of an equality of votes the chairman shall not have a second or casting vote.

17. Adjournment of Council Meetings.

The chairman of a meeting of the Council may, with the consent of the meeting, adjourn the same from time to time and from place to place, but no business shall be transacted at any adjourned meeting other than the business left unfinished at the meeting from which the adjournment took place. It shall not be necessary to give notice of an adjourned meeting unless the meeting from which the adjournment took place has by resolution so directed.

18. Quorum at Council Meetings.

Seven members of the Council personally present shall be a quorum for a meeting of the Council.

19. Minutes to be Kept.

Minutes of all proceedings of meetings of the Society and of the Council and all committees thereof shall be entered in books kept for that purpose, and any such minutes if purporting to be signed by the chairman of the meeting at which the proceedings were held or by the chairman of the next succeeding meeting shall be evidence of the proceedings.

20. Leave of Absence of Members of Council.

The Council shall not have the power to grant leave of absence to any one of its members for a longer period than six months in any year of office.

21. Council to Manage Affairs of the Society.

The Council, subject to the provisions of the Ordinance and these bye-laws, shall conduct and manage the business and affairs of the Society and exercise all the powers of the Society except such powers as are expressly reserved to the Society in general meeting.

All cheques on the Society's banking account shall be signed by one member of the Council and countersigned by the Registrar, or by some person appointed by the Council for that purpose.

The Council shall cause proper books and accounts to be kept of all transactions in the name of the Society, such accounts to be made up annually to 31st December in each year and to be audited by the auditor of the Society for presentation to members.

22. Management of Society's Affairs.

In its management of the affairs of the Society, the Council shall have the following powers in addition to any powers stated herein:—

- (a) (i) To purchase, take on lease or in exchange hire or otherwise acquire any movable or immovable property.
- (ii) To erect buildings on any immovable property owned by the Society.
- (b) To invest the Society's funds in any manner as the Council may from time to time determine.
- (c) To sell, improve, lease, mortgage, dispose of or otherwise alienate or deal with all or any part of the property, whether movable or immovable, of the Society.
- (d) To raise or borrow money on such terms and conditions as the Council shall deem fit and in particular on the security of mortgage bonds or by the issue of debentures secured by mortgage bonds over all or any of the immovable property of the Society.

Ondanks die voorafgaande is geen ooreenkoms vir die koop of verkoop van enige onroerende eiendom vir of namens die Genootskap bindend nie tensy sodanige ooreenkoms bekragtig word deur 'n besluit geneem deur twee-derdes van die lede aanwesig op 'n spesiale algemene vergadering wat vir hierdie doel belê is.

23. Vereffening van die uitgawes van lede.

Uit die fondse van die Genootskap betaal die Raad die redelike uitgawes van Raadslede woonagtig op 'n afstand van die plek waar enige vergadering van die Raad plaasvind by elke geleentheid waarby sodanige lede 'n vergadering van die Raad of van enige komitee van die Raad bywoon. Indien enige lid van die Genootskap op versoek van die Raad enige spesiale dienste vir die Genootskap verrig het, kan die Raad, met die eenparige goedkeuring van die aanwesiges op 'n Raadsvergadering wat spesiaal belê is om oor die saak te beslis, hom vir sy dienste vergoed, maar die Raad moet hom in elke geval op aanvraag vergoed vir enige geld wat deur hom bestee of enige uitgawes wat deur hom aangegaan is namens die Genootskap.

24. Publikasie van ledelys en verordeninge.

Die Raad kan in enige jaar 'n lys van lede van die Genootskap en hul adresse publiseer, tesame met enige ander besonderhede ten opsigte van die lede en die Genootskap en/of sy oogmerke wat die Raad wenslik ag.

Die Raad kan op versoek afskrifte van die jongste lys wat deur hom gepubliseer is, en van die Ordonnansie en hierdie verordeninge tot beskikking stel van enige lid of ingeskrewe klerk, en kan daarvoor enige gelde, soos deur die Raad neergelê, in rekening bring.

25. Aanstelling van komitees.

Die Raad kan komitees aanstel om hom te help met die uitvoering van sy funksies en pligte, en kan enige persone wat hy wenslik ag, synde lede van die Genootskap en insluitende persone wat nie lede van die Raad is nie, tot lede van enige sodanige komitee benoem, en kan die kworums vir vergaderings van die komitee bepaal, en enige vakatures in sodanige komitees aanvul.

Behalwe in die geval van komitees aangestel kragtens die bepalinge van verordening 61 is die President *ex officio* lid van enige komitee aangestel deur die Raad. Die Raad kan enige bevoegdhede wat hy wenslik ag aan 'n komitee wat aldus aangestel is, toevertrou, maar, onderworpe aan die bepalinge van die Ordonnansie en van hierdie verordeninge word die Raad nie ontdoen geag te wees van enige bevoegdheid wat hy aan 'n komitee toevertrou nie, en hy kan enige besluit van enige sodanige komitee wysig of herroep of ophef, behalwe die besluite van die Ondersoekkomitee en die Dissiplinêre Komitee wat kragtens die bepalinge van verordening 61 aangestel word.

26. Gemeenskaplike seël van die Genootskap.

Die Raad maak voorsiening vir die veilige bewaring van die gemeenskaplike seël en die seël mag nie gebruik of aan enige dokument aangebring word behalwe met die voorafverkreë verlof van die Raad nie.

Elke dokument waaraan die seël aangebring word, word deur twee lede van die Raad onderteken, en iedere sodanige dokument word mede-onderteken deur die Registrateur of 'n ander persoon aangewys deur die Raad.

27. Geldigheid van die Raad se dade.

Alle handelinge verrig deur enige vergadering van die Raad of deur enige komitee van die Raad of deur enige lid van die Raad of enige amptenaar wat optree kragtens die bevoegdheid wat deur die Raad aan hom verleen is, is, ondanks 'n latere ontdekking dat daar die een of ander fout was met die aanstelling van sodanige Raad, komitee van die Raad, lid van die Raad of amptenaar, of dat hulle of enigeen van hulle nie bevoegd was ten tye van hul aanstelling nie, of later onbevoegd geraak het, net so geldig asof sodanige Raad, komitee van die Raad, lid van die Raad of amptenaar behoorlik aangestel is, en bevoegd was om op te tree.

Notwithstanding the foregoing no agreement for the sale or purchase of any immovable property for or on behalf of the Society shall be binding unless the same shall have been confirmed by a resolution passed by two-thirds of the votes of members present at a special general meeting convened for that purpose.

23. Payment of Expenses of Members.

The Council may pay out of the funds of the Society the reasonable expenses of members of the Council residing at a distance from the place where any meeting of the Council is held on each occasion such members attend a meeting of the Council, or of any committee thereof. If any member of the Society shall at the request of the Council have performed any special services for the Society, the Council may, by the unanimous vote of those present at a meeting of the Council specially called to decide the matter, remunerate him for his services, but in any event the Council shall on demand reimburse him for any outlays made and expenses incurred by him on the Society's behalf.

24. Publication of List of Members and Bye-laws.

The Council may issue in any year a list of the members of the Society and of their addresses, together with such other particulars in respect of the members and of the Society and/or its objects as the Council may deem advisable.

The Council may supply copies of the latest such list issued by it and of the Ordinance and these bye-laws to any member or articulated clerk on request and may charge therefor such fees as may be decided by the Council.

25. Appointment of Committees.

The Council may establish committees to assist it in the performance of its functions and duties and may appoint such persons being members of the Society, including persons other than members of the Council, as it may deem fit to be members of any such Committee and may fix the quorum thereof and fill any vacancy on such Committee.

Except in the case of Committees appointed in terms of bye-law 61 the President shall be an *ex-officio* member of any Committee appointed by the Council. The Council may assign to a Committee so established such of its powers as it may deem fit, but, subject to the provisions of the Ordinance and of these bye-laws the Council shall not be deemed to be divested of any power which it may have assigned to a Committee, and may amend or repeal or rescind any decision of any such Committee except the decisions of the Investigation Committee and the Disciplinary Committee appointed in terms of bye-law 61.

26. Common Seal of Society.

The Council shall provide for the safe custody of the common seal, and the seal shall not be used or affixed to any instrument except by the authority of the Council previously given.

Every instrument to which the seal is affixed shall be signed by two members of the Council and every such instrument shall be countersigned by the Registrar or some other person appointed by the Council.

27. Validity of Council's Acts.

All acts done by any meeting of the Council or by any committee of the Council, or by any member of the Council or officer acting under authority of the Council, shall, notwithstanding that it shall be afterwards discovered that there was some defect in the appointment of such Council, committee of Council, member of Council, or officer, or that they or any of them were not qualified at the time of their appointment or had become disqualified, be as valid as if such Council, committee of Council, member of Council, or officer had been duly appointed and was qualified to act.

28. *Ondersteuningsfonds.*

Namens die trustees kan die Raad enige ondersteuningsfonds waartoe lede en andere bydra, administreer, en, met die verloop van 'n algemene vergadering, kan hy enige bedrae uit die fondse van die Genootskap, soos deur die vergadering besluit, daartoe bydra.

29. *Biblioteke, ens.*

Die Raad kan enige deel van die fondse van die Genootskap aanwend vir die beskikbaarstelling en instandhouding van 'n geskikte versameling van boeke, verslae, statistieke, rekeninge, papiere, kaarte, dokumente en ander dinge wat van belang vir die beroep is, en hulle in een of meer biblioteke van die Genootskap bewaar. Die Raad kan bydraes uit die fondse van die Genootskap doen vir die totstandbrenging en instandhouding van sodanige biblioteke, en die Raad kan van tyd tot tyd reëls in verband met alle sake rakende sodanige biblioteke opstel, herroep en wysig.

30. *Bydraes en spesiale betalings.*

Die Raad kan uit die fondse van die Genootskap bydraes doen tot enige behoorlik gekonstitueerde rekenmeesterstudentevereniging in Transvaal, of enige inrigting, vereniging of genootskap in Transvaal wat, volgens die mening van die Raad, uitvoering aan die oogmerke van 'n rekenmeesterstudentevereniging gee of opvoedkundige fasiliteite tot beskikking van studente in die rekeningkunde stel, en die Raad kan ook betalings uit die genoemde fondse doen aan enige persoon, vereniging, inrigting of maatskappy wat dienste of goedere aan die Genootskap of aan lede van die Genootskap lewer, indien sodanige dienste of goedere, volgens die mening van die Raad, tot voordeel strek van of in die belang van die Genootskap is.

31. *Verteenwoordigers in die Openbare Raad.*

Die Raad benoem die verteenwoordigers van die Genootskap en hul plaasvervangers in die Openbare Raad, en, indien daar van hom verlang word om dit te doen, benoem hy ook verteenwoordigers van die Genootskap in enige komitee aangestel deur die Openbare Raad.

32. *Agent van die Openbare Raad.*

Die Raad kan, op versoek van die Openbare Raad, as agent optree in enige aangeleentheid wat deur die Openbare Raad na hom verwys word.

LEDE.

33. *Toelating en verkiesing van lede.*

Die Raad hou 'n register waarin die naam van iedere persoon wat tot lidmaatskap van die Genootskap toegelaat word, aangeteken word. Na die afkondiging van hierdie verordeninge word die name van al die lede in die lede-register wat kragtens die bepalings van die Ordonnansie tot stand gebring is, geag as aangeteken te wees in die register wat kragtens die bepalings van hierdie verordening bygehou moet word. Ingeval enige persoon ophou om lid te wees, of deur bedanking of deur skorsing of uitsetting deur die Raad, of deur die inwerkingtreëning van verordening 38 (k), word sy naam van die register geskrap.

34. *Aansoek om lidmaatskap.*

Aansoeke om lidmaatskap van die Genootskap word op die voorgeskrewe vorm van die Raad voorgelê. Iedere lid betaal die intreegeld en die ledegeld vir die lopende jaar, soos van tyd tot tyd vasgestel, en sertifiseer op die voorgeskrewe vorm dat die inligting wat hy daarin verstrekt, die waarheid en in elke opsig juis is, en onderneem, ingeval hy tot lid toegelaat word, om die bepalings van die Ordonnansie en die verordeninge sowel as enige regulasie wat daarkragtens opgestel word en van tyd tot tyd van krag is, na te kom.

Elke aansoeker stel die Raad, op enige wyse wat deur die Raad verlang word, tevrede dat hy geregtig op toelating kragtens verordening 35 is, dat hy 'n geskikte en behoorlike persoon is om tot lid toegelaat te word, en dat hy nie jonger as een-en-twintig jaar is nie.

28. *Benevolent Funds.*

The Council may administer on behalf of the trustees such benevolent funds as may be contributed by members and others, and may, with the consent of a general meeting, contribute such sums thereto out of the funds of the Society as the meeting may determine.

29. *Libraries, etc.*

The Council may employ any part of the funds of the Society in the provision and maintenance of suitable collections of books, reports, statistics, accounts, papers, maps, instruments, materials and other things of interest to the profession, to be kept in one or more libraries of the Society. The Council may contribute from the funds of the Society towards the provision or maintenance of such libraries. The Council may from time to time, make, revoke and alter rules relating to all matters connected with the libraries.

30. *Contributions and Special Payments.*

The Council may make contributions out of the funds of the Society to any duly constituted accountants' students' society in the Transvaal, or to any institute, society or association in the Transvaal which in the opinion of the Council carries out the objects of an accountants' students' society, or provides educational facilities for the benefit of accountant students, and may make payment out of the said funds to any person, association, institution or company for services or goods rendered or supplied to the Society or the members thereof if, in the opinion of the Council, the same are for the benefit of or in the interests of the Society.

31. *Representatives on the Board.*

The Council shall nominate the representatives of the Society and their alternates on the Board, and if called upon to do so shall nominate the representatives of the Society on any Committee appointed by the Board.

32. *Agents for the Board.*

The Council may act at the request of the Board as agent in any matters referred to it by the Board.

MEMBERS.

33. *Admission and Election of Members.*

The Council shall maintain a register in which shall be inscribed the name of every person admitted to membership of the Society. On the promulgation of these by-laws the names of all those members on the register of members established in terms of the Ordinance shall be deemed to be inscribed on the register opened in terms of this by-law. In the event of any person ceasing to be a member, whether by resignation or suspension or removal by the Council or by the operation of bye-law 38 (k) his name shall be deleted from the register.

34. *Application for Membership.*

Application for membership of the Society shall be made to the Council in the prescribed form. Each applicant shall pay the entrance fee and the subscription for the year current as determined from time to time and certify on the prescribed form that the information given by him therein is true and correct in every detail and shall undertake in the event of his admission to observe the provisions of the Ordinance and the bye-law and any regulations framed thereunder from time to time in force.

Each applicant shall satisfy the Council in such manner as it may require that he is qualified for admission under bye-law 35, that he is a fit and proper person to be admitted to membership, and is not less than twenty-one years of age.

35. *Kwalifikasies vir toelating tot lidmaatskap.*

Behoudens die bepalings van verordening 34 is een van die volgende die kwalifikasie vir toelating tot lid van die Genootskap:—

- (a) Bewys deur die aansoeker dat hy in die eksamens soos voorgeskryf deur hierdie verordeninge of deur vroeër bestaande verordeninge van die Genootskap geslaag het, en dat hy kragtens 'n leerkontrak praktiese ondervinding opgedoen het in die sake-onderneming van 'n openbare rekenmeester, soos deur hierdie verordeninge vereis; of
- (b) bewys deur die aansoeker van sy lidmaatskap van enigeen van die Suid-Afrikaanse Genootskappe; of
- (c) bewys deur die aansoeker dat hy op 31 Oktober 1951, 'n lid was van die Rhodesiese Genootskap van Rekenmeesters en wat al sy geldelike verpligtinge nagekom het; of
- (d) bewys deur die aansoeker dat hy voldoen het aan die vereistes van artikel *nege-en-twintig* van die Wet op Openbare Rekenmeesters en Ouditeurs, 1951; of
- (e) bewys deur die aansoeker—
 - (i) dat hy buite die Republiek van Suid-Afrika as leerklrek gedien het in die rekenmeestersaak van 'n openbare rekenmeester soos hierin omskryf wat lid is van 'n genootskap van openbare rekenmeesters wat, volgens die mening van die Raad, soortgelyke voorwaardes vir die toelating van lede voorgeskryf het as hierdie Genootskap, en wat wettiglik geïnkorporeer is buite die grense van die Republiek van Suid-Afrika, gedurende 'n tydperk ten minste gelykstaande met die tydperk wat kragtens hierdie verordeninge van 'n ingeskrewe klerk vereis word; en
 - (ii) dat hy in eksamens geslaag het wat hom kragtens artikel *vyf-en-twintig* (5) (a) van die Wet op Openbare Rekenmeesters en Ouditeurs, 1951, geregtig op registrasie as 'n geregistreerde rekenmeester en ouditeur maak;
- (f) bewys deur die aansoeker dat hy in die openbare praktyk is en ononderbroke in die openbare praktyk was gedurende 'n tydperk van vyf jaar onmiddellik vóór die datum van sy aansoek om lidmaatskap, en dat hy óf—
 - (i) op 31 Desember 1955 'n lid wat al sy geldelike verpligtinge nagekom het, was van óf die Suid-Afrikaanse tak van die Vereniging van Gesertifiseerde en Korporatiewe Rekenmeesters óf die Vereniging van Praktiserende Rekenmeesters van Suid-Afrika óf die Instituut van Rekenmeesters van Suid-Afrika Beperk; óf
 - (ii) op 1 November 1951, kragtens 'n leerkontrak gedien het of sy leerkontrak voltooi het in die Republiek van Suid-Afrika by 'n lid van een van die Verenigings in paragraaf (i) hierbo vermeld;
- (g) bewys deur die aansoeker dat hy kragtens artikel 23 (4) *bis* van die Wet op Openbare Rekenmeesters en Ouditeure, 1951, as 'n buitelandse rekenmeester en ouditeur geregistreer is, en aldus geregistreer was uit hoofde van sy lidmaatskap van een van ondergenoemde liggame van rekenmeesters en ouditeurs of van enige ander sodanige liggaam wat vir die doeleindes van hierdie klousule deur die Raad erken word. Met dien verstande dat as 'n persoon bloot uit hoofde van hierdie kwalifikasies lid van die Genootskap word, hy in die besonder onderworpe is aan die bepalings van verordening 35 *bis* asook aan die Genootskap se Ordonnansie en ander verordeninge:

The American Institute of Certified Public Accountants.

The Association of Certified and Corporate Accountants.

The Canadian Institute of Chartered Accountants.

35. *Qualification for Admission to Membership.*

Subject to the provisions of bye-law 34 the qualifications for admission to the Society shall be one of the following:—

- (a) Proof by the applicant that he has passed the examinations prescribed by these bye-laws or previously existing bye-laws of the Society and has had the practical experience under articles of clerkship in the business of a public accountant required by these bye-laws; or
- (b) proof by the applicant of membership of any one of the South African Societies; or
- (c) proof by the applicant that on 31st October, 1951, he was a member in good standing of the Rhodesia Society of Accountants; or
- (d) proof by the applicant that he has complied with the requirements of section *twenty-nine* of the Public Accountants' and Auditors' Act, 1951; or
- (e) proof by the applicant that he has—
 - (i) served outside the Republic of South Africa under articles of clerkship in the accountancy business of a public accountant as defined herein who is a member of a body of public accountants having, in the opinion of the Council, conditions for the admission of members similar to this Society and which is legally incorporated outside the Republic of South Africa, for a period equal at least to that which would be required from an articulated Clerk under these bye-laws; and
 - (ii) passed such examinations as would entitle him to register as a registered accountant and auditor in terms of section *twenty-five* (5) (a) of the Public Accountants' and Auditors' Act, 1951;
- (f) proof by the applicant that he is in public practice and has been in public practice continuously during the period of five years immediately preceding the date of his application for admission; and that either—
 - (i) he was a member in good standing at the 31st December, 1955, of The South African Branch of the Association of Certified and Corporate Accountants or the Association of Practising Accountants of South Africa or the Institute of Accountants of South Africa, Limited; or
 - (ii) that at the 1st November, 1951, he was serving or had completed service in the Republic of South Africa under Articles of Clerkship with a member of one of the Bodies referred to in paragraph (i) above;
- (g) proof by the applicant that he is registered as a non-resident accountant and auditor under section *twenty-three* (4) *bis* of the Public Accountants' and Auditors' Act, 1951, and was so registered by virtue of his membership of one of the undermentioned organised bodies of accountants and auditors or of any other such body as may have been recognised by the Council for the purposes of this clause: Provided that where a person is admitted to membership of the Society by reason only of this qualification he shall in particular be subject to bye-law 35 *bis* as well as to the Society's Ordinance and other bye-laws:—

The American Institute of Certified Public Accountants.

The Association of Certified and Corporate Accountants.

The Canadian Institute of Chartered Accountants.

The Institute of Chartered Accountants of Australia.
 The Institute of Chartered Accountants in England and Wales.
 The Institute of Chartered Accountants in Ireland.
 The Institute of Chartered Accountants of Scotland.
 Het Nederlandse Instituut van Accountants.
 The Rhodesia Society of Accountants.
 De Vereniging van Academisch Gevormde Accountants.

35 bis. Buitelandse Lede.

'n Lid wat kragtens die bepalings van verordening 35 (g) toegelaat word—

- (a) word 'n Buitelandse Lid genoem in die Lederegister en op die Sertifikaat van Lidmaatskap wat aan hom uitgereik word;
- (b) betaal dieselfde gelde, ledegelde en bydraes as 'n elderswonende lid;
- (c) hou *ipso facto* op om lid te wees indien—
 - (i) sy registrasie as 'n buitelandse rekenmeester en ouditeur kragtens artikel 23 (7) of 23 (7) bis of 23 (10) van die Wet op Openbare Rekenmeesters en Ouditeurs, 1951, gekanselleer word; of
 - (ii) indien hy ophou om lid te wees van 'n georganiseerde liggaam van rekenmeesters wat in verordening 35 (g) genoem of wat vir die doeleindes van daardie klousule deur die Raad erken word.

36. Eksamens.

Die Raad skryf van tyd tot tyd die eksamens voor wat in verordening 35 (a) genoem word, asook die voorwaardes wat op hierdie eksamens betrekking het. Die eksamens is dié wat beskryf word in die Eerste Bylae van hierdie verordeninge.

37. Praktiese Ondervinding.

Die praktiese ondervinding in die sake-onderneming van 'n openbare rekenmeester, soos voorgeskryf deur hierdie verordeninge, is dié wat uiteengesit word in artikel 23 (3) (d) en artikel 24 (3) van die Wet op Openbare Rekenmeesters en Ouditeurs, 1951.

LEDEGELDE.

38. Gelde en Ledegelde.

(a) Elke lid van die Genootskap betaal 'n jaarlikse ledegeld op sodanige tyd en van sodanige bedrag soos van tyd tot tyd deur 'n Algemene Vergadering besluit.

(b) Tensy en tot tyd en wyl daar anders besluit word, is die jaarlikse ledegelde verskuldig op die eerste dag van Januarie in elke jaar en moet gedurende genoemde maand betaal word. Dit bedra die som van vyftien rand, behalwe in die geval van lede wie se name in die Lys van Elderswonendes verskyn. Die jaarlikse ledegeld wat deur hulle betaalbaar is, is die som van drie rand.

(c) Enige persoon wat na die 30ste dag van Junie in enige jaar lid word, betaal net die helfte van die ledegeld vir daardie besondere jaar.

(d) Op aansoek by die Raad kan die name van die volgende in die Lys van Elderswonende Lede opgeneem word:—

- (i) Lede uitgesonderd Buitelandse Lede geregistreer kragtens verordening 35 (g), wat buite die Republiek van Suid-Afrika of Suidwes-Afrika woon, of wat meer as 'n kalenderjaar lank uit die genoemde gebiede afwesig was.
- (ii) Lede wat volle lede van enigeen van die ander Suid-Afrikaanse Genootskappe is, mits hulle nie in Transvaal woonagtig is nie.

The Institute of Chartered Accountants in Australia.
 The Institute of Chartered Accountants in England and Wales.
 The Institute of Chartered Accountants in Ireland.
 The Institute of Chartered Accountants of Scotland.
 Het Nederlands Instituut van Accountants.
 The Rhodesia Society of Accountants.
 De Vereniging van Academisch Gevormde Accountants.

35 bis. Non-Resident Members.

A member admitted under bye-law 35 (g) shall—

- (a) be styled a Non-Resident Member in the Register of Members and on the Certificate of Membership issued to him;
- (b) pay the same rate of fees, subscriptions and contributions as an absentee member;
- (c) *ipso facto* cease to be a member upon either—
 - (i) his registration as a non-resident accountant and auditor being cancelled pursuant to section twenty-three (7) or twenty-three (7) bis or twenty-three (10) of the Public Accountants' and Auditors' Act, 1951; or
 - (ii) upon his ceasing to be a member of an organised body of accountants either mentioned in bye-law 35 (g) or recognised by the Council for the purposes of that clause.

36. Examinations.

The Council shall, from time to time, prescribe the examinations referred to in bye-law 35 (a) and the conditions governing the same. The examinations shall be as set out in the First Schedule attached to these bye-laws.

37. Practical Experience.

The practical experience in the business of a public accountant as prescribed by these bye-laws shall be that set out in section twenty-three (3) (d) or section twenty-four (3) of the Public Accountants' and Auditors' Act, 1951.

SUBSCRIPTIONS.

38. Fees and Subscriptions.

(a) Each member of the Society shall pay an annual subscription at such time and of such amount as may from time to time be determined in general meeting.

(b) Unless and until otherwise so determined the annual subscription shall be due on the first day of January in each year and payable during that month and shall be the sum of fifteen rand except for members on the absentee list for whom the annual subscription shall be the sum of three rand.

(c) Any member admitted after the 30th day of June in any year shall pay only one-half of the annual subscription for the year then current.

(d) The following on application to the Council may be placed on the absentee list of members:—

- (i) Members other than non-resident members registered in terms of bye-law 35 (g) resident outside the Republic of South Africa and South West Africa or absent therefrom for more than a calendar year.
- (ii) Members who are full members of any of the other South African Societies, provided they are not resident in the Transvaal.

(e) Indien 'n lid wie se naam kragtens (d) (i) hierbo in die Lys van Elderswonende Lede verskyn gedurende enige deel van 'n kalenderjaar in die Republiek van Suid-Afrika of Suidwes-Afrika woonagtig is, is hy aanspreeklik vir die betaling van die volle ledegeld vir daardie jaar, tensy hy aldus woonagtig word na 30 Junie in enige jaar, wanneer hy vir die helfte van die jaar se ledegeld verantwoordelik sal wees.

(f) Die Raad kan 'n lid na goeddunke kwytskel van die betaling van die hele of enige deel van die ledegeld en/of intreegeld as die omstandighede, volgens die mening van die Raad, van so 'n aard is dat dit sodanige kwytskelding regverdig.

(g) Tensy en tot tyd en wyl op 'n Algemene Vergadering anders besluit, is die intreegeld betaalbaar by toelating tot lidmaatskap van die Genootskap die bedrag van een-en-twintig rand.

(h) Geen intreegeld word gevra in die geval van die toelating tot lidmaatskap van die Genootskap van 'n persoon wat op daardie tydstip lid is (wat al sy geldelike verpligtinge nagekom het) van engeen van die ander Suid-Afrikaanse Genootskappe nie.

(i) Die Raad kan die intreegeld van 'n lid kwytskel wat voorheen kragtens verordening 35 (g) as 'n buitelandse lid van die Genootskap of een van die ander Suid-Afrikaanse Genootskappe geregistreer was.

(j) Die Raad kan van tyd tot tyd 'n bydrag of bydraes van lede opeis vir die vereffening van uitgawes aangegaan deur die Raad in die belang of ter bevordering van die oogmerke van die Genootskap, mits sodanige opvordering in geen jaar die bedrag van R4 per lid oorskry in die geval van alle lede behalwe elderswonendes, en R2 elk in die geval van elderswonende lede nie.

(k) As 'n lid vyf maande agterstallig is met enige jaarlikse ledegeld of bydrae of vordering vanaf die datum wanneer dit kragtens hierdie verordeninge verskuldig is, word hy per aangetekende brief in kennis gestel dat hy agterstallig is. Indien die lid sy skuld nie vereffen voor die verstryking van ses maande na die datum wanneer die bedrag verskuldig geword het kragtens hierdie verordeninge nie, hou hy *ipso facto* op om lid van die Genootskap te wees, maar hy bly nietemin aanspreeklik vir die betaling van die jaar se ledegelde en enige ander agterstallige ledegelde of ander bydraes of vorderings wat deur hom aan die Genootskap verskuldig is, en hy bly ook andersins as lid aanspreeklik, met dien verstande dat die Raad die bevoegdheid het om, na die ontvangs van 'n aansoek in spesiale gevalle, die bepalings van hierdie klousule op te hef, en ook die mag het om die voorwaardes voor te skryf waaronder hy bereid is om die bepalings van hierdie klousule op te hef.

Enige lid wie se lidmaatskap kragtens die bepalings van hierdie verordeninge gekanselleer is, kan deur die Raad na goeddunke herstel word, en in sodanige gevalle kan die Raad afsien van 'n nuwe aansoek om lidmaatskap en/of die betaling van intreegeld.

39. Bedanking en Hertoelating.

Enige lid wat alle verskuldigde bedrae en ledegelde betaal en al sy ander verpligtinge nagekom het, kan as lid bedank deur 'n skriftelike kennisgewing te dien effekte aan die Raad te rig, en sodanige kennisgewing tree in werking onmiddellik ná die aanname daarvan deur die Raad, met dien verstande altyd—

- (1) dat indien enige klagte ontvang of enige ondersoek aanhangig gemaak is teen so 'n lid ten opsigte van sy professionele gedrag, sy bedanking nie aangenem moet word tot tyd en wyl sodanige klagte of ondersoek finaal deur die Raad afgehandig is nie;
- (2) dat enige sodanige aanname deur die Raad gekwalifiseer of geëndosseer kan word deur die Registrateur om die bevinding van die Raad ten opsigte van sodanige klagte of ondersoek aan te dui.

(e) If a member who has been placed on the absentee list under (d) (i) above is resident in the Republic of South Africa or South West Africa during any part of a calendar year he shall be liable for a full subscription for that year, unless he becomes so resident after the 30th June in any year when he shall be liable for one-half of the year's subscription.

(f) The Council may in its discretion remit in whole or in part the subscription and/or entrance fee of a member under special circumstances which in its opinion warrant such remission.

(g) Unless and until otherwise determined in general meeting, the entrance fee payable on admission to the Society shall be twenty-one rand.

(h) No entrance fee shall be charged in the case of admission to membership of the Society of a person who at that time is a member in good standing of any of the other South African Societies.

(i) The Council may remit the entrance fee of a member who was previously registered in terms of bye-law 35 (g) as a non-resident member of the Society or of one of the other South African Societies.

(j) The Council may from time to time call upon members for payment of a contribution or contributions for the purpose of meeting expenses which it may incur in the interests and/or furtherance of the objects of the Society, not exceeding, however, in any one year the sum of R4 each by members other than absentee members and R2 each by absentee members.

(k) Any member who is in arrear with his annual subscription or any contribution or charge for a period of five months from the date when the same became due under these bye-laws, shall be sent a registered letter reminding him that he is in arrears. Should the member fail to effect payment before the expiration of six months from the date when the amount became due under these bye-laws, he shall, *ipso facto*, cease to be a member but shall, nevertheless, be liable to pay the amount of such year's subscription and any other arrears of subscriptions or other contributions or charges due by him to the Society and shall be liable otherwise as a member, provided that the Council shall have power, upon application in special cases to suspend the operations of this clause and shall have the power to stipulate the conditions on which they will suspend the operation of the clause.

The Council may, in its discretion, reinstate any member whose membership has been cancelled in terms of this Bye-law and may in such case dispense with a new application for membership and/or payment of entrance fee.

39. Resignation and Re-admission.

Any member who has paid all his dues and subscriptions and is otherwise in good standing may resign his membership by sending to the Council written notice to that effect and such notice shall become effective immediately on acceptance thereof by the Council provided always—

- (1) if any complaint is received or an inquiry is pending against such member in respect of his professional conduct, no such resignation need be accepted until such complaint or inquiry has been finally dealt with by the Council;
- (2) any such acceptance by the Council may be qualified or endorsed through the Registrar so as to record the finding of the Council in respect of such complaint or inquiry.

Geen bedanking wat deur enige lid ingedien is, kan teruggetrek word sonder die voorafgekreë verlof van die Raad vir sodanige terugtrekking nie.

Enige persoon wat as lid bedank het, is geregtig op hertoelating ná voorlegging aan die Raad van bewys dat hy aan die bepalings van verordening 34 voldoen het op die datum van sy aansoek om hertoelating.

40. Sertifikaat van Lidmaatskap.

Alle sertifikate van lidmaatskap van die Genootskap word opgestel in die vorm soos van tyd tot tyd deur die Raad bepaal, en is en bly die eiendom van die Genootskap. Iedere lid is geregtig om van die Genootskap 'n sertifikaat van lidmaatskap in een van die twee amptelike landstale te ontvang, maar in geval van bedanking, skorsing of uitsetting moet sodanige sertifikaat vir kansellering aan die Raad terugbesorg word.

41. Lewenslange lidmaatskap.

(a) In spesiale omstandighede kan die Raad erkenning verleen aan die goeie dienste wat 'n lid aan die Genootskap of aan die professie as 'n geheel bewys het deur hom tot lewenslange ere-lid te kies.

(b) Enige lid wat die ouderdom van vyf-en-sestig jaar bereik het en tot tevredenheid van die Raad bewys het dat hy afgetree het, kan tot geassosieerde lewenslange lid deur die Raad verkies word.

Lewenslange lede bly sulks solank dit die Raad behaag, en is nie aanspreeklik vir die betaling van enige ledegelde aan die Genootskap nie.

42. Dood van 'n lid.

As die Raad oortuig is dat 'n lid oorlede is, word sy naam van die register geskrp.

VERGADERING.

43. Algemene Jaarvergadering.

Die Algemene Jaarvergadering van die Genootskap vir die afhandeling van die sake van die Genootskap, dit wil sê vir die verkiesing van lede van die Raad, en behoudens die bepalings van verordeninge 55 tot 58, albei inbegrepe, van 'n ouditeur of ouditeure, en vir die ontvangs en aanvaarding van die jaarlikse rekenings tesame met die ouditeursverslag daaroor, en die verslag van die Raad oor die werk van die afgelope jaar, en enige ander aangeleenthede wat op 'n gewone Algemene Jaarvergadering afgehandel kan word, word op sodanige plek in Transvaal, soos deur die Raad besluit, gehou so gou dit gerieflik is na die 1ste dag van Januarie in elke jaar, maar in elk geval nie later as 30 April nie.

44. Spesiale Algemene Vergaderings.

Die Raad kan, wanneer hy dit wenslik ag, en moet na die ontvangs van 'n skriftelike versoek bevattende 'n uiteensetting van die redes vir die voorgestelde vergadering en onderteken deur ten minste twintig lede wat al hul geldelike verpligtinge nagekom het, 'n spesiale algemene vergadering van die Genootskap belê. Die kennisgewing ingevolge waarvan die vergadering in laasgenoemde geval belê word, moet deur die Raad uitgereik word binne een-en-twintig dae na die ontvangs van die versoek.

45. Kennisgewing van Vergaderings.

Ten minste veertien dae voor elke Algemene Jaarvergadering van die Genootskap stuur die Raad aan elke lid by sy geregistreerde adres 'n kennisgewing waarin die datum, plek en aanvangsuur van die vergadering gemeld word. Ingeval van 'n Algemene Jaarvergadering moet sodanige kennisgewing vergesel gaan van 'n afskrif van die Raad se verslag en van die jaarlikse rekeningstate en die ouditeur se verslag daaroor. In die geval van 'n spesiale algemene vergadering moet sodanige kennisgewing die sake aandui wat op die vergadering behandel sal word en geen ander sake kan aldaar behandel word nie. As daar per ongeluk versuim word om sodanige kennisgewing aan enige lid te gee, of as hy nie die kennisgewing ontvang nie, maak dit die verrigtinge op enige sodanige vergadering nie ongeldig nie.

No resignation once tendered by any member may be withdrawn without the consent of the Council first having been had and obtained.

Any person who has resigned his membership shall be entitled to re-admission on proof to the Council that he complies with the conditions of bye-law 34 at the date of his application for re-admission.

40. Certificates of Membership.

All certificates of membership of the Society shall be made in the form from time to time prescribed by the Council and shall be and remain the property of the Society. Every member shall be entitled to receive from the Society a Certificate of Membership in either official language but in the event of resignation, suspension or removal, such certificate shall be delivered up to the Council for cancellation.

41. Life Membership.

(a) The Council may, in special circumstances, recognise the meritorious service of a member towards the Society or the profession as a whole by electing such a member an honorary life member.

(b) Any member who has attained the age of sixty-five and who has satisfied the Council that he has retired may be elected an associate life member by the Council.

Life members shall remain as such at the pleasure of the Council and shall not be liable for any subscriptions to the Society.

42. Death of Member.

Upon the Council being satisfied of the death of any member, his name shall be removed from the register.

MEETINGS.

43. Annual General Meeting.

The annual general meeting of the Society for the transaction of the business of the Society, that is to say, for the election of members of the Council and, subject to the provisions of bye-laws 55 to 58 inclusive, of an auditor or auditors, and for receiving and adopting the annual accounts with the auditor's report thereon, and the report from the Council on the past year's activities, and such other business as may be transacted at an ordinary annual general meeting, shall be held at such place in the Transvaal as the Council may from time to time determine, as soon as may be convenient after 1st January, in each year, but in no case later than 30th April.

44. Special General Meetings.

The Council may, whenever it thinks fit, and shall on receipt of a written requisition expressing the objects of the proposed meeting, and signed by not less than twenty members in good standing, call a special general meeting of the Society. The notice calling the meeting in the last mentioned case shall be issued by the Council within twenty-one days of the receipt of the requisition.

45. Notice of Meetings.

The Council shall not less than fourteen days before each general meeting of the Society send to each member at his registered address a notice stating the day, place and hour of the meeting. In the case of an annual general meeting such notice shall be accompanied by a copy of the Council's report and of the annual accounts and the auditor's report thereon. In the case of a special general meeting, such notice shall specify the business to be transacted at the meeting and no other business shall be transacted thereat. The accidental omission to give notice to or the non-receipt of any such notice by any member shall not invalidate the proceedings at any such meeting.

46. *Voorsitter van vergaderings.*

Die diensdoende President van die Genootskap of, in sy afwesigheid, een van die Vise-presidente van die Genootskap, neem die voorsitterstoel in op alle vergaderings van die Genootskap, en in geval van 'n botsing tussen die Vise-presidente, word die voorsitterstoel ingeneem deur die een wat deur die lede van die Genootskap, aanwesig op die vergadering, gekies word. In die afwesigheid van die Vise-presidente word 'n voorsitter gekies uit die Raadslede wat aanwesig is, en, indien geen lede van die Raad aanwesig is nie, uit die lede van die Genootskap wat op die vergadering aanwesig is.

47. *Kworum op Vergaderings.*

Behoudens die bepalings wat hieronder uiteengesit word, vorm tien lede wat persoonlik aanwesig is 'n kworum op alle Algemene Vergaderings van die Genootskap.

As daar op 'n Algemene Vergadering nie tien lede aanwesig is binne vyftien minute ná die tyd wat vir die aanvang van die vergadering vasgestel is nie, word die vergadering 'n week lank verdaag en dan gehou op dieselfde tyd en plek, tensy die vergadering belê is op versoek van lede van die Genootskap kragtens die bepalings van verordening 44, en in dié geval word die vergadering ontbind.

Op 'n verdaagde vergadering in ooreenstemming met hierdie verordeninge vorm die aanwesige lede 'n kworum en hulle besit volle bevoegdheid om die sake van die vergadering af te handel wat afgehandel sou geword het as die vergadering gehou was op die datum waarop dit oorspronklik belê is.

48. *Hoe daar oor voorstelle besluit word.*

Oor enige saak waarvoor op 'n vergadering besluit moet word, word daar besluit deur 'n meerderheid van die lede aanwesig op so 'n vergadering, en die voorsitter het geen beslissende stem nie. Iedere lid is geregtig op een stem, maar geen lid is geregtig om te stem as hy agterstallig is met sy ledegeld of enige ander bedrag wat deur hom aan die Genootskap betaalbaar is nie, nog minder word so 'n lid onder die aanwesiges gereken vir enigeen van die oogmerke soos uiteengesit in die eersvolgende twee verordeninge.

49. *Stemming geskied deur die opsteek van hande tensy 'n stemming met stembrieffies geëis word.*

Iedere mosie of amendement, voorgestel en gesecondeer op 'n vergadering van die Genootskap, word deur die voorsitter aan die vergadering voorgelê, en 'n beslissing daarvoor word gevel deur die opsteek van hande, tensy 'n stemming met stembrieffies geëis word deur ten minste vyf lede of voordat die hande opgesteek word of onmiddellik nadat die voorsitter die uitslag van die stemming met die opsteek van hande aangekondig het, of op 'n skriftelike versoek wat voor die ontbinding of verdagting van die vergadering geteken en ingelewer word deur ten minste een-tiende van die lede aanwesig op so 'n vergadering. Tensy 'n stemming met stembrieffies aldus geëis word, is 'n verklaring deur die voorsitter dat 'n voorstel of amendement met die opsteek van hande aangeneem of eenparig aangeneem of verwerp is en 'n aantekening te dien effekte in die notule van die verrigtinge van die Genootskap, afdoende bewys van die feit, sonder enige bewys van die aantal of die verhouding van die stemme wat ten gunste van of teen sodanige voorstel of amendement uitgebring is.

STEMOPNEMERS.

50. *Hoe 'n stemming met stembrieffies gehou moet word.*

Indien 'n stemming met stembrieffies behoorlik geëis word, word sodanige stemming gehou op die wyse soos deur die voorsitter voorgeskryf en die besluit of amendement ten opsigte waarvan die stemming met stembrieffies geëis is, word aangeneem of verwerp na gelang van die uitslag van die stemming met stembrieffies, en 'n aantekening te dien effekte in die notule van die verrigtinge is afdoende bewys van die feit. Die voorsitter moet stemopnemers uit die aanwesige lede aanstel, maar sodanige stemopnemers moet nie die voorstellers of sekondante van die besluit of amendement wees nie, nóg persone wat die onderwerp vorm van of genoem word in, of, behalwe as lede van die Genootskap, geraak word deur sodanige

46. *Chairman of Meetings.*

At all meetings of the Society the President of the Society for the time being or in his absence one of the Vice-Presidents of the Society, and in the event of conflict between the Vice-Presidents such one of them as shall be elected by the members of the Society present, shall be Chairman; in their absence the Chairman shall be elected from among the members of the Council present, and if there be no member of the Council present, then from among the members of the Society present.

47. *Quorum at Meetings.*

Ten members personally present shall, subject to the provisions hereinafter contained, constitute a quorum at all general meetings of the Society.

At all general meetings, unless ten members are personally present within fifteen minutes of the time appointed for the meeting, the meeting shall stand adjourned for one week, to be then held at the same hour and place, unless the meeting shall have been convened on the requisition of members of the Society in terms of bye-law 44, in which case the meeting shall be dissolved.

At an adjourned meeting in accordance with this bye-law the members present shall form a quorum and shall have full power to transact the business of the meeting, which would have been transacted had the meeting been held on the date for which it was called.

48. *How Questions to be Decided.*

Any question to be decided at a meeting of the Society shall be decided by a majority of the members present thereat and the Chairman shall not have a casting vote. Each member shall be entitled to one vote, but no member shall be entitled to vote if he is in arrear with any subscription or sum payable by him to the Society, nor shall he be reckoned amongst the members present for any of the purposes of the next two succeeding bye-laws.

49. *Voting by Show of Hands unless Poll Demanded.*

Every motion or amendment proposed and seconded at a meeting of the Society shall be put to the meeting by the Chairman, and decided on by a show of hands unless a poll shall be demanded by not less than five members either before the show of hands or immediately upon the declaration by the Chairman of the result of the show of hands, or upon the written requisition signed and submitted before the dissolution or adjournment of the meeting, by not less than one-tenth of the members present at the meeting. Unless a poll is so demanded a declaration by the Chairman that a resolution or amendment has on a show of hands been carried, or carried unanimously, or lost, and an entry to that effect in the minutes of the proceedings of the Society shall be conclusive evidence of the fact without proof of the number or proportion of the votes recorded in favour of or against such resolution or amendment.

SCRUTINEERS.

50. *How Poll to be Taken.*

If a poll is duly demanded, it shall be taken in such manner as the chairman directs, and the resolution or amendment in respect of which the poll was demanded shall be carried or negatived according to the result of the poll, and an entry to that effect in the minutes of the proceedings shall be conclusive evidence of the fact. The Chairman shall appoint scrutineers from among the members present not being proposers or seconders of the resolution or amendment or persons the subject of or mentioned in or affected otherwise than as members of the Society

voorstel of amendement. Die stemopnemers onderteken die rapport oor die uitslag van die stemming met stembriefies, en die uitslag word dan deur die voorsitter aangekondig.

51. Geen stemming met stembriefies in die geval van die verkiesing van 'n voorsitter of die verdagting van 'n vergadering nie.

Geen stemming met stembriefies word gehou in die geval van die verkiesing van 'n voorsitter of oor 'n voorstel vir die verdagting van 'n vergadering nie.

Nieteenstaande enige eis om 'n stemming met stembriefies op enige vergadering, word sodanige vergadering voortgesit vir die afhandeling van ander sake ten opsigte waarvan 'n stemming met stembriefies nie geëis is nie.

INGESKREWE KLERKE.

52. Magtiging deur die Raad.

Na die inwerkingtreding van hierdie verordeninge word geen lid van die Genootskap toegelaat om 'n klerk kragtens 'n leerkontrak in diens te neem nie tensy hy tot tevredenheid van die Raad kan bewys dat hy deur die Openbare Raad gemagtig is om dit te doen; met dien verstande dat, ten opsigte van klerke wat as ingeskrewe klerke wil dien by lede van die Genootskap in die protektorate Basoetoland, Betsjoeanaland en Swaziland, die Raad sy goedkeuring aan sodanige leerkontrakte kan heg indien hy dit wenslik ag.

53. Diensvoorwaardes.

Na die inwerkingtreding van hierdie verordeninge moet die kwalifikasies van ingeskrewe klerke, die aantal ingeskrewe klerke wat 'n lid in die openbare praktyk toegelaat word om in diens te neem, en die voorwaardes met betrekking tot dienstryd, registrasie, oordrag, ontslag, kansellasië en opheffing van leerkontrakte voldoen aan die bepalings van die Wet op Openbare Rekenmeesters en Ouditeurs, 1951.

54. Registrasie van leerkontrakte.

Binne dertig dae na die datum van registrasie van enige leerkontrak by die Openbare Raad, moet die lid van die Genootskap wat daarin as prinsipaal genoem word aansoek om die registrasie van sodanige leerkontrak deur die Genootskap op die voorgeskrewe vorm by die Raad doen, en sodanige aansoek moet vergesel gaan van enige gelde wat deur die Raad voorgeskryf is.

Indien sodanige leerkontrak met verlof van die Openbare Raad gekanselleer of oorgedra word, moet die betrokke lede die Registrateur daarvan verwittig binne dertig dae na sodanige kansellasië of oordrag.

ODUIT.

55. Ouditeur of Ouditeure.

'n Ouditeur of ouditeure word aangestel en sy of hulle pligte word gereguleer in ooreenstemming met die bepalings van verordeninge 55 tot 58, albei inbegrepe. In hierdie verordeninge beteken die woord „ouditeur” 'n „ouditeur of 'n ouditeursfirma of meer as een ouditeur of ouditeursfirma”.

56. AANSTELLING VAN OUDITEUR.

Die ouditeur van die Genootskap moet 'n lid van die Genootskap wees wat 'n openbare praktyk beoefen, en word verkies op 'n algemene vergadering; hy beklee sy amp tot tyd en wyl hy bedank of ontslaan word kragtens die bepalings van verordening 58. Sy vergoeding word jaarliks deur die lede in Algemene Vergadering vasgestel.

Geen lid van die Raad of die Registrateur, Sekretaris of ander amptenaar mag as ouditeur van die Genootskap optree nie.

Enige toevallige vakature in die amp van ouditeur word deur die Raad aangevul, en sodanige aanstelling is onderworpe aan bekragtiging deur die lede op die eersvolgende Algemene Vergadering. Op sodanige vergadering word die tans diensdoende ouditeur geag genomineer te wees tensy hy te kenne gegee het dat hy nie die benoeming wil aanvaar nie.

by such resolution or amendment. The scrutineers shall sign their report of the result of the poll, and the result shall be declared by the Chairman.

51. No Poll as to Election of Chairman or Adjournment.

No poll shall be taken as to the election of the Chairman or the adjournment of a meeting.

Notwithstanding any demand for a poll at any meeting, such meeting shall continue for the transaction of other business in respect of which a poll has not been demanded.

ARTICLED CLERKS.

52. Authorisation by Board.

After the commencement of these bye-laws no member of this Society may receive any clerk to serve under articles of clerkship unless he proves to the satisfaction of the Council that he has been authorised to do so by the Board, provided that in respect of clerks wishing to serve articles with members of the Society in practice in the High Commission Territories of Basutoland, Bechuanaland and Swaziland, the Council may authorise such articles if it so deems fit.

53. Conditions of Service.

After the commencement of these bye-laws the qualifications of articulated clerks, the number of articulated clerks allowed to a member in public practice, and the conditions governing the period of service, registration, transfer, discharge, cancellation and suspension of articles shall be in accordance with the provisions of the Public Accountants' and Auditors' Act, 1951.

54. Registration of Articles.

Within thirty days of the date of registration of any articles of clerkship by the Board the member of the Society named therein as principal shall apply to the Council on the prescribed form accompanied by any fee which may be determined by the Council for registration of those articles of clerkship by the Society.

Should any such articles of clerkship be cancelled or transferred with the consent of the Board, the members concerned shall notify the Registrar accordingly within thirty days thereof.

AUDIT.

55. Auditor or Auditors.

An auditor or auditors shall be appointed and his or their duties regulated in accordance with the provisions of bye-laws 55 to 58 inclusive. In such bye-laws the term „auditor” shall mean „an auditor or a firm of auditors or more than one auditor or firm of auditors”.

56. Appointment of Auditor.

The auditor of the Society who shall be a member of the Society in public practice shall be elected at a general meeting and he shall remain in office until either he resigns or is removed in terms of bye-law 58. His remuneration shall be fixed annually by the members in general meeting.

No member of the Council, or the Registrar, Secretary or officer shall hold office as auditor of the Society.

Any casual vacancy in the office of auditor shall be filled by the Council and such appointment shall be subject to confirmation by the members at the next general meeting. At such general meeting the auditor who is in office shall be deemed to be nominated unless he has expressed his desire not to accept nomination.

Ander kandidate vir verkiesing as ouditeur kan benoem word deur ten minste vyf lede van die Genootskap. Sodanige nominasie moet skriftelik geskied; dit moet onderteken wees deur die lede wat die kandidaat benoem, en moet vergesel gaan van 'n skriftelike mededeling deur die kandidaat dat hy bereid is om as ouditeur op te tree indien hy verkies word. Sodanige benoeming moet die Registrateur ten minste drie dae voor die datum van die vergadering bereik.

57. Regte en pligte van die ouditeur.

Die ouditeur het te alle redelike tye die reg van toegang tot die boeke, rekenings en bewysstukke van die Genootskap, en het die reg om enige inligting wat vir die uitvoering van sy pligte nodig is, van die Raad en die amptenare van die Genootskap te verkry. Die ouditeur doen verslag aan lede oor die rekenings wat op die Algemene Jaarvergadering aan hulle voorgelê word.

58. Ontslag van ouditeur.

Die Genootskap kan op enige tydstop, kragtens 'n besluit geneem met twee-derdes van die stemme van die lede wat op 'n spesiale Algemene Vergadering aanwesig is, enige ouditeur uit sy amp ontslaan voor die verstryking van sy ampstermyn, en kan kragtens 'n besluit geneem met 'n meerderheid van die stemme van die lede wat op so 'n vergadering aanwesig is en hul stemme uitgebring, 'n ander bevoegde persoon wat op die vergadering benoem is, in sy plek aanstel, met dien verstande dat as 'n stemming met stembriefies geëis word oor die voorstel in verband met die ontslag van 'n ouditeur, twee-derdes van die stemme wat met sodanige stemming uitgebring word, nodig is vir die aanname van die genoemde besluit.

59. Geregistreerde adresse en kennisgewings.

Elke lid moet skriftelike kennis aan die Registrateur gee van die adres wat as sy geregistreerde adres beskou word. Die adresse in die boeke van die Genootskap van persone wat lede is by die inwerkingtrekking van hierdie verordeninge word beskou as die geregistreerde adrese van sodanige lede. Enige kennis wat kragtens hierdie verordeninge aan 'n lid gegee moet word, kan gegee word deur dit per pos te stuur in 'n brief gerig aan sodanige lid by sy geregistreerde adres, en sodanige kennisgewing word geag as aan hom bestel te wees op die tydstop wanneer die brief met die kennisgewing gepos is.

DISCIPLINE.

60. Strafbare oortredings.

Die volgende handeling en praktyke, hetsy dade of versuime, aan die kant van enige lid van die Genootskap word beskou as oortredings, en 'n lid wat skuldig daaraan bevind word ná behoorlike ondersoek soos in hierdie verordeninge bepaal, stel hom bloot aan die strawwe soos uitengesit in verordening 63 (b):—

- As hy enigeen van die bepalings van artikel *ses-en-twintig* en/of *dertig* van die Wet op Openbare Rekenmeesters en Ouditers, 1951, of enige wysiging daarvan, oortree, of as hy hom skuldig maak aan 'n oortreding van enige reëls of regulasies wat van tyd tot tyd deur die Raad opgestel word kragtens die bevoegdhede wat aan hom verleen is by artikel *een-en-twintig* (1) (g) van die Wet op Openbare Rekenmeesters en Ouditers, 1951, of, in die geval van 'n lid wat nie by die Openbare Raad geregistreer is nie, as hy hom op so 'n manier gedra dat dit neerkom op 'n oortreding van die voorafgaande, of as hy op 'n bedrieglike of onreëlmatige wyse registrasie kragtens artikel *drie-en-twintig* van die genoemde Wet verkry.
- As hy hom gedra op 'n manier wat, volgens die mening van die Dissiplinêre Komitee, eerloos, oneerlike, onreëlmstig, onwaardig of kleinerend vir die Genootskap is.
- As hy growwe nalatigheid aan die lag lê in verband met enige taak wat deur hom verrig word in sy professie of werk, insluitende werk of diens in verband met enige sekretarisskap, trusteeskap, likwidasie, geregtelike bestuur, eksekuteurskap, administrateurskap of kuratorskap, of enige amp of trust wat hy onderneem of aanvaar.

Other candidates for election as auditor may be nominated by at least five members of the Society. Any such nomination shall be in writing, signed by the nominating members, and shall be accompanied by an intimation in writing from the candidate of his willingness to serve if elected. Such nomination must be in the hands of the Registrar at least three days prior to the date of the meeting.

57. Rights and Duties of Auditor.

The auditor shall have the right of access at all reasonable times to the books, accounts and vouchers of the Society, and shall be entitled to require from the Council and officers of the Society such information and explanations as may be necessary for the performance of his duties. The auditor shall report to the members on the accounts laid before them at the annual general meeting.

58. Removal of Auditor.

The Society may at any time by resolution passed by two-thirds of the votes of members present at a special general meeting, remove any auditor from his office before the expiration of his period of office, and may by a resolution passed by a majority of the votes of members present and voting at that meeting elect another qualified person who may be nominated at the meeting in his stead, provided that if a poll be demanded as to the resolution for removal, two-thirds of the votes recorded at the poll shall be necessary for carrying that resolution.

59. Registered Addresses and Notices.

Every member shall give the Registrar written notice naming an address as his registered address. The addresses in the records of the Society of persons who are members at the commencement of these bye-laws shall be deemed to be the registered addresses of such members. Any notice required by these bye-laws to be given to a member may be given by sending it through the post in a letter addressed to such member at his registered address, and such notice shall be deemed to have been served at the time when the letter containing the same is posted.

DISCIPLINE.

60. Punishable Offences.

The following acts and practices, whether of commission or of omission, upon the part of any member of the Society, shall be offences and a member found guilty thereof after proper inquiry as provided in these bye-laws shall be liable to the penalties prescribed in bye-law 63 (b):—

- Contravening any of the provisions of section *twenty-six* and/or *thirty* of the Public Accountants' and Auditors' Act, 1951, or any amendment thereof or contravening any rules or regulations created by the Board from time to time under the power granted to it in terms of section *twenty-one* (1) (g) of the Public Accountants' and Auditors' Act, 1951, or in the case of a member who is not registered with the Board, conducting himself in a manner which would amount to a contravention of the foregoing or obtaining registration under section *twenty-three* of the said Act by fraudulent or irregular means.
- Conducting himself in a manner which, in the opinion of the Disciplinary Committee, is dishonourable, dishonest, irregular or unworthy or which is derogatory to the Society.
- Conducting himself with gross negligence in connection with any work performed by him in his profession or employment, including work or employment in connection with Secretaryships, Trusteeships, Liquidations, Judicial Managements, Executorships, Administratorships or Curatorships or any office of trust which he has undertaken or accepted.

- (d) As hy sertifiseer dat enige rekenings, state, verslae of ander dokumente korrek is sonder om redelike stappe te doen om die korrektheid van sodanige dokumente te verseker.
- (e) (i) As hy die naam of titel van Geoktrooieerde Rekenmeesters (S.A.) of Geoktrooieerde Rekenmeesters (Suid-Afrika) of enige verkorting daarvan as die titel van enige vennootskap of firma waarvan hy 'n lid is, gebruik wanneer enige ander vennoot nie geregtig op hierdie titel is nie.
- (ii) As hy enige artikel van die Wet op die Benaming van Geoktrooieerde Rekenmeesters van die Unie van Suid-Afrika oortree, of vennoot is van 'n firma wat so 'n artikel oortree.
- (f) As hy regstreks of onregstreks enige kommissie betaal aan enige persoon, behalwe 'n geregistreerde rekenmeester en ouditeur of enige persoon wat as rekenmeester of ouditeur buite die Republiek van Suid-Afrika praktiseer, wat werk na hom gebring het, of as hy geldelike of ander vergoeding as beloning gee aan enige persoon wat werk na hom gebring het of ander persone ooreed het om werk aan hom te gee.
- (g) As hy regstreks of onregstreks enige kommissie, makelaarsgelde of ander vergoeding aanneem ten opsigte van professionele of kommersiële besigheid wat aan andere opgedra word in die loop van die dienste wat hy aan 'n kliënt bewys, behalwe waar dit met die kennis en verlof van so 'n kliënt geskied.
- (h) As hy op 'n onbehoorlike wyse werk verkry of probeer om werk te verkry.
- (i) As hy probeer om die soort werk wat gewoonlik onderneem word deur lede wat 'n openbare praktyk beoefen te verkry deur persoonlike werwing, deur korrespondensie, deur omsendbriewe, deur advertensies in die pers, adresboeke of ander publikasies, of op hoegenaamd enige ander wyse, insluitende werk in verband met sekretarisskappe, trusteeskappe, insolvente of bestorwe boedels of likwidasies, of die geregtelike bestuur van maatskappye of enige amp of trust, of as hy toelaat dat sy lidmaatskap van die Genootskap of enige titel waarop hy uit hoofde van sodanige lidmaatskap geregtig is gebruik word in enige advertensie vir sodanige werk.
- (j) As hy opsetlik weier of versuim om enigeen van die bepalings van hierdie verordeninge na te kom, daaraan te voldoen of dit uit te voer, indien dit sy plig is om dit te doen.
- (k) As hy hom skuldig maak aan 'n flagrante oortreding van enige reël in verband met professionele gedrag soos van tyd tot tyd deur die Raad bepaal kragtens die bepalings van verordening 66, of, nadat hy vooraf gewaarsku is deur die Raad of enige komitee van die Raad, voortgaan met die oortreding van sodanige reël.
- (l) As hy onwettiglik versuim, of onredelik lank versuim om rekenskap te gee van enige geld of eiendom wat hy ontvang het vir of namens 'n kliënt of enige ander persoon, nadat hy versoek is om dit te doen.
- (d) Certifying any accounts, statements, reports or other documents to be correct without taking reasonable steps to ensure the correctness of such certificate.
- (e) (i) Using the style or designation Chartered Accountants (S.A.) or Chartered Accountants (South Africa) or any abbreviation thereof as the designation of any partnership or firm of which he is a member when any other partner is not entitled to use these designations.
- (ii) Infringing or being a partner in a firm which infringes any section of the Union of South Africa Chartered Accountants Designation Act, No. 13 of 1927.
- (f) Directly or indirectly paying any person other than a registered accountant and auditor or any person practising as an accountant or auditor outside the Republic of South Africa a commission for bringing him work, or giving any person monetary or other consideration as a remuneration for bringing him work, or for inducing other persons to give him work.
- (g) Accepting directly or indirectly any commission, brokerage or other remuneration in respect of professional or commercial business referred to others as an incident to his service to any client, except with the knowledge and consent of that client.
- (h) Improperly obtaining or attempting to obtain work.
- (i) Soliciting by personal canvas, by correspondence, by circulars, by advertising in the Press, directories or other publications, or any other means whatsoever, work of the type normally undertaken by members in public practice including work connected with Secretaryships, Trusteeships, Insolvent or Deceased Estates or Liquidation or Judicial Management of Companies or any office of trust, or allowing the fact of his membership of the Society or any designation to which he is entitled thereby to be used in any advertisement for such work.
- (j) Wilfully refusing or failing to perform or conform with or carry out any of the provisions of these by-laws which it is his duty to do.
- (k) Committing a flagrant breach of any Rule of Professional Conduct prescribed by the Council from time to time in terms of bye-law 66 or after having been previously warned by the Council or any committee appointed by it, continuing to commit a breach of such rules.
- (l) Unlawfully failing to account for, or unreasonably delaying an accounting of, any money or property received for and on behalf of a client or any other person when called upon to do so.

61. *Investigation and Disciplinary Committees.*

There shall be appointed by the Council after the Annual General Meeting of the Society in each year, the following committees, which shall carry out the duties and exercise the functions and powers granted to them under these bye-laws:—

- (a) *The Investigation Committee.*—This committee shall consist of not more than four members of the Council, of whom three members shall form a quorum.
- (b) *The Disciplinary Committee.*—This committee shall consist of not more than seven members of the Society, any five of whom may be appointed by the committee to act and function as in these bye-laws provided in regard to each complaint referred to it by the Investigation Committee. The Council

61. *Ondersoek- en dissiplinêre komitees.*

Na afloop van die Algemene Jaarsvergadering van die Genootskap elke jaar word die volgende komitees deur die Raad aangestel, en hierdie komitees moet die pligte en funksies en bevoegdhede wat kragtens hierdie verordeninge aan hulle toevertrou word, uitvoer en nakom:—

- (a) *Die Ondersoekkomitee.*—Hierdie komitee bestaan uit hoogstens vier lede van die Raad, en drie van hulle vorm 'n kworum.
- (b) *Die Dissiplinêre Komitee.*—Hierdie komitee bestaan uit hoogstens sewe lede van die Genootskap, van wie enige vyf deur die komitee aangestel kan word om op te tree en te funksioneer, soos in hierdie verordening bepaal word, ten opsigte van enige klagte wat deur die Ondersoekkomitee na hom

verwys word. Die Raad het te eniger tyd die reg om 'n addisionele lid tot die Dissiplinêre Komitee te koöpteer wanneer hy ook al sodanige addisionele aanstelling noodsaaklik ag.

Die Onderzoek- en die Dissiplinêre Komitee wat kragtens die bepalings van hierdie verordening aangestel word, beklee hul amp en kom hul pligte na tot op die datum van die eersvolgende Algemene Jaarsvergadering van die Genootskap; met dien verstande dat as een of albei die genoemde komitees op die genoemde datum 'n onafgehandelde ondersoek of verhoor voor hom het, die lede waaruit so 'n komitee bestaan moet voortgaan om as sodanig op te tree met die doel om met sodanige saak af te handel. Wanneer 'n saak kragtens die bepalings van verordening 62 (b) na die Openbare Rekenmeesters- en Ouditeursraad verwys is, word dit vir die doeleindes van hierdie verordening 61 nie as 'n onafgehandelde ondersoek beskou nie, en daarna word dit as 'n nuwe saak behandel.

Alle nuwe sake wat afgehandel moet word na die datum van die Algemene Jaarsvergadering word behandel deur die komitee wat deur die Raad aangestel word na afloop van die Algemene Jaarsvergadering, soos hierbo bepaal.

Enige vakatures wat te eniger tyd in een van bogenoemde twee komitees ontstaan, word deur die Raad aangevul.

62. Bevoegdheid en pligte van die Onderzoekkomitee.

(a) Dit is die plig van die Registrateur, en die reg van enige lid of ingeskrewe klerk of enige benadeelde persoon om enige feite of omstandighede wat daarop dui dat 'n lid 'n oortreding kragtens hierdie verordeninge begaan het, aan die Onderzoekkomitee voor te lê.

(b) Die Onderzoekkomitee oorweeg alle aangeleenthede wat kragtens paragraaf (a) hierbo na hom verwys word. Indien die betrokke lid 'n geregistreerde rekenmeester en ouditeur is, verwys die Onderzoekkomitee die aangeleentheid dadelik na die Openbare Rekenmeesters- en Ouditeursraad.

(c) Indien die beweerde wangedrag nie verwys hoef te word soos in paragraaf (b) hierbo uiteengesit nie, of indien die Openbare Raad om enige rede aankondig dat hy nie bevoegd is nie, of weier om dissiplinêre stappe te doen, moet die Onderzoekkomitee die feite of omstandighede waaronder die beweerde wangedrag plaasgevind het, volledig oorweeg. Met hierdie doel voor oë kan die Onderzoekkomitee enige voorlopige ondersoek wat hy wenslik ag, instel, en hy het die bevoegdheid om te eis dat enige boeke, dokumente en papiere in die besit of onder die beheer van die lid wat die beweerde oortreding begaan het, vir ondersoek aan hom voorgelê moet word.

(d) Indien die Onderzoekkomitee die mening toegedaan is dat daar oënskynlik gronde vir die klage is, moet hy die betrokke lid skriftelik verwittig van die gedrag wat hom ten laste gelê word, en die Onderzoekkomitee moet die betrokke lid 'n geleentheid gee om binne een-en-twintig dae vanaf die datum van sodanige kennisgewing 'n skriftelike verduideliking te verstrek, en hom tegelykertyd waarsku dat sodanige verduideliking of antwoord as getuienis teen hom gebruik kan word.

(e) Indien ná ontvangs van die verduideliking, die Onderzoekkomitee nie tevrede daarmee is nie, of indien geen verduideliking verstrek word nie, dien die Onderzoekkomitee 'n formele aanklag teen die lid by die Dissiplinêre Komitee in.

(f) Die Onderzoekkomitee kan besluit om nie voort te bepalings van paragraaf (b) hiervan deur die Openbare Rekenmeesters- en Ouditeursraad na die Onderzoekkomitee verwys word of met enieg ander aangeleentheid rakende 'n lid wat deur die Openbare Raad behandel kan word tot tyd en wyl die Openbare Raad of enige komitee daarvan tot 'n veroordeling of bevinding geraak het, of totdat die Openbare Raad om enige rede aankondig het dat hy nie bevoeg is nie of weier om 'n saak aanhangig te maak. Waar 'n lid deur die Openbare Raad of enige komitee daarvan skuldig bevind word aan enige beweerde oortreding, of waar die lid onskuldig bevind is aan enige beweerde oortreding, maar waar, volgens die mening van

shall have the right at any time to co-opt an additional member to the Disciplinary Committee whenever it deems such an additional appointment necessary.

The Investigation and Disciplinary Committees appointed in terms of this bye-law shall remain in office and function until the date of the next Annual General Meeting of the Society, provided, however, that if at that date either of the said committees has still before it for investigation or hearing an incompleated case, those members who comprise such committee shall continue to act as such for the purpose of completing such case only. When a matter has been referred to the Public Accountants' and Auditors' Board in terms of bye-law 62 (b) it shall for the purposes of this bye-law 61 not be deemed to be an incompleated case and thereafter it shall be dealt with as a new case.

All new cases arising to be dealt with after the date of the Annual General Meeting shall be dealt with by the Committee appointed by the Council after the Annual General Meeting as hereinbefore provided.

Any vacancies occurring at any time in either of the foregoing Committees shall be filled by the Council.

62. Powers and Duties of Investigation Committee.

(a) It shall be the duty of the Registrar and the right of any member, or articulated Clerk, or any aggrieved person, to lay before the Investigation Committee any facts or circumstances indicating that a member has committed an offence under these bye-laws.

(b) The Investigation Committee shall consider all matters referred to it in terms of paragraph (a) above. If the member concerned is a registered accountant and auditor, it shall forthwith refer the matter to the Public Accountants' and Auditors' Board.

(c) If the alleged misconduct does not require to be referred as in paragraph (b) above, or if for any reason the Board advises that it is not competent or declines to institute disciplinary proceedings, the Investigation Committee shall fully consider the facts or circumstances under which the alleged misconduct took place. For that purpose it may carry out whatever preliminary investigations it may deem necessary, and shall have the power to order the production, for inspection, of any books, documents and papers in the possession of or under the control of the member alleged to have committed an offence.

(d) If the Investigation Committee considers that there appears to be grounds for the complaint, it shall advise the member concerned of the conduct imputed to him by notice, in writing, and afford him an opportunity of giving an explanation in writing within twenty-one days from the date of such notice and at the same time he shall be warned that such explanation or answer may be used in evidence against him.

(e) If on receipt of the explanation the Investigation Committee is not satisfied therewith or if no explanation is forthcoming the Investigation Committee shall prefer a formal complaint against the member to the Disciplinary Committee.

(f) The Investigation Committee may decide not to pursue any matter referred by it to the Public Accountants' and Auditors' Board in terms of paragraph (b) hereof or any other matter affecting a member which may be dealt with by the Board until the Board or any committee thereof has arrived at a conviction or finding or the Board has for any reason stated that it is not competent or declines to institute proceedings. Where a member is found guilty by the Board or any committee thereof of any alleged offence, or where the member has been found not guilty of any alleged offence but in the opinion of the

die Ondersoekkomitee, sy wangedrag 'n strafbare oortreding kragtens verordening 60 uitmaak, moet die Ondersoekkomitee 'n kort uiteensetting van die feite in verband met die beweerde oortreding en die bevinding van die Openbare Raad of enige komitee daarvan opstel. Hierdie uiteensetting word dan aan die Dissiplinêre Komitee gestuur om behandel te word as 'n formele aanklag kragtens die bepalings van verordening 63.

(g) 'n Veroordeling of bevinding deur die Openbare Rekenmeesters- en Ouditeursraad of van enige komitee daarvan kan vir die doeleindes van hierdie verordening aanvaar word as afdoende bewys van die oortreding of bevinding.

(h) Wanneer ook al die Openbare Raad of enige komitee daarvan enige klagte teen 'n lid ondersoek of behandel en sodanige lid skuldig bevind aan een of meer van die aanklagte wat teen hom ingebring is, en wanneer ook al die Openbare Raad of enige komitee daarvan enige aanklag teen 'n lid wat kragtens die bepalings van verordening 62 (b) na die Openbare Raad verwys is, ondersoek of behandel, ongeag of die betrokke lid skuldig bevind word al dan nie, is die Genootskap onherroeplik geregtig om te eniger tyd en op eie koste, na aansoek by die Openbare Raad of enige komitee daarvan 'n afskrif te verkry van die toepaslike uittreksels uit die notule van die vergaderings van die komitee en die woordelike verslag van enige verrigtinge by ondersoek ten opsigte van sodanige klagte. Hierdie dokumente word deur die Genootskap vir sy eie doeleindes behou, maar die lid word toegelaat om op eie koste afskrifte daarvan te maak op enige tydstip wat vir die genootskap gerieflik is. Die komitees aangestel kragtens verordening 61 is geregtig om oorweging te verleen aan en kennis te neem van sodanige dokumente met die doel om enige aanklag teen die betrokke lid in te stel, te ondersoek, of uitspraak daaroor te doen.

63. Bevoegdhede en Pligte van die Dissiplinêre Komitee.

(a) Na ontvangs van 'n formele klagte ingevolge verordening 62 gee die Dissiplinêre Komitee sonder verwyl kennis van die klagte en van die wyse waarop die Komitee van plan is om die saak te behandel, aan die betrokke lid.

(b) Indien die saak deur die Openbare Raad of enige komitee daarvan behandel is, en indien die Dissiplinêre Komitee ingevolge die bepalings van verordening 62 (g) besluit om die veroordeling of bevinding van die Openbare Raad of enige komitee daarvan te aanvaar, moet hy dadelik oorweging aan die erns van die oortreding verleen, en, indien daar besluit word om die betrokke lid te vermaan of terug te wys, moet die Dissiplinêre Komitee kennis van sy besluit aan die lid gee en moet hy die lid ook geleentheid bied om die Komitee toe te spreek uitsluitend oor enige spesiale omstandighede wat bes moontlik die weglating van sy naam uit die verslag aan lede ingevolge verordening 64 regverdig, en indien die betrokke lid dit verlang, moet die Dissiplinêre Komitee sodanige lid toelaat om voor die Komitee verteenwoordig te word deur 'n advokaat of 'n prokureur of deur 'n lid van die Genootskap. Daarna doen die Dissiplinêre Komitee verslag aan die Raad sodat kennis aan lede gegee kan word van die veroordeling of bevinding van die Openbare Raad of enige komitee daarvan, tesame met die vermaning of teregwyding van die Dissiplinêre Komitee, en sy besluit betreffende die insluiting of die weglating van die naam van die lid in of uit die verslag aan lede.

(c) Indien die Dissiplinêre Komitee besluit om nie die veroordeling of bevinding van die Openbare Raad kragtens verordening 62 (g) te aanvaar nie, of indien die aanklag nie binne die behandelingsbestek van die Openbare Raad of enige komitee daarvan ressorteer nie, of indien die Openbare Raad om enige rede bekendgemaak het dat hy nie bevoeg is nie of weier om 'n saak aanhangig te maak, of indien die Dissiplinêre Komitee die mening toegedaan is dat die beweerde oortreding so ernstig is dat op die uitsetting of skorsing van die betrokke lid van die Genootskap kan uitloop, moet hy dadelik kennis aan die lid gee van sy voorneme om die klagte te oorweeg. Die Dissiplinêre Komitee moet sodanige lid 'n geleentheid bied

Investigation Committee his misconduct constitutes a punishable offence in terms of bye-law 60; the Investigation Committee shall prepare a brief statement of the facts constituting the alleged offence and the finding of the Board or any committee thereof. This statement shall be forwarded to the Disciplinary Committee to be dealt with as a formal complaint in terms of bye-law 63.

(g) A conviction or finding by the Public Accountants' and Auditors' Board or of any committee thereof may for the purposes of these bye-laws be accepted as sufficient evidence of contravention or finding.

(h) Whenever the Board or any committee thereof investigates or deals with any complaint against a member and finds him guilty on one or more of the charges laid against him and whenever the Board or any committee thereof investigates or deals with any complaint against a member which has been referred to the Board in terms of bye-law 62 (b), whether or not the member is found guilty, the Society is irrevocably authorised at any time at its own expense to apply to and obtain from the Board or any committee thereof a copy of the relevant extracts from the minutes of meetings of the committee and the verbatim record of any proceedings at enquiries in respect of such complaint. These documents shall be retained by the Society for its own purposes but the member shall be permitted at his own expense to make copies thereof at any time convenient to the Society. The Committees appointed under bye-law 61 shall be entitled to consider and take cognisance of such documents for the purpose of initiating, investigating or adjudicating on any complaint against the member concerned.

63. Powers and Duties of the Disciplinary Committee.

(a) The Disciplinary Committee on receipt of a formal complaint in pursuance of bye-law 62 shall forthwith give to the member notice of the complaint and the way in which it intends to deal with the matter.

(b) If the matter has been dealt with by the Board or any committee thereof and the Disciplinary Committee decides in pursuance of bye-law 62 (g), to accept the conviction or finding of the Board or any committee thereof, it shall forthwith consider the seriousness of the offence and if it is decided either to admonish or reprimand the member the Disciplinary Committee shall then give the member notice of its decision and shall give the member an opportunity of being heard before it solely on the question of the existence of special circumstances which might justify the omission of his name from the report to members in pursuance of bye-law 64 and shall if the member so desire permit such member to be represented before it by counsel or by a solicitor or by a member of the Society. Thereafter, the Disciplinary Committee shall report to the Council for reporting to members the conviction or finding of the Board or any committee thereof, together with the admonition or reprimand of the Disciplinary Committee and its decision regarding the inclusion or omission of the name of the member in or from the report to members.

(c) If the Disciplinary Committee decides not to accept the conviction or finding of the Board under bye-law 62 (g), or if the complaint does not fall to be dealt with by the Board or any committee thereof, or the Board has for any reason stated that it is not competent or declines to institute proceedings, or if the Disciplinary Committee considers that the alleged offence is so serious that it might result in the member being either excluded or suspended from membership of the Society, it shall forthwith give the member notice of its intention to consider the complaint. The Disciplinary Committee shall give

om sy saak aan die Komitee te stel, en moet, indien die lid dit verlang, sodanige lid toelaat om voor die komitee verteenwoordig te word deur 'n advokaat of deur 'n prokureur of deur 'n lid van die Genootskap.

(d) Indien die lid teen wie die aanklag aanhangig gemaak is, nalaat of versuim om sy verskyning voor die Dissiplinêre Komitee te maak op die tyd en plek wat in genoemde kennisgewing aangedui is, is die Dissiplinêre Komitee geregtig om voort te gaan met die oorweging van die klagte in sy afwesigheid.

(e) Die Ondersoekkomitee kan 'n lid van die Genootskap (wat tegelykertyd ook lid van die Ondersoekkomitee kan wees) versoek om die formele aanklag van die Ondersoekkomitee uiteen te sit, of kan 'n prokureur, of 'n advokaat in opdrag van die betrokke prokureur, vra om sodanige aanklag uiteen te sit.

(f) Alle getuienis afgelê by geleentheid van die verhoor van 'n klagte deur die Dissiplinêre Komitee moet *viva voce*-getuienis wees, maar die Dissiplinêre Komitee is ook geregtig om beëdigde verklarings van enige persone te verkry as hy meen dat sodanige verklarings vir die doeltreffender ondersoek van die klagte nodig is.

(g) Die Dissiplinêre Komitee besit ook die bevoegdheid om te gelas dat enige boeke, dokumente en papiere in die besit of onder die beheer van die lid teen wie die aanklag aanhangig gemaak is, vir ondersoek aan die Dissiplinêre Komitee voorgelê moet word.

(h) Die Voorsitter van die Dissiplinêre Komitee is geregtig om in enige stadium van 'n verhoor deur die Dissiplinêre Komitee die dienste van 'n prokureur of advokaat te verkry om raad oor die regspunte en prosedure aan hom te gee.

(i) Indien die Dissiplinêre Komitee die mening toegedaan is dat die lid hom skuldig aan 'n strafbare oortreding gemaak het, moet hy 'n uitspraak te dien effekte gee, en daarby besit hy die volle bevoegdheid om te gelas dat die betrokke lid as lid van die Genootskap uitgesit of vir 'n tydperk van hoogstens vyf jaar geskors word [en gedurende die tydperk is die lid nie geregtig om gebruik te maak van die benaming Geoktrooierde Rekenmeester (Suid-Afrika) of enige afkorting daarvan nie], met dien verstande altyd dat indien, volgens die mening van die Dissiplinêre Komitee, die oortreding bewys is maar die lid hom nie skuldig gemaak het aan gedrag wat voldoende ernstig is om uitsetting of skorsing te regverdig nie, die Dissiplinêre Komitee die volle reg het om genoemde lid tereg te wys of te vermaan.

(j) Kennis van die bevinding en die besluit van die Dissiplinêre Komitee moet sonder verwyl aan die betrokke lid gegee word.

64. Aantekening en Publikasie van Bevindings en Beslissings.

(a) Alle bevindings en beslissings van die Dissiplinêre Komitee tree in werking sodra hulle aangekondig of gevel is, en verslag daaroor word gedoen aan die Raad wat dan moet sorg dat sodanige bevindings en beslissings behoorlik aangeteken word.

(b) In gevalle waar die Dissiplinêre Komitee bevind het dat 'n lid hom aan 'n strafbare oortreding skuldig gemaak het, doen die Raad verslag oor die bevinding en uitspraak van die Dissiplinêre Komitee aan lede deur middel van 'n omsendbrief wat vir hul eksklusiewe en vertroulike inligting bedoel is.

(c) Die verslag aan lede moet in alle gevalle die naam van die betrokke lid bevat, tensy, in 'n besondere geval, die Dissiplinêre Komitee die mening toegedaan is dat daar spesiale omstandighede bestaan wat die weglating van die naam uit so 'n verslag regverdig.

65. Bevoegdheid om Regulasies op te stel.

Die Raad besit die bevoegdheid om enige reëls en regulasies (wat nie in stryd met die Ordonnansie of hierdie verordeninge is nie) wat hy nodig ag vir die nakoming van die pligte van onderskeidelik die Ondersoekkomitee en die Dissiplinêre Komitee op te stel.

66. Reëls i.v.m. Professionele Gedrag.

Die Raad besit die bevoegdheid om van tyd tot tyd reëls in verband met professionele gedrag op te stel.

such member an opportunity of being heard before it and shall, if the member so desire, permit such member to be represented before it by counsel or by a solicitor or by a member of the Society.

(d) Should the member against whom any complaint is preferred neglect or fail to attend before the Disciplinary Committee at the time and place indicated in the said notice, the Disciplinary Committee shall be entitled to proceed with its consideration of the complaint in his absence.

(e) The Investigation Committee may request a member of the Society (who may be a member of the Investigation Committee) to present the formal complaint of the Investigation Committee or may instruct a solicitor to present, or to brief counsel to present, such complaint.

(f) All evidence given at the hearing of a complaint by the Disciplinary Committee shall be *viva voce*, but the Disciplinary Committee shall also be entitled to obtain sworn affidavits from any persons if it considers them necessary for the better investigation of the complaint.

(g) The Disciplinary Committee shall also have the power to order the production, for inspection, of any books, documents and papers in the possession of, or under the control of, the member against whom the complaint has been made.

(h) The Chairman of the Disciplinary Committee shall be permitted to engage the services of a solicitor or counsel at any stage of a hearing of the Disciplinary Committee, to advise him on points of law and procedure.

(i) If the Disciplinary Committee is of the opinion that the member is guilty of a punishable offence it shall make a finding to that effect and thereupon it shall have full power to order that the member concerned be excluded from membership of the Society or suspended from membership for a period not exceeding five years [during which time the member shall not be entitled to use the designation Chartered Accountant (South Africa) or any abbreviation thereof]; provided always that if, in the opinion of the Disciplinary Committee, the offence shall have been proved but that the member shall not have been guilty of conduct sufficiently serious to warrant exclusion or suspension it shall have full power to reprimand or admonish the said member.

(j) Notice of the finding and the decision of the Disciplinary Committee shall be given forthwith to the member concerned.

64. Record and Publication of Findings and Decisions.

(a) All findings and decisions of the Disciplinary Committee shall take effect when made and shall be reported to the Council who shall cause the same to be duly recorded.

(b) Where the Disciplinary Committee finds that a member is guilty of a punishable offence the Council shall report the finding and decision of the Disciplinary Committee to members, by circular, for their exclusive and confidential information.

(c) The report to members shall in all such cases include the name of the member concerned unless in a particular case the Disciplinary Committee considers that there exists special circumstances which justify the omission of the name from such report.

65. Power to Make Regulations.

The Council shall have power to make such rules and regulations (not inconsistent with the Ordinance and these Bye-laws) as may be considered by it necessary for the performance of the respective functions of the Investigation Committee and the Disciplinary Committee.

66. Rules of Professional Conduct.

The Council shall have the power to prescribe, from time to time, Rules of Professional Conduct.

67. *Wysiging van die Verordeninge.*

Onderhewig aan die goedkeuring van die Staatspresident-in-rade kan die Genootskap hierdie verordeninge van tyd tot tyd wysig, met dien verstande dat sodanige wysigings nie strydig is met die Ordonnansie of die Wet op Openbare Rekenmeesters en Ouditeurs, 1951, nie, en met dien verstande verder dat sodanige wysigings goedgekeur word deur twee-derdes van die lede van die Genootskap aanwesig op 'n spesiale algemene vergadering waarvan die vereiste kennis gegee is, en met dien verstande dat volledige besonderhede oor die voorgestelde wysigings ten minste een-en-twintig dae voor so 'n vergadering tot beskikking van alle lede gestel is.

68. *Voorbehoudsbepalings wat betref vroeëre Verordeninge.*

Alle verordeninge wat op die datum van afkondiging van hierdie verordeninge van krag was, word hierby herroep, met dien verstande dat sodanige herroeping geen uitwerking het op die regte, voorregte en pligte van enige persoon wat, vóór die afkondiging van hierdie verordeninge 'n leerkontrak met 'n lid van een van die Suid-Afrikaanse Genootskappe aangegaan het nie, of wat op die datum van inwerkingtreding van hierdie verordeninge in diens gestaan het van die rekenmeestersaak van 'n praktiserende lid van een van die Suid-Afrikaanse Genootskappe, en met dien verstande verder dat die eksamens waarin enige sodanige persoon nog moet slaag om hom op toelating tot lidmaatskap van die Genootskap geregtig te maak, die eksamens sal wees wat deur hierdie verordeninge voorgeskryf word.

69. *Skadeloosstelling van Amptenare.*

Die lede van die Raad of van enige Komitee, en enige amptenaar van die Genootskap word deur die Genootskap skadeloos gestel teen verliese en uitgawes wat deur hulle gely of aangegaan word in die loop van of voortspruitende uit hul onderskeidelike pligte, behalwe enige verliese of uitgawes wat die gevolg van hul eie opsetlike versuim is.

70. Die opskrifte en onderopskrifte affekteer nie die vertolking van hierdie verordeninge nie.

EERSTE BYLAE.

Bylae van Eksamens.

Die eksamens waarna in verordening 35 (a) en verordening 36 verwys word, word geag die eksamens te wees wat deur die Openbare Raad voorgeskryf word.

DEPARTEMENT VAN ONDERWYS, KUNS EN WETENSKAP.

No. R. 1380.]

[6 September 1963.]

ARGIEFWET, 1962.—REGULASIES.

Die Minister van Onderwys, Kuns en Wetenskap het, kragtens die bevoegdheid hom by artikel elf van die Argiefwet, 1962 (Wet No. 6 van 1962), verleen, onderstaande regulasies uitgevaardig.

DEEL I.

WOORDOMSKRYWING.

1. In hierdie regulasies het 'n uitdrukking waaraan 'n betekenis in die Wet op Argiewe, 1962 (Wet No. 6 van 1962), toegewys is, die betekenis aldus daaraan toegewys en, tensy uit die samehang anders blyk, beteken—

- (i) „argivalia” publikasies in besit of onder die beheer van die direkteur; argiewe en aanwinste;
- (ii) „kantoorhoof” die hoof van 'n Staatskantoor of 'n kantoor van 'n plaaslike owerheid;
- (iii) „navorsers” 'n lid van die publiek wat navorsing in 'n argiefbewaarplek doen;
- (iv) „Wet” die Argiefwet, 1962 (Wet No. 6 van 1962).

67. *Alteration of Bye-laws.*

The Society may, from time to time, subject to the consent of the State President in Council, alter these bye-laws, provided such alterations are not inconsistent with the provisions of the Ordinance, or the Public Accountants' and Auditors' Act, 1951, and provided further that such alterations are approved by two-thirds of the members of the Society present at a special general meeting of which the requisite notice has been given, and provided all members have been furnished at least 21 days before such meeting with full particulars of the proposed alterations.

68. *Saving Provisions as to Previous Bye-laws.*

Alle bye-laws in force at the date of promulgation of these bye-laws shall stand repealed, provided that such repeal shall not affect the rights, privileges and duties of any person who before the promulgation of these bye-laws entered upon articles of clerkship with a member of one of the South African Societies, or who at the date of the commencement of these bye-laws was in service in the accountancy business of a practising member of one of the South African Societies: Provided that the examinations which any such person may still have to pass to entitle him to admission to the Society shall be those prescribed by these bye-laws.

69. *Indemnity of Officers.*

The members of the Council or any committee and any officer of the Society shall be indemnified by the Society against losses and expenses incurred by them in or about their respective duties except such as may arise from their own individual wilful default.

70. The headings and sub-headings shall not affect the interpretation of these bye-laws.

FIRST SCHEDULE.

Schedule of Examinations.

The examinations referred to in Bye-law 35 (a) and Bye-law 36 shall be deemed to be the examinations prescribed by the Board.

DEPARTMENT OF EDUCATION, ARTS AND SCIENCE.

No. R. 1380.]

[6 September 1963.]

ARCHIVES ACT 1962.—REGULATIONS.

The Minister of Education, Arts and Science has, by virtue of the powers vested in him under section eleven of the Archives Act, 1962 (Act No. 6 of 1962), promulgated the regulations below.

PART I.

DEFINITIONS.

1. In these Regulations an expression to which a meaning has been assigned in the Archives Act, 1962 (Act No. 6 of 1962), shall have the meaning so assigned to it, and unless the context otherwise indicates—

- (i) „archivalia” means publications in the custody of or under the control of the director; archives and accessions;
- (ii) „head of an office” means head of a government office or an office of a local authority;
- (iii) „researcher” means a member of the public who is doing research in an archives depot;
- (iv) „Act” means the Archives Act, 1962 (Act No. 6 of 1962).

DEEL II.

BEWARING EN VERSORGING VAN ARGIEWE.

2. 'n Kantoorhoof bewaar en versorg al sy argiewe tot dat sodanige argiewe ooreenkomstig artikel ses van die Wet na 'n argiefbewaarplek of tussenbewaarplek oorgeplaas word of totdat die direkteur magtiging tot die vernietiging daarvan verleen.

3. 'n Kantoorhoof bewaar alle argiewe onder behoorlike beheer, netjies, in alfabetiese of numerieke volgorde, in rakke of kabinette en sover moontlik in brandvrye lokale.

4. 'n Kantoorhoof dra sorg dat die argiewe op so 'n wyse gehanteer, gelaseer en opgeberg word dat hulle aan die mins moontlike beskadiging blootgestel word.

5. Die direkteur kan vereis dat argiewe wat na sy mening nie behoorlik gehou word nie, of in ondoeltreffende lokale gehuisves is, uit sodanige lokale verwyder word en volgens sy opdragte opgeberg en andersins versorg word.

6. 'n Volledige lys, in numerieke of alfabetiese volgorde, van al sy argiewe wat uit die registrasie onttrek is, word deur 'n kantoorhoof bygehou.

7. (1) Alle argiewe wat na 'n argiefbewaarplek oorgeplaas moet word, word in die geval van die Republiek, op 31 Mei 1965 afgesluit, en in die geval van die gebied, op 9 Julie 1965 afgesluit, en word in nuwe omslae, registers of boeke voortgesit.

(2) Na 1965 word argiewe ooreenkomstig subregulasie (1) al om die vyf jaar afgesluit.

(3) Hierdie regulasie is nie van toepassing op rekeningrekords nie.

8. Die direkteur kan van 'n kantoorhoof vereis om inligting wat hy nodig ag betreffende die laseerestelsel, die fisiese toestand en versorging van die argiewe, die vernietiging van efemere argiewe en die oorplasing van argiewe na 'n argiefbewaarplek of 'n tussenbewaarplek in verband met argiewe wat nog in besit van sodanige kantoor is, te verstrek.

9. Indien 'n kantoor permanent gesluit gaan word, stel die hoof van sodanige kantoor die direkteur daarvan in kennis en verstrek 'n lys, in alfabetiese of numerieke volgorde, van alle argiewe in sodanige kantoor.

10. Indien argiewe op 'n permanente basis van een kantoor na 'n ander oorgeplaas word, stel die kantoorhoof wat die argiewe oorplaas, die direkteur daarvan in kennis en verstrek 'n volledige lys, in alfabetiese of numerieke volgorde, van aldus oorgeplaaiste argiewe.

11. Argiewe mag nie deur 'n kantoor aan 'n ander kantoor, 'n biblioteek, museum, of ander liggaam oorgedra word sonder die goedkeuring van die direkteur nie.

DEEL III.

ONDERSOEK EN Vernietiging van ARGIEWE.

12. 'n Kantoorhoof verkry beskikkingsinstruksies van die direkteur ten opsigte van alle argiewe wat nog in die bewaring van sodanige kantoor is.

13. Alle aansoeke om argiewe te mag vernietig en waarvoor daar geen vernietigingsmagtiging bestaan nie, word aan die direkteur gerig vergesel van—

(a) 'n staat in tweevoud waarin die volgende besonderhede uiteengesit word:—

Lêer-, rekord- of vormno.	Beskrywing.	Tydperk wat argiewe dek.	Opmerkings.

(b) 'n volledige lys van alle wette, ordonnansies, proklamasies, goewermentskennisgewings en regulasies, indien daar is, waarkragtens die argiewe tot stand gekom het.

PART II.

CUSTODY AND CARE OF ARCHIVES.

2. The head of an office is entrusted with the custody and care of all his archives, until such archives shall be transferred to an archives depot or an intermediate depot in accordance with section six of the Act, or until the director shall grant authority for the destruction thereof.

3. The head of an office shall keep all archives under proper control, neat, arranged in alphabetical or numerical order, in shelves or cabinets, and as far as possible in fire-proof rooms.

4. The head of an office shall ensure that archives are handled, filed and stored in such a way that they are subject to the least possible deterioration.

5. The director may require archives which are, in his opinion, not properly kept, or which are housed in unsuitable rooms, to be removed from such rooms and to be stored and otherwise treated in accordance with his instructions.

6. A complete list, in numerical or alphabetical order, of all his archives which have been withdrawn from the registry, shall be kept by the head of an office.

7. (1) All archives which have to be transferred to an archives depot shall be closed, in the case of the Republic, on the 31st May, 1965, and, in the case of the territory, on the 9th July, 1965, and shall be continued in new covers, registers or books.

(2) After 1965 archives shall be closed every five years in accordance with sub-regulation (1).

(3) This regulation shall not apply to accounting records.

8. The director may require the head of a office to furnish such information as he considers necessary regarding the filing system, the physical conditions and care of the archives, the destruction of ephemeral archives and the transfer of archives to an archives depot, or an intermediate depot in connection with archives still in the custody of such office.

9. If an office is to be closed permanently, the head of such office shall inform the director of that fact and shall also supply a list, in alphabetical or numerical order, of all archives in such office.

10. Whenever archives are transferred from one office to another permanently, the head of the office transferring the archives shall inform the director accordingly and shall furnish a complete list, in alphabetical or numerical order, of archives so transferred.

11. No office shall transfer archives to another office, any library, museum or other body without the approval of the director.

PART III.

SCRUTINY AND DESTRUCTION OF ARCHIVES.

12. A head of a office shall obtain disposal instructions from the director in respect of all archives which are still in the custody of such office.

13. All applications to destroy archives in respect of which no destruction authority exists, shall be forwarded to the director, accompanied by—

(a) a schedule, in duplicate, furnishing the following particulars:—

File, record or form No.	Description.	Period covered by archives.	Remarks.

(b) a complete list of all Acts, ordinances, proclamations, government notices and regulations, if any, in terms of which archives were created.

14. Argiewe verskyn in hulle alfabetiese of numerieke volgorde op die staat wat in regulasie 13 (a) vermeld word.

15. In die „opmerkings”-kolom vermeld in regulasie 13 (a) word die redes verstrekk waarom die argiewe as efemeer beskou word en vermeld of die inligting wat die argiewe bevat elders verkrygbaar is en, indien wel, die plek waar en die vorm waarin dit elders verkrygbaar is: Met dien verstande dat as sodanige besonderhede, sowel as enige ander inligting wat nodig mag wees om die direkteur in staat te stel om die waarde van die argiewe te kan beoordeel, te lank is om in die opmerkingskolom opgeneem te word, dit in die begeleidende diensbrief of in 'n verduidelikende memorandum verstrekk word.

16. Alle argiewe vir die vernietiging waarvan magtiging van die direkteur verkry is, word met inagneming van die tydperk wat in elke geval gestel is, sonder versuim vernietig.

17. (1) Tensy hy deur die direkteur daarvan vrygestel word, stuur 'n kantoorhoof, wanneer hy argiewe ingevolge 'n magtiging van die direkteur vernietig het, 'n sertifikaat van vernietiging in onderstaande vorm aan die direkteur:—

„Ek sertifiseer hierby dat die argiewe wat op onderstaande lys verskyn en wat.....lineêre voet rakruimte beslaan het, vandag vernietig is.

(Naamtekening).....

(Ampstitel).....

(Datum).....

Lêer-, rekord- of vormno.	Onderwerp.	Tydperk wat argiewe gedek het.	Magtigingsno. en -datum.

(2) Argiewe verskyn in alfabetiese of numerieke volgorde op die lys wat die sertifikaat van vernietiging vergesel.

DEEL IV.

DIE ARGIEFKOMMISSIE.

Ampstermyn van die argiefkommissie.

18. (1) 'n Lid van die kommissie beklee sy amp vir 'n tydperk van hoogstens vyf jaar of totdat hy sy amp kragtens subregulasie (4) ontruim.

(2) 'n Lid wat in die plek van 'n ander lid wat sy amp ontruim het, aangestel word, beklee sy amp vir die onverstreke tydperk van die ampstermyn van die lid in wie se plek hy aangestel word.

(3) Iemand wie se ampstermyn op die kommissie verstryk het, kan weer as lid daarvan aangestel word.

(4) Iemand wat as lid van die kommissie aangestel is, ontruim sy amp indien—

(a) die Minister sy aanstelling intrek;

(b) hy uit sy amp bedank;

(c) sy boedel gesekwestreer word of 'n kennisgewing wat op hom betrekking het, kragtens subartikel (1) van artikel tien van die Boere-Bystandswet, 1935 (Wet No. 48 van 1935), gepubliseer word;

(d) hy kranksinnig word of aan 'n misdryf skuldig bevind word en tot gevangenisstraf sonder die keuse van 'n boete gevonnis word; of

(e) hy van twee agtereenvolgende gewone vergaderings van die kommissie sonder verlof van die kommissie afwesig is.

19. Die kommissie kan aan 'n lid, op aansoek, verlof gee om gedurende 'n tydperk wat die kommissie bepaal van vergaderings daarvan afwesig te wees: Met dien verstande dat, indien die kommissie so 'n aansoek deur 'n lid weier, die lid by die Minister daarteen kan appelleer, wat die weiering kan bekragtig of die kommissie kan gelas om die aansoek toe te staan.

14. Archives shall appear in their alphabetical or numerical order in the schedule mentioned in regulation 13 (a).

15. In the “remarks” column mentioned in regulation 13 (a) shall be given the reasons why the archives are considered ephemeral, and it shall also be stated whether the information they contain are available elsewhere, and if so, where and in what form: Provided that if the above particulars, as well as any other information which may be necessary to enable the director to form an opinion of the value of the archives, are too lengthy to be included in the “remarks” column, they shall be furnished in the covering minute or in an explanatory memorandum.

16. All archives, the destruction of which has been authorised by the director, shall, with due regard to the period stipulated in each case, be destroyed without delay.

17. (1) Whenever archives shall have been destroyed by the head of an office in accordance with the director's authority, he shall submit a certificate of destruction to the director, unless the director shall have exempted him from the submission of such certificate. The certificate shall be in the following form:—

“I hereby certify that the archives which appear in the following list and which occupied linear feet of shelving space, were today destroyed.

(Signature)

(Designation)

(Date)

File, record or form No.	Subject.	Period covered by archives.	No. and date of authority.

(2) Archives shall appear on the list accompanying the certificate of destruction in alphabetical or numerical order.

PART IV.

THE ARCHIVES COMMISSION.

Term of Office of the Archives Commission.

18. (1) A member of the commission shall hold office for a period not exceeding five years, or until he vacates his office in terms of sub-regulation (4).

(2) A member appointed in the place of a member who has vacated his office, shall hold office for the unexpired term of office of the member in whose place he is appointed.

(3) A member of the commission whose term of office has expired may be reappointed a member of the commission.

(4) A person appointed a member of the commission, shall vacate his office if—

(a) the Minister cancels his appointment;

(b) he resigns;

(c) his estate is sequestrated, or a notice pertaining to him is published under sub-section (1) of section ten of the Farmers' Assistance Act, 1935 (Act No. 48 of 1935);

(d) he becomes of unsound mind or is found guilty of an offence and is sentenced to imprisonment without the option of a fine; or

(e) he is absent from two consecutive ordinary meetings of the commission, without leave for such absence having been granted by the commission.

19. On application by a member, the commission may grant such member leave to be absent from meetings for such period as the commission may determine: Provided that if the commission should refuse such an application by a member, the member shall have the right of appeal to the Minister, who may either confirm the refusal or direct the commission to grant the application.

Voorsitter en ondervoorsitter.

20. (i) By sy eerste vergadering verkies die kommissie uit eie geledere 'n lid om as voorsitter van die kommissie op te tree vir die ampstermyn van die kommissie.

(ii) Die kommissie verkies ook 'n ondervoorsitter vir die ampstermyn van die kommissie, en die ondervoorsitter neem die stoel in wanneer die voorsitter afwesig is.

(iii) Indien beide die voorsitter en ondervoorsitter van 'n vergadering afwesig is, kan die kommissie 'n ander lid verkies as voorsitter vir die duur van sodanige vergadering.

Vergaderings.

21. 'n Gewone vergadering van die kommissie word een maal in 'n jaar, op die plek, datum en uur wat die kommissie bepaal, gehou.

22. 'n Buitengewone vergadering van die kommissie word op die plek, datum en uur wat die voorsitter bepaal, gehou op las van die Minister of op 'n skriftelike versoek deur die voorsitter, ondervoorsitter en drie ander lede onderteken.

23. (i) 'n Gewone vergadering word belê deur die agenda minstens ses weke voor die datum van die vergadering uit te stuur.

(ii) 'n Buitengewone vergadering word belê deur 'n telegram of brief, wat minstens sewe dae voor die datum van die vergadering uitgestuur moet word.

24. Die kworum op 'n vergadering van die kommissie is 'n derde van die lede, en 'n kworum moet dwarsdeur die vergadering gehandhaaf word.

25. Die sekretaris van die kommissie hou notule van 'n vergadering van die kommissie en sirkuleer, so gou doenlik na afloop van die vergadering, die konsepnotule onder die lede, wat hom binne dertig dae nadat dit afgestuur is van 'n verandering daaraan wat hulle wil voorstel, in kennis stel.

26. Indien die sekretaris van die kommissie nie binne genoemde tydperk kennis van 'n voorgestelde verandering ontvang nie, word daar geag dat die konsepnotule die goedkeuring van die lede wegdra en gee hy gevolg aan die besluite daarin vervat en besorg 'n afskrif daarvan aan die Minister.

27. (i) Waar daar 'n verandering aan die konsepnotule voorgestel word, gee die sekretaris van die kommissie, tensy deur die voorsitter anders gelas, nie gevolg aan 'n besluit in die konsepnotule waaraan 'n verandering voorgestel is nie en besorg hy 'n afskrif van die voorgestelde verandering met 'n afskrif van die konsepnotule aan die Minister.

(ii) 'n Besluit waaraan 'n verandering voorgestel is, en wat nie in opdrag van die voorsitter uitgevoer word nie, staan oor tot die volgende gewone vergadering van die kommissie.

28. Die ondertekening van die notule vind op die eersvolgende vergadering van die kommissie plaas.

Komitees.

29. Die ampstermyn van 'n komitee van die kommissie verstryk sodra die komitee sy verslag aan die voorsitter van die kommissie oorhandig het.

Prosedure op vergaderings.

30. Die voorsitter of, in sy afwesigheid, die ondervoorsitter open en sluit alle vergaderings van die kommissie.

31. Behalwe waar die kommissie anders besluit, word sake wat voor die kommissie dien in die volgorde van die agenda afgehandel.

32. Stemminge geskied in die openbaar en by wyse van die opsteek van hande.

33. Die voorsitter het 'n gewone stem en, by staking van stemme, 'n beslissende stem.

34. Die voorsitter bring sy gewone stem gelyktydig met dié van die ander lede uit.

35. Die voorsitter is nie verplig om sy beslissende stem uit te bring nie.

Chairman and Deputy-Chairman.

20. (i) At its first meeting the commission shall elect one of its members as its chairman for its term of office.

(ii) The commission shall also elect a deputy-chairman for its term of office, and the deputy-chairman shall take the chair in the absence of the chairman.

(iii) Should both the chairman and deputy-chairman be absent from a meeting the commission may elect another member to act as chairman for the duration of that meeting.

Meetings.

21. An ordinary meeting of the commission shall be held once a year at such place, date and time as the commission may determine.

22. A special meeting of the commission shall be held at such place, date and time as the chairman may determine, by order of the Minister, or on a written request signed by the chairman, deputy-chairman and three other members.

23. (i) An ordinary meeting shall be convened by the dispatch of the agenda, at least six weeks prior to the date of such meeting.

(ii) A special meeting shall be convened by telegram or letter to be dispatched at least seven days prior to the date of such meeting.

24. A quorum at a meeting of the commission shall consist of one-third of the members, and a quorum shall be maintained for the duration of such meeting.

25. The secretary of the commission shall record the minutes of a meeting of the commission, and as soon as possible after the conclusion of the meeting, he shall circulate the draft minutes among members, who shall notify him within thirty days of the dispatch thereof of any amendments they may wish to propose.

26. Should the secretary of the commission not receive notice of any proposed amendment within the specified period, the draft minutes shall be deemed to have been approved by the members and the secretary shall act on the resolutions contained therein and furnish the Minister with a copy thereof.

27. (i) Should an amendment to the draft minutes be proposed, the secretary of the commission shall not act on a resolution contained in the draft minutes to which an amendment is proposed unless the chairman shall otherwise direct, and he shall submit a copy of the proposed amendment, together with a copy of the draft minutes, to the Minister.

(ii) A resolution to which an amendment has been proposed, and which was not carried out at the direction of the chairman, shall be held over until the next ordinary meeting of the commission.

28. The minutes shall be signed at the next meeting of the commission.

Committees.

29. The term of office of a committee of the commission, shall expire as soon as the committee submits its report to the chairman of the commission.

Procedure at Meeting.

30. The chairman or, in his absence, the deputy-chairman, shall open and close all meeting of the commission.

31. Unless the commission otherwise decides, the matters before the commission shall be dealt with in the order in which they appear on the agenda.

32. Voting shall be in public and by show of hands.

33. The chairman shall have a deliberative vote and, in the event of an equality of votes, a casting vote.

34. The chairman shall cast his deliberative vote simultaneously with the votes of other members.

35. The chairman shall not be obliged to exercise his casting vote.

36. (1) Die voorsitter gee alle orderreelings, en sy beslissings is afdoende.

(2) Die voorsitter word gebind deur orderreelings deur hom gegee.

37. (1) 'n Mosie wat 'n lid tydens 'n gewone vergadering wil indien vir bespreking deur die kommissie, moet die sekretaris van die kommissie nie later nie as 14 dae voor dié vergadering bereik.

(2) 'n Mosie wat aldus ingedien is, moet op die vergadering gesekondeer word voordat dit bespreek word.

(3) 'n Mosie wat 'n lid tydens 'n buitengewone vergadering wil indien vir bespreking kan sonder voorafgaande kennisgewing ingedien word.

38. By die bespreking stel 'n lid eers sy mosie en verstrekk dan die toeligtig.

39. 'n Mosie wat uit 'n bespreking ontstaan moet skriftelik ingedien word by die sekretaris van die kommissie, onderteken deur die voorsteller en sy sekondant: Met dien verstande dat 'n mosie wat nie aldus ingedien of onderteken is nie, as teruggetrek beskou word.

40. Met uitsondering van die voorsteller van 'n mosie, wat die reg op repliek het, het 'n lid net een spreekbeurt ten opsigte van elke saak wat vir bespreking voorgelê word.

41. Behalwe waar die Minister anders gelas, kan 'n mosie wat verwerp is, eers 'n jaar later weer vir bespreking voorgestel word.

42. 'n Mosie word as verwerp beskou indien dit by wyse van 'n meerderheidstem afgekeur is of weens gebrek aan 'n sekondant nie vir bespreking oopgestel word nie: Met dien verstande dat 'n mosie wat met die goedkeuring van die vergadering teruggetrek is, nie as verwerp beskou word nie.

43. Behoudens die bepalings van regulasies 44 en 45 hieronder, is die bepalings in regulasies 30 tot 42 *mutatis mutandis* van toepassing op 'n vergadering van 'n komitee van die kommissie.

44. In spoedeisende gevalle kan die voorsitter van 'n komitee sake wat voor sodanige komitee moet dien, deur middel van korrespondensie afhandel, en 'n meerderheidsbesluit is in so 'n geval voldoende.

45. Sake waaroor daar by wyse van korrespondensie besluit is, word op die jaarvergadering van sodanige komitee bekragtig.

46. Besluite van 'n komitee word skriftelik en onderteken deur die voorsitter en sekretaris van sodanige komitee by die kommissie ingedien op die eersvolgende gewone jaarvergadering en moet met 'n meerderheidsbesluit bekragtig word.

47. Daar moet ten minste een volle dag verloop tussen die vergadering van 'n komitee en dié van die kommissie.

Reiskoste en verblyftoelaes van lede van die kommissie.

48. Reiskoste en verblyftoelaes wat betaalbaar is aan 'n lid of assessorlid van die kommissie, wat nie in die voltydse diens van die staat is nie, is soos vermeld in die bylae van hierdie regulasies.

DEEL V.

OORPLASING VAN ARGIEWE NA ARGIEFBewaARPLEKKE EN TUSSENBewaARPLEKKE.

49. 'n Kantoorthoof mag alle argiewe wat nog nie die ouderdom van 30 jaar bereik het nie, na 'n tussenbewaarplek oorplaas wat deur die direkteur daarvoor aangewys is.

50. 'n Kantoorthoof stel die hoof van die betrokke argiefbewaarplek of tussenbewaarplek vooraf in kennis van die aard van die argiewe wat hy voornemens is om daarheen oor te plaas, asook van die betrokke tydperk en lineêre voet rakruimte.

51. Argiewe word nie na 'n argiefbewaarplek of tussenbewaarplek oorgeplaas tot tyd en wyl die hoof van die betrokke argiefbewaarplek of tussenbewaarplek aangedui het dat hy hulle in ontvangs kan neem nie.

36. (1) The chairman shall give a ruling on any question of order and his decision shall be final.

(2) The chairman shall be bound by his own rulings on questions of order.

37. (1) Should a member wish to bring forward a motion at an ordinary meeting, for discussion by the commission, the motion shall reach the secretary of the commission at least 14 days prior to such meeting.

(2) A motion so brought forward shall be seconded at the meeting prior to discussion.

(3) A motion which a member wishes to bring forward at a special meeting for discussion, may be brought forward without prior notice.

38. At the discussion a member shall bring forward his motion prior to furnishing his explanation.

39. A motion arising out of a discussion shall be submitted to the secretary of the commission in writing, signed by the proposer and his seconder: Provided that a motion which has not been so submitted and signed, shall be deemed to have been withdrawn.

40. With the exception of the proposer of a motion, who shall have the right of reply, a member may speak once only on each of the matters brought forward for discussion.

41. Unless the Minister otherwise directs, a motion which has been rejected may again be brought forward for discussion only after one year shall have elapsed.

42. A motion shall be deemed to have been lost if it was rejected by a majority vote, or, through lack of a seconder, did not qualify for discussion: Provided that a motion withdrawn with the approval of the meeting shall not be deemed to have been lost.

43. Subject to the provisions of regulations 44 and 45 below, the provisions of regulations 30 to 42 shall *mutatis mutandis* apply to any meeting of a committee of the commission.

44. The chairman of a committee may, by means of correspondence, dispose of urgent business to be dealt with by such committee, in which case a majority vote shall be sufficient.

45. Matters disposed of by means of correspondence, shall be confirmed at the annual meeting of such committee.

46. Resolutions of a committee signed by the chairman and secretary of such committee, shall be submitted to the commission in writing at its next ordinary annual meeting and shall be confirmed by a majority vote.

47. At least one full day shall elapse between the meeting of a committee and that of the commission.

Travelling and Subsistence Allowances for Members of the Commission.

48. The travelling and subsistence allowances payable to a member or assessor member of the commission not being a full-time employee of the State, shall be as specified in the schedule to these regulations.

PART V.

TRANSFER OF ARCHIVES TO ARCHIVES DEPOTS AND INTERMEDIATE DEPOTS.

49. The head of an office may transfer all archives which have not yet reached the age of 30 years, to the intermediate depot indicated by the director for that purpose.

50. The head of an office shall, in advance, notify the head of the archives depot or intermediate depot in question of the nature of the archives he intends to transfer to such depot as well as the period covered and linear feet of shelving space occupied by such archives.

51. Archives shall not be transferred to an archive depot or intermediate depot until the head of the archive depot or intermediate depot in question shall have indicated that he is in a position to receive such archives.

52. (1) Argiewe wat na 'n argiefbewaarplek of tussenbewaarplek oorgeplaas word, word vergesel van 'n lys in tweevoud waarin besonderhede van die betrokke argiewe soos volg uiteengesit word:—

„Ek sertifiseer hierby dat ondervermelde argiewe vandag na die argiefbewaarplek/tussenbewaarplek te

(Naamtekening).....

(Ampstitel).....

(Datum).....

Item-, band- of pakketno.	Lêer-, register- of vormno.	Beskrywing.	Tydperk wat argiewe dek.

(2) Argiewe wat oorgeplaas word, word in hulle alfabetiese of numerieke volgorde op die lys geplaas.

(3) Argiewe wat nie ingebind is nie, word in netjiese pakette opgemaak en stewig vasgebund en die pakette duidelik en voldoende in volgorde gemerk.

(4) Behalwe waar die direkteur anders gelas, word argiewe by oorplasing vergesel van die registers en indekse wat op hulle betrekking het.

(5) Indien 'n register in 'n kantoor vermis word, dra die kantoorhoof sorg dat 'n nuwe register opgestel word, en dié feit word op die binnekant van die skutblad van die register vermeld.

(6) 'n Register wat na 'n argiefbewaarplek of tussenbewaarplek oorgeplaas word, word op die binnekant van die skutblad met die kantoorstempel van die kantoor wat die register oorplaas, gestempel.

(7) Nadat die argiewe gekontroleer is teen die lys in subregulasie (1) genoem, stuur die hoof van die argiefbewaarplek of tussenbewaarplek die duplikaatafskrif tesame met 'n erkenning van ontvangs aan die kantoorhoof wat die argiewe oorgeplaas het.

53. Wanneer 'n kantoorhoof argiewe wat reeds na 'n argiefbewaarplek of tussenbewaarplek oorgeplaas is, nodig het of inligting daaruit verlang, word die nommer en datum van die ontvangserkenning in subregulasie (7) van regulasie 52 hierbo vermeld, verstrek, sowel as die item-, band- of pakketnommer en die lêer-, register- of vormnommer tesame met die beskrywing soos dit op die lys wat ten tye van die oorplasing opgestel is, verskyn.

DEEL VI.

TOELATING VAN DIE PUBLIEK.

Toelating van die publiek tot Argiefbewaarplekke.

54. Die direkteur kan, indien omstandighede dit vereis, gelas dat die leeskamers van 'n argiefbewaarplek gedurende die eerste sewe werkdag van Maart van elke jaar vir navorsers gesluit word.

55. Argivalia mag net in die leeskamers van 'n argiefbewaarplek geraadpleeg word.

56. Elke besoeker wat nie 'n navorsers is nie, teken sy naam in 'n afsonderlike besoekersboek wat vir die doel gehou word.

57. (1) Geen sambrele, sakke, pakkies of houters van enige aard mag in die leeskamers ingeneem word nie.

(2) Rook, die trek van vuurhoutjies en die gebruik van aanstekers is verbode in 'n plek waar argivalia bewaar of gehanteer word.

Toelating van Navorsers tot Leeskamers.

58. 'n Navorsers wat navorsing in 'n argiefbewaarplek wil doen meld hom by die hoof van die betrokke argiefbewaarplek aan.

52. (1) Archives shall, on transfer to an archives depot or intermediate depot, be accompanied by a list, in duplicate, furnishing particulars regarding the archives in question, as follows:—

“I hereby certify that the archives mentioned below were today transferred to the archives depot/intermediate depot at

(Signature).....

(Designation).....

(Date).....

No. of item, volume or package.	No. of file, register or form.	Description.	Period covered by archives.

(2) Archives shall, on transfer, appear on the list in alphabetical or numerical order.

(3) Unbound archives shall be made up into neat packages and securely tied. Such packages shall also be clearly and adequately marked in sequence.

(4) Unless the director otherwise directs, archives shall, on transfer, be accompanied by the registers and indexes pertaining to them.

(5) Should a register in an office be missing, the head of the office shall ensure that a new register is drawn up which fact shall be entered on the inside of the fly-leaf of the register.

(6) A register shall, on transfer to an archives depot or intermediate depot, be stamped on the inside of the fly-leaf with the office stamp of the office transferring such register.

(7) After the archives shall have been checked against the list referred to in sub-regulation (1), the head of the archives depot or intermediate depot shall send the duplicate copy, together with an acknowledgement of receipt, to the head of the office which transferred such archives.

53. Should the head of an office require archives or information from archives already transferred to an archives depot or intermediate depot, the number and date of the acknowledgement of receipt mentioned in sub-regulation (7) of regulation 52 above, shall be furnished, as well as the number of the item, volume or package and the number of the file, register or form, together with the description as it appears on the list drawn up at the time of the transfer.

PART VI.

ADMISSION OF THE PUBLIC.

Admission of the Public to Archives Depots.

54. The director may, if circumstances so require, direct the reading-rooms of an archives depot to be closed to researchers during the first seven working days of March of each year.

55. Archivalia shall be consulted only in the reading-rooms of an archives depot.

56. Every visitor not being a researcher shall sign his name in a separate visitors' book kept for that purpose.

57. (1) No umbrellas, bags, parcels or containers of any kind may be taken into the reading-rooms.

(2) Smoking, the striking of matches and the use of lighters are prohibited in any place where archivalia are stored or handled.

Admission of Researchers to Reading-Rooms.

58. A researcher intending to do research in an archives depot shall present himself to the head of the archives depot in question.

59. (1) Die hoof van 'n argiefbewaarplek of sy verteenwoordiger versoek 'n navorser om sy persoonskaart of paspoort te toon, en om persoonlik die onderwerp waarvoor hy navorsing wil doen, die doel waarvoor die navorsing onderneem word, sy permanente woonadres en sy persoonskaart- of paspoortnommer in die navorsingsregister, wat vir die doel aangehou word, in te skryf en te onderteken.

(2) 'n Navorser voltooi 'n aparte inskrywing ten opsigte van elke stuk navorsing wat hy onderneem in die register en, onderteken en dateer die inskrywing.

(3) Voordat 'n navorser tot 'n leeskamer van 'n argiefbewaarplek toegelaat word, moet hy skriftelik onderneem om die hoof van die betrokke argiefbewaarplek in kennis te stel van enige verandering, uitbreiding of wysiging van die onderwerp waarvoor hy werk of die doel waarvoor die navorsing onderneem word, sowel as enige verandering van sy permanente woonadres.

(4) Die hoof van die argiefbewaarplek of sy verteenwoordiger, reik nadat die navorser die navorsingsregister ingevul het, 'n toegangskaartjie tot 'n leeskamer aan die navorser uit, en so 'n kaartjie bly geldig vir die periode wat daarop aangedui word.

(5) Wanneer die periode wat op die toegangskaartjie verskyn, verstryk het, kan die navorser by die hoof van die argiefbewaarplek aansoek doen om 'n nuwe kaartjie.

(6) Die hoof van die betrokke argiefbewaarplek kan van tyd tot tyd vereis dat 'n navorser die navorsingsregister opnuut moet invul.

(7) 'n Toegangskaartjie tot 'n leeskamer kan deur die hoof van 'n argiefbewaarplek ingetrek of geweier word op grond van die oortreding van die voorskrifte vervat in hierdie deel van hierdie regulasies of op grond van onbehoorlike gedrag, taal, gewoontes, kleredrag of enigiets anders wat hinderlik is of redelikerwyse hinderlik mag wees vir ander navorsers, of op grond van beskadiging van argivalia, of weens die voortdurende verontagsaming van 'n argiefbeampte se gesag: Met dien verstande dat die intrekking of weiering van 'n toegangskaartjie aan 'n navorser onmiddellik skriftelik aan die direkteur gerapporteer word.

60. 'n Navorser wat toegang tot 'n tussenbewaarplek verlang, rig 'n skriftelike aansoek tot die direkteur waarin die doel van die besoek verduidelik word.

Die toegang tot argiewe en aanwinste.

61. (1) Die leeskamers van argiefbewaarplekke is vir navorsers oop vanaf 'n kwartier na die begin van die gewone amptelike werksdag tot 'n kwartier voor die einde van 'n werksdag en sodanige ander tye as wat die direkteur mag bepaal.

(2) Geen argivalia word gedurende die laaste halfuur van 'n gewone werksdag aan navorsers uitgereik nie.

(3) Stilte word in die leeskamers gehandhaaf.

62. Elke dag wanneer 'n navorser argivalia raadpleeg, teken hy sy naam, beroep en adres in 'n boek wat vir die doel in die leeskamer gehou word, aan.

63. (1) 'n Navorser vul in tweevoud 'n afsonderlike vorm in, wat op aanvraag aan hom verskaf word, vir elke item argivalia wat hy wens te raadpleeg, onderteken, dateer en oorhandig dit aan die toesighoudende beampte in die leeskamer.

(2) Wanneer die argivalia aan die navorser besorg word, teken hy op die oorspronklike van die vorm dat hy die argivalia ontvang het.

(3) Wanneer 'n navorser 'n item argivalia nie meer nodig het nie, besorg hy dit onmiddellik aan die toesighoudende beampte in die leeskamer en ontvang hy die oorspronklike vorm wat hy daarvoor ingevul het, terug.

(4) Die vorm wat aan die navorser terugbesorg word, word deur hom behou as bewys dat hy in 'n argiefbewaarplek navorsing gedoen het.

(5) Teen die einde van elke werksdag word alle argivalia uit die leeskamers verwyder en nuwe vorms word deur 'n navorser ingevul indien hy weer dieselfde item argivalia die volgende dag wil raadpleeg, behalwe indien hy 'n kaartjie, met die woord „reserveer” daarop geskryf, in die band plaas en die toesighoudende beampte in die leeskamer se aandag daarop vestig.

59. (1) The head of an archives depot or his representative shall request a researcher to produce his identity card or passport, and personally to enter the subject of his research, the purpose for which the research is being undertaken, his permanent residential address as well as his identity card or passport number in the research register kept for the purpose and to sign such entries.

(2) A researcher shall complete a separate entry in the register in respect of every research project undertaken by him, and shall date and sign such entry.

(3) Before a researcher is admitted to a reading-room of an archives depot, he shall undertake in writing to notify the head of such archives depot of any change in, or any extension or modification of, the subject-matter of his research or the purpose for which the research is being undertaken, as well as any change in his permanent residential address.

(4) On completion of the research register by the researcher, the head of the archives depot or his representative shall issue him with an admission ticket to a reading-room which ticket shall be valid for the period indicated thereon.

(5) On the expiry of the period indicated on the admission ticket the researcher may apply to the head of the archives depot for a new ticket.

(6) The head of such archives depot may from time to time require a researcher to complete the research register anew.

(7) The head of an archives depot may withdraw or refuse an admission ticket to a reading-room on account of a contravention of the stipulations embodied in this part of these regulations, or on account of improper conduct, language, habits, clothing or anything else which constitutes an annoyance or which may be reasonably considered to constitute an annoyance to other researchers, or on account of any damage to archivalia, or the persistent disregard of the authority of an archives officer: Provided that the withdrawal or refusal of an admission ticket to a researcher shall immediately be reported to the director in writing.

60. A researcher requiring admission to an intermediate depot, shall submit a written application to the director explaining the purpose of his visit.

Access to Archives and Accessions.

61. (1) Reading-rooms of archives depots shall be open to researchers from a quarter of an hour after the commencement of the normal official working day until a quarter of an hour before the close of the working day, and at such other times as the director may determine.

(2) No archivalia shall be issued to researchers during the last half hour of a normal working day.

(3) Silence shall be maintained in the reading-rooms.

62. Every day on which a researcher consults archivalia, he shall sign his name, occupation and address in a book kept in the reading-room for that purpose.

63. (1) A researcher shall complete, in duplicate, a separate form obtainable on request for every item of archivalia he wishes to consult, add his signature, the date, and hand it to the supervising officer in the reading-room.

(2) Upon receipt of the archivalia the researcher shall sign on the original of the form that he has received the archivalia.

(3) As soon as a researcher no longer requires an item of archivalia, he shall immediately return it to the supervising officer in the reading-room, whereupon he shall receive the original form completed by him for that item.

(4) The form returned to the researcher shall be retained by him as proof of his having conducted research in an archives depot.

(5) At the close of every working day all archivalia shall be removed from the reading-rooms and, should a researcher wish to consult the same item of archivalia on the following day, he shall complete a new form unless he places a card with the word "reserve" written thereon in such volume, and advise the supervising officer in the reading-room accordingly.

(6) Argivalia word vir 24 uur gereserveer.

(7) 'n Navorser word vir argivalia verantwoordelik gehou solank die oorspronklike vorm wat hy ten opsigte daarvan ingevul het in besit van die toesighoudende beampte in die leeskamer is.

Hantering van argivalia.

64. (1) Die grootste versigtigheid word in die hantering van argivalia uitgeoefen, veral as blaai omgeblaai word.

(2) 'n Blaai van 'n item argivalia mag nie gevou word nie.

(3) Niemand mag op argivalia leun of die papier waarop hy skryf daarop plaas nie.

(4) Indien 'n navorser verlang om met sy vinger die stuk wat hy kopieer te volg, plaas hy 'n strook papier onder sy hand, want geen deel van sy kaal hand mag op die argivalia rus nie.

(5) 'n Navorser mag net van potlode of balpuntepen gebruik maak wanneer hy argivalia kopieer.

(6) 'n Item argivalia word, wanneer die toesighoudende beampte in die leeskamer dit vereis, op 'n boekstander geplaas.

(7) 'n Navorser mag nie die orde van dokumente versteur nie en, indien 'n navorser 'n toevallig foutiewe orde ontdek, vestig hy die aandag van die toesighoudende beampte in die leeskamer daarop.

(8) Indien 'n navorser, terwyl hy 'n item argivalia raadpleeg, 'n bladsy bevlek of 'n blaai skeur of beskadig, rapporteer hy dit onmiddellik aan die toesighoudende beampte in die leeskamer en, ingeval hy 'n vlek, skeur of beskadiging van enige aard sien rapporteer hy dit insgelyks.

(9) 'n Navorser mag geen merk op argivalia aanbring of verwyder nie.

(10) 'n Navorser wat 'n natreksel, foto of mikrofilm van 'n item argivalia wil maak, verkry vooraf die toestemming van die hoof van die argiefbewaarplek daartoe.

(11) 'n Navorser wat mikrofilms raadpleeg, mag nie 'n rol film self in die leser plaas of daaruit verwyder nie maar versoek die toesighoudende beampte in die leeskamer om dié werk te verrig.

(12) Behalwe waar die hoof van 'n argiefbewaarplek anders gelas, mag 'n navorser hoogstens drie bande argivalia gelyktydig raadpleeg.

65. (1) 'n Navorser word slegs in uitsonderlike gevalle tot die brandkamers of biblioteek van 'n argiefbewaarplek toegelaat, en dan met die toestemming van die hoof van die argiefbewaarplek en op die voorwaardes wat hy stel.

(2) 'n Navorser het geen toegang tot die bindery-afdeling van 'n argiefbewaarplek nie.

66. Wanneer 'n item argivalia vanaf een argiefbewaarplek na 'n ander argiefbewaarplek op versoek van 'n navorser oorgeplaas word, word die onkoste wat aan so 'n oorpasing verbonde is, deur die navorser betaal, en 'n deposito om sodanige onkoste te dek, word van die navorser verkry voordat die oorpasing geskied.

67. (1) 'n Navorser skenk een eksemplaar van elke werk wat hy as gevolg van sy navorsing publiseer, laat publiseer of op enige ander wyse dupliseer of laat dupliseer, aan die argiefbewaarplek waar hy navorsing gedoen het.

(2) Indien 'n navorser in meer as een argiefbewaarplek navorsing gedoen het, besorg hy die eksemplaar in sub-regulasie (1) genoem aan die kantoor van die direkteur.

Gebruik van eie toestelle deur navorsers.

68. Indien geriewe beskikbaar is, word navorsers toegelaat om by die maak van kopieë van hulle eie tikmasjiene of bandopneemmasjiene gebruik te maak.

Toegang tot argiewe wat nog nie vir die publiek toeganklik is nie.

69. (1) 'n Aansoek van iemand om kragtens subartikel (4) van artikel nege van die Wet toegang te verkry tot argiewe of aanwinste word aan die direkteur gerig, wat dit aan die Minister voorlê: Met dien verstande dat 'n aansoek om vertroulike of geheime argiewe te raadpleeg deur die direkteur na die betrokke kantoorhoof vir 'n aanbeveling verwys word.

(6) Archivalia shall be reserved for 24 hours.

(7) A researcher shall be held responsible for any item of archivalia for as long as the original form completed by him in respect thereof remains in the possession of the supervising officer in the reading-room.

Handling of Archivalia.

64. (1) The greatest care shall be exercised during the handling of archivalia, especially while turning over pages.

(2) The folding of a page of any item of archivalia is prohibited.

(3) No person shall lean on archivalia, or place thereon the paper on which he is writing.

(4) If a researcher wishes to follow with his finger the passage he is copying, he shall place a slip of paper under his hand; no part of his bare hand shall rest on archivalia.

(5) While copying archivalia, a researcher may use a pencil or a ballpoint pen only.

(6) When so required by the supervising officer in the reading-room, an item of archivalia shall be placed on a book-rest.

(7) A researcher shall not disturb the order of documents, and should a researcher discover an accidentally wrong order he shall advise the supervising officer in the reading-room accordingly.

(8) Should a researcher, while consulting an item of archivalia, stain, tear or otherwise damage a page, he shall report it immediately to the supervising officer in the reading-room, and should he notice a stain, tear or damage, of any nature whatever, he shall likewise report it.

(9) A researcher shall not make marks on or remove marks from archivalia.

(10) A researcher who wishes to make a tracing, photograph or microfilm of an item of archivalia, shall first obtain the approval of the head of the archives depot.

(11) A researcher consulting microfilms shall not place the roll of film in the reader or remove it from the reader himself, but shall request the supervising officer in the reading-room to do so.

(12) Unless the head of an archives depot otherwise directs, a researcher may consult not more than three volumes of archivalia simultaneously.

65. (1) A researcher shall be admitted to the strong-rooms or the library of an archives depot only in exceptional cases, and then only with the approval of the head of the archives depot and subject to the conditions laid down by him.

(2) A researcher shall have no access to the bindery section of an archives depot.

66. When an item of archivalia is transferred from one archives depot to another archives depot at the request of a researcher, the researcher shall defray the expenses involved in the transfer, and a deposit to cover such expenses shall be obtained from him before the transfer takes place.

67. (1) A researcher shall present to the archives depot where he conducted his research one copy of each work which is based on such research and which he publishes or causes to be published or duplicates or causes to be duplicated in any other manner.

(2) Where a researcher has conducted research in more than one archives depot, he shall present the copy referred to in sub-regulation (1) to the office of the director.

Use of Own Apparatus by Researchers.

68. Provided that facilities are available, researchers shall be allowed to use their own typewriters or tape recorders in the process of copying.

Access to Archives not yet Open to the Public.

69. (1) Any person desiring access to archives or accessions in terms of sub-section (4) of section nine of the Act, shall address his application to the director, who shall submit it to the Minister: Provided, however, that an application to consult confidential or secret archives shall be referred by the director to the head of the office in question for a recommendation.

(2) Die direkteur deel die beslissing van die Minister, met die voorwaardes wat die Minister bepaal, skriftelik aan so iemand mee.

DEEL VII.

TARIEF VAN GELDE.

70. Die gelde betaalbaar ten opsigte van navorsing of ander dienste deur argiefbeamptes gelewer, is soos volg:—

- (a) Vir navorsing in 'n argiefbewaarpark of tussenbewaarpark amptelik uitgevoer ten behoeve van iemand, of sodanige navorsing suksesvol mag wees al dan nie, vir elke jaar of gedeelte van 'n jaar by die navorsing betrokke afgesien van die aantal stukke wat geraadpleeg word: 10 sent.
- (b) vir die verskaffing van afskrifte of uittreksels uit dokumente, afgesien van die aantal woorde op elke bladsy—
 - (i) per getikte bladsy, folioformaat, dubbel-spasiëring: 25 sent.
 - (ii) per getikte bladsy, folioformaat, enkelspasiëring: 40 sent.
- (c) vir die waarmerking van 'n afskrif van of 'n uittreksel uit dokumente, bo en behalwe die gelde, indien daar is, wat kragtens subparagrafe (a) en (b) gevorder word: 10 sent per waarmerking.

71. Nieteenstaande die bepalinge van subregulasies (a) en (b) van regulasie 70, is geen sodanige gelde betaalbaar nie ten opsigte van 'n diens wat die direkteur, in oorleg met die Tesourie, sertifiseer dat dit vir doeleindes van navorsing van openbare belang verrig word.

72. Die gelde wat ooreenkomstig subregulasie (a) van regulasie 70 gevorder word, word verantwoord by wyse van inkomsteseëls, geplak in 'n register wat spesiaal daarvoor gehou word.

73. Die gelde wat ooreenkomstig subregulasies (b) en (c) van regulasie 70 gein word, word verantwoord by wyse van inkomsteseëls, geplak op die afskrifte of uittreksels verstrekt: Met dien verstande dat besonderhede en die bedrae aldus gein in die register wat in regulasie 72 genoem is, opgeteken word.

DEEL VIII.

INTREKKING.

74. Goewermentskennisgewing No. 1276 van 5 September 1958 word hierby herroep.

BYLAE.

REISKOSTE EN VERBLYFTOELAE.

1. Die reiskoste en verblyftoelae wat aan lede en assessorlede van die kommissie, wat nie in die voltydse diens van die staat is nie, betaalbaar is, is soos volg:—

	Toelae wanneer NIE weg van gewone verblyf- of werkplek oornag word nie.	Toelae wanneer weg van gewone verblyf- of werkplek oornag word.
Voorsitter.....	R9.00 per dag.	R13.00 per dag.
Lid.....	R6.00 per dag.	R10.00 per dag.

2. Die toelae in paragraaf 1 genoem, is op die volgende grondslag betaalbaar:—

- (i) Vir elke dag gereken van middernag tot middernag, waarop 'n vergadering van die kommissie of van een of meer van sy komitees bygewoon word, ongeag die tydsduur van die vergadering;
- (ii) vir elke dag gereken van middernag tot middernag, waarop werksaamhede van die kommissie, of van een of meer van sy komitees, in opdrag van die voorsitter verrig word, ongeag die tydsduur van sodanige werksaamhede;

(2) The director shall inform such person in writing of the decision of the Minister and the conditions laid down by the Minister.

PART VII.

TARIFF OF FEES.

70. The fees payable in respect of research or other services rendered by archives officers shall be as follows:—

- (a) For research officially carried out in any archives depot or intermediate depot on behalf of a person, whether such research is successful or not, for each year or part of a year involved in the research, irrespective of the number of records consulted: 10 cents.
- (b) For supplying copies of or extracts from documents, irrespective of the number of words on each page—
 - (i) per typed foolscap page, double spacing: 25 cents.
 - (ii) per typed foolscap page, single spacing: 40 cents.
- (c) For certifying copies of or extracts from documents, in addition to the fees, if any, which may be charged under sub-paragraphs (a) and (b): 10 cents per certification.

71. Notwithstanding the provisions of sub-regulations (a) and (b) of regulation 70, none of these fees shall be payable for a service which the director, in consultation with the Treasury, has certified as being for purposes of research in the public interest.

72. The fees charged in terms of sub-regulation (a) of regulation 70, shall be accounted for by means of revenue stamps affixed to a register specially kept for that purpose.

73. The fees collected in terms of sub-regulations (b) and (c) of regulation 70, shall be accounted for by means of revenue stamps affixed to the copies or extracts supplied: Provided that particulars and the amounts so collected shall be entered in the register referred to in regulation 72.

PART VIII.

REPEAL.

74. Government Notice No. 1276 of the 5th September, 1958, is hereby repealed.

SCHEDULE.

TRAVELLING AND SUBSISTENCE ALLOWANCE.

1. The travelling and subsistence allowance payable to members or assessor members of the commission not in the full-time employment of the State, shall be as follows:—

	Allowance when NOT absent overnight from usual place of residence or employment.	Allowance when absent overnight from usual place of residence or employment.
Chairman.....	R9.00 per day.	R13.00 per day.
Member.....	R6.00 per day.	R10.00 per day.

2. The allowances mentioned in paragraph 1 shall be payable on the following basis:—

- (i) For each day, reckoned from midnight to midnight, on which a meeting of the commission or one or more of its committees is attended, irrespective of the duration of the meeting;
- (ii) for each day, reckoned from midnight to midnight, on which work of the commission or one or more of its committees is performed at the chairman's request, irrespective of the duration of such work;

- (iii) vir tyd deur individuele lede bestee aan werk van die kommissie, of van een of meer van sy komitees, op versoek van die voorsitter bereken *pro rata* vir elke voltooide uur waar ses uur werk as 'n volle dag beskou word, mits sodanige werk nie die normale pligte van voorbereiding vir vergaderings insluit nie; en
- (iv) vir tyd in beslag geneem deur reise of oorbly in belang van die werksaamhede van die kommissie of een of meer van sy komitees bereken *pro rata* vir elke voltooide uur ten opsigte van tydperke, uitsluitende 'n dag gereken van middernag tot middernag, waarop 'n vergadering gehou word of werksaamhede verrig word: Met dien verstande dat die toelae vermeld in paragraaf 1 hierbo die maksimum alles-insluitende toelae is wat aan 'n lid of assessorlid van die kommissie of van 'n komitee daarvan, wat nie in die voltydse diens van die staat is nie, betaalbaar is vir enige tydperk van vier-en-twintig uur, gereken van middernag tot middernag, ongeag of dit vergoedend moet wees vir een of meer as een van die dienste in hierdie paragraaf uiteengesit.

No. R. 1381.] [6 September 1963.]

WET OP UNIVERSITEITE, 1955.—STATUUT VAN DIE UNIVERSITEIT VAN KAAPSTAD.

Die Minister van Onderwys, Kuns en Wetenskap het kragtens die bevoegdheid hom by subartikel (2) van artikel *sewentien* van die Wet op Universiteite, 1955 (Wet No. 61 van 1955), verleen, onderstaande statuut van die Universiteit van Kaapstad goedgekeur:—

UNIVERSITEIT VAN KAAPSTAD.

STATUUT.

HOOFSTUK I.

WOORDOMSKRYWINGS.

1. In hierdie statuut, tensy uit die samehang anders blyk—

- (a) beteken „die Wet” die Wet op die Universiteit van Kaapstad, 1959;
- (b) beteken „aanstel” ook „ver kies” en „kies”;
- (c) beteken „aanstelling” ook „ver kiesing”;
- (d) word daar geag dat „behoorlike kennisgewing” geskied het indien 'n skriftelike kennisgewing aan die begin van die tydperk van kennisgewing wat vereis word, per pos aan die jongste geregistreerde adres van die betrokke persoon gestuur is; en
- (e) wanneer vir enige doel 'n kworum of 'n meerderheid van stemme 'n breuk van 'n sekere getal moet wees en dit gebeur in enige besondere geval dat die gevolglike kworum of meerderheid nie 'n integrale getal sal wees nie, word daar geag dat die volgende groter integrale getal die vereiste kworum of meerderheid uitmaak.

HOOFSTUK II.

DIE KANSELIER EN DIE REKTOR EN VISE-KANSELIER.

2. Die kanselier word verkies op die wyse in hoofstuk V voorgeskryf.
3. Die kanselier is die hoof van die Universiteit en ken in die naam van die Universiteit alle grade toe.
4. Die rektor en vise-kanselier word aangestel op 'n vergadering van die raad wat na behoorlike kennisgewing byeengeroep is en bekleed sy amp vir die termyn wat die raad van tyd tot tyd bepaal, tensy hy gedurende daardie termyn te sterwe kom of bedank.
5. Behoudens sodanige regulasies as wat deur die raad opgestel word, oefen die rektor en vise-kanselier algemene toesig oor die Universiteit uit.

- (iii) for time spent by individual members on work of the commission, or one or more of its committees, at the request of the chairman calculated *pro rata* for every completed hour, where six hours of work shall be considered a full day; provided that such work shall not include the normal duties of preparation for meetings; and
- (iv) for time spent in travelling or stopping over on the business of the commission or one or more of its committees, calculated *pro rata* for every completed hour in respect of periods, excluding a day reckoned from midnight to midnight, on which a meeting is held or work is performed: Provided that the allowance in paragraph 1 above shall be the maximum all-inclusive allowance payable to a member or assessor member of the commission or one of its committees, who is not in the full-time employment of the State, for any period of twenty-four hours, reckoned from midnight to midnight, irrespective of whether it is by way of reimbursement for one or more than one of the services set out in this paragraph.

No. R. 1381.] [6 September 1963.]

UNIVERSITIES ACT, 1955.—STATUTE OF THE UNIVERSITY OF CAPE TOWN.

The Minister of Education, Arts and Science has, under and by virtue of the powers vested in him by sub-section (2) of section *seventeen* of the Universities Act, 1955 (Act No. 61 of 1955), approved the following statute of the University of Cape Town:—

UNIVERSITY OF CAPE TOWN.

STATUTE.

CHAPTER I.

DEFINITIONS.

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

- (a) “the Act” means the University of Cape Town Act, 1959;
- (b) “appoint” includes “elect” and “choose”;
- (c) “appointment” includes “election”;
- (d) “due notice” shall be held to have been given if a written notification shall have been dispatched by post to the last registered address of the person concerned at the commencement of the period of notice required; and
- (e) whenever for any purpose a quorum or a majority of votes is required to be a certain numerical fraction and it happens in any particular case that the consequent quorum or majority would not be an integral number, the next greater integral number shall be held to constitute the required quorum or majority.

CHAPTER II.

THE CHANCELLOR AND THE PRINCIPAL AND VICE-CHANCELLOR.

2. The chancellor shall be elected in the manner prescribed in Chapter V.
3. The chancellor shall be the head of the University and shall, in the name of the University, confer all degrees.
4. The principal and vice-chancellor shall be appointed at a meeting of the council called after due notice and shall hold office for such period as the council may from time to time determine, unless during that time he dies or resigns.
5. The principal and vice-chancellor shall, subject to such regulations as may be framed by the council, exercise general supervision over the University.

6. Die rektor en vise-kanselier is die hoofuitvoerende beampte van die senaat en is ampshalwe lid van alle komitees van die senaat.

7. In die afwesigheid van die kanselier oefen die rektor en vise-kanselier, of iemand wat op die betrokke tydstop in daardie hoedanigheid waarneem, die bevoegdhede uit en verrig hy die pligte wat aan die amp van kanselier verbonde is.

8. Wanneer om enige rede die amp van rektor en vise-kanselier vakant raak, moet die raad daartoe oorgaan om 'n opvolger aan te stel; tot tyd en wyl 'n opvolger aangestel word, moet die raad iemand aanstel om in die hoedanigheid van rektor en vise-kanselier waar te neem.

9. (1) Die raad kan 'n adjunk-rektor aanstel, wat sy amp beklee vir die termyn wat die raad voorskryf en wat die funksies uitoefen en die pligte verrig wat die raad bepaal.

(2) Behalwe soos in paragraaf 8 of deur die raad anders bepaal, neem die adjunk-rektor as rektor waar vir enige tydperk waartydens die rektor afwesig is.

(3) Die adjunk-rektor is ampshalwe lid van alle komitees van die senaat.

10. 'n Lid van die senaat kan deur die raad aangestel word om as adjunk-rektor waar te neem vir enige tydperk waartydens die adjunk-rektor afwesig is of as rektor waarneem, of om as rektor waar te neem vir enige tydperk waartydens die rektor sowel as die adjunk-rektor afwesig is.

HOOFSTUK III.

DIE RAAD.

11. Elkeen wat 'n bedrag van minstens R100 aan die fondse van die Universiteit geskenk het of skenk, word 'n lid van die kieskollege in artikel sewe (1) (f) van die Wet genoem.

12. Behoudens die bepalings van paragraaf 13, beklee 'n aangestelde lid van die raad sy amp vir 'n termyn van drie jaar, met uitsondering van lede wat deur die senaat en die stadsraad van Kaapstad aangestel word, wat hulle amp vir 'n termyn van een jaar beklee. Sodanige ampstermyne word gereken vanaf die datum waarop die vakature ontstaan.

13. 'n Lid ontruim sy amp indien hy van drie opeenvolgende gewone vergaderings van die raad afwesig is sonder dat verlof vooraf verkry is; of insolvent raak; of aan 'n kriminele oortreding skuldig bevind word; of onbevoeg raak om die pligte van sy amp te verrig as gevolg van verstandelike of liggaamlike onvermoë of siekte; of, indien hy 'n verteenwoordiger van die senaat is, ophou om lid van die senaat te wees.

14. Indien 'n lid te sterwe kom of bedank, of sy amp om enige ander rede as verloop van tyd ontruim, moet die registrateur van die Universiteit die owerheid of liggaam wat sodanige lid aangestel het, van dié feit in kennis stel en sodanige owerheid of liggaam versoek om 'n opvolger aan te stel, wat sy amp beklee vir die onverstreke ampstermyne van sy voorganger.

15. Minstens een maand voor die verstryking van die ampstermyne van 'n lid moet genoemde registrateur aan die owerheid of liggaam wat sodanige lid aangestel het, 'n skriftelike kennisgewing besorg waarin sodanige owerheid of liggaam versoek word om 'n opvolger aan te stel om die vakature aan te vul.

16. Elke lid van die raad wat deur die senaat aangestel moet word, word aangestel soos in Hoofstuk IV bepaal.

17. Elke lid van die raad wat deur die konvokasie aangestel moet word, word aangestel soos in Hoofstuk V bepaal.

18. Elke lid van die raad wat aangestel moet word deur die kieskollege in artikel sewe (1) (f) van die Wet genoem, word aangestel *mutatis mutandis* op die wyse voorgeskryf vir die aanstelling van lede deur die konvokasie.

19. Die registrateur van die Universiteit moet onverwyld van die naam van elke persoon as lid van die raad aangestel in kennis gestel word deur die owerheid of liggaam deur wie sodanige lid aangestel is.

6. The principal and vice-chancellor shall be the chief executive officer of the senate, and shall be a member, *ex officio*, of all committees of the senate.

7. The principal and vice-chancellor, or any person acting in that capacity for the time being, shall, in the absence of the chancellor, exercise the powers and perform the duties appertaining to the office of chancellor.

8. Whenever for any reason the office of principal and vice-chancellor becomes vacant, the council shall proceed to appoint a successor; until such time as a successor is appointed, the council shall appoint some person to act in the capacity of principal and vice-chancellor.

9. (1) The council may appoint a deputy-principal who shall hold office for such period as the council may prescribe and who shall exercise such functions and perform such duties as the council may determine.

(2) Save as is otherwise provided in paragraph 8 or by the council, the deputy-principal shall act as principal for any period during which the principal is absent.

(3) The deputy-principal shall be a member, *ex officio*, of all committees of the senate.

10. A member of the senate may be appointed by the council to act as deputy-principal for any period during which the deputy-principal is absent, or is acting as principal, or to act as principal for any period during which both the principal and the deputy-principal are absent.

CHAPTER III.

THE COUNCIL.

11. Every person who has donated or who shall donate to the funds of the University an amount of R100 or upwards shall become a member of the constituency referred to in section seven (1) (f) of the Act.

12. Subject to the provisions of paragraph 13, an appointed member of the council shall hold office for a period of three years, with the exception of members appointed by the senate and the City Council of Cape Town, who shall hold office for a period of one year. Such periods of office shall be reckoned from the date on which the vacancy occurs.

13. A member shall vacate office if he absents himself from three consecutive ordinary meetings of the council without leave previously obtained; or becomes insolvent; or be convicted of a criminal offence; or becomes incapacitated from fulfilling the duties of his office by mental or bodily infirmity or disease; or, being a representative of the senate, ceases to be a member of the senate.

14. If a member dies or resigns, or vacates office for any other reason than effluxion of time, the registrar of the University shall notify the fact to the authority or body which shall have appointed such member requesting such authority or body to appoint a successor, who shall hold office during the unexpired period of office of his predecessor.

15. The said registrar shall, not less than one month before the expiration of the period of office of any member, give notice in writing to the authority or body which has appointed such member, requesting such authority or body to appoint a successor to fill the vacancy.

16. Every member of the council to be appointed by the senate shall be appointed as provided in Chapter IV.

17. Every member of the council to be appointed by convocation shall be appointed as provided in Chapter V.

18. Every member of the council to be appointed by the constituency referred to in section seven (1) (f) of the Act, shall be appointed, *mutatis mutandis*, in the manner prescribed for the appointment of members by convocation.

19. The name of every person appointed as a member of the council shall be forthwith notified to the registrar of the University by the authority or body by whom such member shall be appointed.

20. (a) Die voorsitter van die raad is die hoofuitvoerende beampte van die raad en beklee sy amp vir 'n termyn van drie jaar, tensy hy gedurende daardie termyn te sterwe kom of bedank, of ophou om lid van die raad te wees.

(b) Die raad kan een van sy lede aanstel om as voorsitter van die raad op te tree vir enige tydperk waartydens die voorsitter afwesig is.

21. Wanneer die amp van die voorsitter van die raad weens verloop van tyd vakant staan te raak, stel die registrateur van die Universiteit die raad daarvan in kennis, en die stel die raad op sy eersvolgende gewone vergadering 'n opvolger aan: Met dien verstande dat die uittredende voorsitter weer aangestel kan word.

22. Indien die amp van die voorsitter van die raad om 'n ander rede as verloop van tyd vakant raak, moet kennis van dié feit aan die registrateur van die Universiteit gegee word, en gaan die raad op sy eersvolgende vergadering daartoe oor om 'n ander lid as voorsitter aan te stel, wat sy amp beklee vir die onverstreke ampstermyn van sy voorganger.

23. Die raad stel op sy eerste gewone vergadering in Mei twee van sy lede aan om vir 'n tydperk van een jaar met ingang van die eerste dag van Junie die amp van lid van die senaat te beklee.

24. Minstens drie maande voor die verstryking van die ampstermyn van 'n lid van die senaat wat deur die raad aangestel is, stel die registrateur van die Universiteit die raad van dié feit in kennis, wat uit sy eie lede 'n opvolger aanstel om die vakature aan te vul: Met dien verstande dat 'n lid wat weens verloop van tyd uittree, weer aangestel kan word.

25. Indien 'n lid van die senaat wat deur die raad aangestel is, voor die verstryking van sy ampstermyn sy amp ontruim, stel die raad op sy volgende vergadering 'n ander lid aan om die amp vir die onverstreke ampstermyn van sy voorganger te beklee.

26. Die kworum en die prosedure op vergaderings van die raad is soos volg:—

(a) Sewe lede maak 'n kworum uit.

(b) Minstens drie dae voordat 'n vergadering gehou word, reik die registrateur van die Universiteit aan elke lid 'n skriftelike kennisgewing uit waarin die tyd wanneer en die plek waar sodanige vergadering gehou sal word en die werksaamhede wat voorgelê gaan word, uiteengesit word.

(c) Kennisgewings van onderwerpe vir oorweging moet skriftelik wees en moet minstens vyf dae voor die datum van die vergadering by genoemde registrateur ingedien word: Met dien verstande dat met die toestemming van die meerderheid van die lede van die raad sake van dringende aard op enige vergadering sonder voorafgaande kennisgewing voorgelê kan word.

(d) Indien die voorsitter afwesig is van enige vergadering, kan die lede wat op sodanige vergadering aanwesig is iemand uit hul midde kies om op daardie vergadering as voorsitter op te tree.

(e) Die eerste werk op elke gewone vergadering nadat die vergadering saamgestel is, is om die notule van die vorige gewone vergadering en van enige buitengewone vergaderings wat daarna gehou is, te lees.

Alle besware teen sodanige notule moet eers geopper en afgehandel word, waarna die notule, soos goedgekeur, bekragtig word en deur die voorsitter van die vergadering geteken word.

Die vergadering besit egter die bevoegdheid om die notule as gelees te beskou, mits 'n afskrif daarvan vooraf aan elke lid gestuur is.

(f) Geen lid mag sonder spesiale verlof van die vergadering meer as een keer oor 'n mosie of oor 'n amendement daarop praat nie, maar die voorsteller van 'n mosie of 'n amendement het die reg om repliek te lewer.

Dit staan enige lid egter vry om voor te stel dat die onderwerp wat oorweeg word, in komitee behandel word, en, indien gesekondeer, word sodanige mosie sonder verdere bespreking gestel.

20. (a) The chairman of the council shall be the chief executive officer of the council, and shall hold office for a period of three years unless during that time he dies or resigns, or ceases to be a member of the council.

(b) The council may appoint one of its members to act as chairman of the council for any period during which the chairman is absent.

21. Whenever a vacancy is about to occur in the office of the chairman of the council by effluxion of time the registrar of the University shall give notice thereof to the council and the council shall at its first ordinary meeting thereafter appoint a successor: Provided that the retiring chairman may be reappointed.

22. If a vacancy occurs in the office of the chairman of the council for any other reason than effluxion of time, notice of such fact shall be given to the registrar of the University, and the council shall proceed at its first meeting thereafter to appoint some other member as chairman who shall hold office for the unexpired period of office of his predecessor.

23. The council shall at its first ordinary meeting in May appoint two of its members to hold office as members of the senate for a period of one year from the first day of June.

24. At least three months before the expiration of the period of office of any member of the senate appointed by the council, the registrar of the University shall notify that fact to the council, which shall appoint from amongst its own members a successor to fill the vacancy: Provided that a member retiring by effluxion of time may be reappointed.

25. If any member of the senate appointed by the council vacates office before the expiration of his period of office, the council shall at its next meeting appoint some other member to hold office for the unexpired period of office of his predecessor.

26. The quorum and the procedure at meetings of the council shall be as follows:—

(a) Seven members shall form a quorum.

(b) A written notice shall be issued by the registrar of the University to each member at least three days before the holding of any meeting, setting forth the place and time at which such meeting shall be held and the business to be brought forward.

(c) Notices of subjects for consideration shall be in writing and shall be lodged with the said registrar at least five days before the date of the meeting: Provided that with the consent of the majority of the members of the council matters of an urgent nature may be brought forward at any meeting without previous notice.

(d) If the chairman be absent from any meeting, the members present at such meeting may elect one out of their number to preside thereat.

(e) The first business at each ordinary meeting after being constituted shall be to read the minutes of the last preceding ordinary meeting and of any special meetings held subsequently thereto.

All objections to such minutes shall first be raised and decided, whereupon the minutes as approved shall be confirmed, and shall be signed by the chairman of the meeting.

It shall, however, be competent for the meeting to consider the minutes as read, provided a copy thereof has previously been forwarded to every member.

(f) No member may, without special leave of the meeting, speak more than once to any motion or to any amendment thereon, but the mover of any motion or any amendment shall have the right of reply.

It shall, however, be open to any member to move that the subject under consideration be dealt with in committee, and, if seconded, such motion shall be put without further discussion.

- (g) Oor alle vrae word beslis by meerderheid van stemme van die lede wat aanwesig is en wat stem, behalwe soos by statuut anders bepaal.

Die voorsitter van die vergadering het ten opsigte van elke vraag 'n gewone stem, en by staking van stemme kan daar deur die beslissende stem van die voorsitter van die vergadering oor die vraag beslis word.

- (h) Die getal lede wat ten gunste van of teen enige voorstel stem, word in die notule opgeteken, indien die vergadering aldus besluit.

Op versoek van enige lid moet die voorsitter van die vergadering gelas dat die stem van sodanige lid insgelyks opgeteken word.

- (i) Elke mosie of amendement op 'n mosie moet gesekondeer word, en moet, indien die voorsitter van die vergadering aldus gelas, skriftelik wees; en geen mosie kan teruggetrek word nie, behalwe met die verlof van die vergadering.

- (j) Die beslissing van die voorsitter van die vergadering oor enige kwessie van orde of prosedure is bindend, tensy dit onmiddellik deur 'n lid betwis word, en in dié geval word dit sonder bespreking aan die vergadering voorgelê, wie se beslissing afdoende is.

- (k) Gewone vergaderings word gehou op die tyd en plek wat van tyd tot tyd deur die raad bepaal word: Met dien verstande dat daar nie minder as agt gewone vergaderings per jaar is nie, en dat geen gewone vergadering vroeër as 20 dae of later as 70 dae na die voorafgaande gewone vergadering gehou word nie.

- (l) (i) 'n Buitengewone vergadering kan te eniger tyd deur die voorsitter van die raad byeengeroep word, en moet deur hom byeengeroep word op skriftelike versoek van enige vyf lede, en die doel van die vergadering moet in die versoek vermeld word.

- (ii) Geen ander werksaamhede as dié waarvan daar aldus kennis gegee is, word op sodanige vergadering verrig nie, tensy 'n meerderheid van die lede van die raad instem om sodanige werksaamhede te oorweeg.

- (m) Geen mosie om 'n statuut uit te vaardig, te wysig of te herroep, word op enige vergadering sonder behoorlike kennisgewing voorgelê nie, en sodanige mosie moet bekragtig word tensy dit deur 'n meerderheid van drie-vierdes van diegene wat aanwesig is, aangeneem word.

Ten einde bekragtig te word, moet enige sodanige mosie op die eersvolgende gewone vergadering met 'n meerderheid van die stemme van die lede wat aanwesig is en wat stem, aangeneem word.

27. Die raad kan een of meer van sy lede as vaste of spesiale komitees aanstel en kan enigeen van sy bevoegdhede of funksies aan sodanige komitees deleger.

HOOFSTUK IV.

DIE SENAAT.

28. 'n Lid van die senaat ontruim sy amp indien hy ophou om die kwalifikasie te besit uit hoofde waarvan hy aangestel is.

29. Behoudens die bepalinge van die Wet, die Wet op Universiteite, 1955, die statute en die gemeenskaplike statute, is die senaat gemagtig—

- om, behoudens die goedkeuring van die raad, die voorwaardes te bepaal wat vir die verwerwing van grade, diplomas of sertifikate nodig is, en om te besluit watter persone aan sodanige voorwaardes voldoen het;
- om oor alle eksamens wat die Universiteit afneem, toesig te hou en beheer uit te oefen ooreenkomstig sodanige regulasies as wat deur die senaat vir die doel opgestel en deur die raad goedgekeur word;
- om aanbevelings by die raad te doen aangaande watter eksaminatore vir die universiteitseksamens aangestel moet word;

- (g) All questions shall be decided by the majority of votes of the members present and voting, except as otherwise provided by statute.

On every question the chairman of the meeting shall have a deliberative vote, and in the case of an equality in the number of votes the question may be decided by the casting vote of the chairman of the meeting.

- (h) The number of members voting for or against any proposal shall be entered in the minutes if so decided by the meeting.

Upon the request of any member the chairman of the meeting shall direct that a record of the vote of such member shall likewise be entered.

- (i) Every motion or amendment to a motion shall require to be seconded, and shall, if so directed by the chairman of the meeting, be in writing; and no motion may be withdrawn except by permission of the meeting.

- (j) The ruling of the chairman of the meeting on any question of order or procedure shall be binding, unless immediately challenged by a member, in which case it shall be submitted without discussion to the meeting, whose decision shall be final.

- (k) Ordinary meetings shall be held at such time and such place as shall from time to time be determined by the council: Provided that there shall be not fewer than eight ordinary meetings per annum, and that no ordinary meeting shall be held earlier than 20 days or later than 70 days after the previous ordinary meeting.

- (l) (i) A special meeting may be called by the chairman of the council at any time, and shall be called by him on the request in writing of any five members, the object of the meeting being stated in the requisition.

- (ii) No other business than that of which notice has been so given shall be transacted at such meeting, unless a majority of the members of the council agree to consider the business.

- (m) No motion to make, amend or rescind a statute shall be brought forward at any meeting without due notice and such motion shall require to be confirmed unless carried by a three-fourths majority of those present.

Any such motion shall require for confirmation to be accepted at the next succeeding ordinary meeting by a majority of the votes of the members present and voting.

27. The council may appoint one or more of its members as standing or special committees and may delegate to such committees any of its powers or functions.

CHAPTER IV.

THE SENATE.

28. A member of the senate shall vacate office if he ceases to possess the qualification by virtue of which he was appointed.

29. Subject to the provisions of the Act, the Universities Act, 1955, the statutes and the joint statutes, the senate shall be empowered—

- to determine, subject to the approval of the council, the conditions necessary for the obtaining of degrees, diplomas or certificates, and to decide which persons have satisfied the said conditions;
- to superintend and control all examinations held by the University, in accordance with such regulations as may be framed by the senate for the purpose and approved by the council;
- to make recommendations to the council as to which examiners shall be appointed for the University examinations;

- (d) om aanbevelings by die raad te doen aangaande watter fakulteite en departemente in die Universiteit ingestel of ontbind moet word en aangaande watter departemente daar in elkeen van die verskeie fakulteite van die Universiteit moet wees;
- (e) om jaarliks die dekan van alle fakulteite, uitgesonderd die dekaan van die fakulteit van geneeskunde, aan te stel;
- (f) om, behoudens die goedkeuring van die raad en ooreenkomstig die onderskeie skenkingsaktes, die voorwaardes vir die toekenning en die hou van enige stipendium of ander prys wat tot beskikking van die Universiteit is, op te stel; om aanbevelings aan die raad voor te lê aangaande die persone aan wie sodanige stipendia en pryse van tyd tot tyd toegeken moet word; en om van tyd tot tyd aan die raad 'n sertifikaat te verstrek aangaande die houer se voortdurende nakoming van die voorwaardes aan die hou daarvan verbonde.

30. Die senaat moet gedurende Junie drie professore van die Universiteit aanstel om die amp van lid van die raad te beklee vir 'n termyn van een jaar met ingang van die eerste dag van Julie.

31. Minstens drie maande voor die verstryking van die ampstermyn van enige lid van die raad wat deur die senaat aangestel is, moet die registrateur van die Universiteit die senaat van dié feit in kennis stel, en die senaat moet uit sy eie lede 'n opvolger aanstel om die vakature aan te vul. Met dien verstande dat 'n lid wat weens verloop van tyd uittree, weer aangestel kan word.

32. Indien enige lid van die raad wat deur die senaat aangestel is, sy amp voor die verstryking van sy ampstermyn ontruim, moet die senaat onverwylt daartoe oorgaan om 'n ander lid aan te stel om die amp vir die onverspreke ampstermyn van sy voorganger te beklee.

33. Die adjunk-rector, indien daar so 'n beampte is, is die vise-voorsitter van die senaat.

34. (1) Daar word in elke semester van die akademiese jaar minstens twee gewone vergaderings gehou om halfdrie-uur in die namiddag op die plek wat die senaat bepaal.

(2) 'n Spesiale vergadering kan te eniger tyd uit eie beweging deur die voorsitter of, in sy afwesigheid, deur die vise-voorsitter, byeengeroep word, en moet deur hom byeengeroep word op skriftelike versoek van minstens een van die lede van die senaat, en die doel van die vergadering moet in die versoek vermeld word.

35. Die kworum en die prosedure op vergaderings van die senaat is soos volg:—

- (a) Vyftien lede maak 'n kworum uit.
- (b) Minstens drie dae voordat 'n vergadering gehou word, reik die registrateur van die Universiteit aan elke lid 'n skriftelike kennisgewing uit waarin die tyd wanneer en die plek waar sodanige vergadering gehou sal word en die werksaamhede wat voorgelê gaan word, uiteengesit word.
- (c) Kennisgewings van onderwerpe vir oorweging moet skriftelik wees en moet minstens vyf dae voor die datum van die vergadering by genoemde registrateur ingedien word. Met dien verstande dat met die toestemming van die meerderheid van die lede van die senaat sake van dringende aard op enige vergadering sonder voorafgaande kennisgewing voorgelê kan word.
- (d) Indien die voorsitter afwesig is van enige vergadering, tree die vise-voorsitter op daardie vergadering as voorsitter op, en indien die voorsitter sowel as die vise-voorsitter afwesig is, stel die lede wat op daardie vergadering aanwesig is iemand uit hulle eie geledere aan om op daardie vergadering as voorsitter op te tree.
- (e) Die eerste werk van elke gewone vergadering nadat die vergadering saamgestel is, is om die notule van die vorige gewone vergadering en van enige buitengewone vergaderings wat daarna gehou is, te lees. Alle besware teen sodanige notule moet eers geopper en afgehandel word, waarna die notule, soos goedgekeur, bekragtig word en deur die voorsitter van die vergadering geteken word.

- (d) to make recommendations to the council as to what faculties and departments should be established or dis-established in the University and as to what departments there shall be in each of the several faculties of the University;
- (e) to appoint annually the deans of all faculties, other than the dean of the faculty of medicine;
- (f) to frame, subject to the approval of the council and in accordance with the respective deeds of gift, the conditions for the award and tenure of any scholarship or other prize at the disposal of the University; to submit recommendations to the council as to the persons to whom such scholarships and prizes shall be awarded from time to time; and to certify to the council from time to time as to the holder's continued compliance with the conditions of tenure.

30. The senate shall during June appoint three professors of the University to hold office as members of the council for a period of one year from the first day of July.

31. At least three months before the expiration of the period of office of any member of the council appointed by the senate, the registrar of the University shall notify that fact to the senate, which shall appoint from amongst its own members a successor to fill the vacancy: Provided that a member retiring by effluxion of time may be reappointed.

32. If any member of the council appointed by the senate vacates office before the expiration of his period of office, the senate shall forthwith proceed to appoint some other member to hold office for the unexpired period of office of his predecessor.

33. The deputy-principal, if there be such an officer, shall be vice-chairman of the senate.

34. (1) At least two ordinary meetings shall be held in each term of the academic year at half past two in the afternoon at such place as the senate may determine.

(2) A special meeting may be called by the chairman at his own instance, or in his absence by the vice-chairman, at any time, and shall be called by him on the request in writing of at least one-third of the members of the senate, the object of the meeting being stated in the requisition.

35. The quorum and the procedure at meetings of the senate shall be as follows:—

- (a) Fifteen members shall form a quorum.
- (b) A written notice shall be issued by the registrar of the University to each member at least three days before the holding of any meeting, setting forth the place and the time at which such meeting shall be held and the business to be brought forward.
- (c) Notices of subjects for consideration shall be in writing and shall be lodged with the said registrar at least five days before the date of the meeting: Provided that with the consent of the majority of the members of the senate matters of an urgent nature may be brought forward at any meeting without previous notice.
- (d) If the chairman be absent from any meeting, the vice-chairman shall preside thereat, and in the absence of both, the members present at such meeting shall appoint one of their number to preside thereat.
- (e) The first business of each ordinary meeting after being constituted shall be to read the minutes of the last preceding ordinary meeting and of any special meetings held subsequently thereto. All objections to such minutes shall first be raised and decided, whereupon the minutes as approved shall be confirmed, and shall be signed by the chairman of the meeting.

Die vergadering besit egter die bevoegdheid om die notule as ge lees te beskou, mits 'n afskrif daarvan vooraf aan elke lid gestuur is.

- (f) Geen lid mag sonder spesiale verlof van die vergadering meer as een keer oor 'n mosie of oor 'n amendement daarop praat nie, maar die voorsteller van 'n mosie of 'n amendement het die reg om repliek te lewer.

Dit staan enige lid egter vry om voor te stel dat die onderwerp wat bespreek word, in komitee behandel word, en, indien gesekondeer, word sodanige mosie sonder verdere bespreking gestel.

- (g) Oor alle vrae word besluit by meerderheid van stemme van die lede wat aanwesig is en wat stem, behalwe soos by statuut of besluit van die senaat anders bepaal.

Die voorsitter van die vergadering het ten opsigte van elke vraag 'n gewone stem, en by staking van stemme kan daar deur die beslissende stem van die voorsitter van die vergadering oor die vraag besluit word.

- (h) Die getal lede wat ten gunste van of teen enige voorstel stem, word in die notule opgeteken, indien die vergadering aldus besluit.

Op versoek van enige lid moet die voorsitter van die vergadering gelas dat die stem van sodanige lid insgelyks opgeteken word.

- (i) Elke mosie of amendement op 'n mosie moet, indien die voorsitter van die vergadering aldus gelas, skriftelik wees; en geen mosie kan teruggetrek word nie, behalwe met die verlof van die vergadering.

- (j) Die beslissing van die voorsitter van die vergadering oor enige kwessie van orde of prosedure is bindend, tensy dit onmiddellik deur 'n lid betwis word, en in dié geval word dit sonder bespreking aan die vergadering voorgelê wie se beslissing afdoende is.

- (k) Geen mosie om 'n regulasie betreffende die toesig oor en reëling van die tug en onderrig in die verskeie departemente, voorlesings en klasse van die Universiteit uit te vaardig, te wysig of te herroep, word op enige vergadering sonder behoorlike kennisgewing voorgelê nie, en sodanige mosie moet bekragtig word tensy dit deur 'n meerderheid van drie-vierdes van diegene wat aanwesig is, aangeneem word.

Ten einde bekragtig te word, moet enige sodanige mosie op die eersvolgende gewone vergadering met 'n meerderheid van die stemme van die lede wat aanwesig is en wat stem, aangeneem word.

36. (1) Daar is komitees van die senaat wat fakulteitsrade genoem word.

(2) Die fakulteitsraad van die fakulteit van geneeskunde bestaan uit—

- (a) die rektor en vise-kanselier ampshalwe;
- (b) die adjunk-rektor, indien daar sodanige beampte is, ampshalwe;
- (c) die professore in die fakulteit;
- (d) sodanige ander persone as wat die raad van tyd tot tyd op aanbeveling van die senaat in die fakulteitsraad aanstel.

(3) Die fakulteitsraad van enige fakulteit, uitgesonderd die fakulteit van geneeskunde bestaan uit—

- (a) die rektor en vise-kansellier ampshalwe;
- (b) die adjunk-rektor, indien daar sodanige beampte is, ampshalwe;
- (c) die professore in die fakulteit;
- (d) alle ander persone wat lede van die volttydse doserende vaste personeel van departemente in die fakulteit is;
- (e) sodanige ander persone as wat die raad van tyd tot tyd op aanbeveling van die senaat in die fakulteitsraad aanstel.

It shall, however, be competent for the meeting to consider the minutes as read, provided a copy thereof has previously been forwarded to every member.

- (f) No member may, without special leave of the meeting, speak more than once to any motion or to any amendment thereon, but the mover of any motion or any amendment shall have the right of reply.

It shall, however, be open to any member to move that the subject under discussion be dealt with in committee, and, if seconded, such motion shall be put without further discussion.

- (g) All questions shall be decided by the majority of votes of the members present and voting, except as otherwise provided by statute or resolution of the senate.

On every question the chairman of the meeting shall have a deliberative vote, and in the case of an equality in the number of votes the question may be decided by the casting vote of the chairman of the meeting.

- (h) The number of members voting for or against any proposal shall be entered in the minutes if so decided by the meeting.

Upon the request of any member the chairman of the meeting shall direct that a record of the vote of such member shall likewise be entered.

- (i) Every motion or amendment to a motion shall, if so directed by the chairman of the meeting, be in writing; and no motion may be withdrawn except by permission of the meeting.

- (j) The ruling of the chairman of the meeting on any question of order or procedure shall be binding unless immediately challenged by a member, in which case it shall be submitted without discussion to the meeting, whose decision shall be final.

- (k) No motion to make, amend or rescind any regulation affecting the superintendence and regulation of the discipline and instruction of the several departments, lectures and classes of the University shall be brought forward at any meeting without due notice, and such motion shall require to be confirmed unless carried by a three-fourths majority of those present.

Any such motion shall require for confirmation to be adopted at the next succeeding ordinary meeting by a majority of votes of the members present and voting.

36. (1) There shall be committees of the senate termed boards of faculties.

(2) The board of the faculty of medicine shall consist of—

- (a) the principal and vice-chancellor, *ex-officio*;
- (b) the deputy-principal, if there be such an officer *ex-officio*;
- (c) the professors in the faculty;
- (d) such other persons as may be appointed to the board from time to time by the council on the recommendation of the senate.

(3) The board of any faculty other than the faculty of medicine shall consist of—

- (a) the principal and vice-chancellor, *ex-officio*;
- (b) the deputy-principal, if there be such an officer, *ex-officio*;
- (c) the professors in the faculty;
- (d) all other persons who are members of the full-time teaching permanent staff of departments in the faculty;
- (e) such other persons as may be appointed to the board from time to time by the council on the recommendation of the senate.

(4) Die dekaan van die fakulteit of, in sy afwesigheid, iemand wat die senaat as waarnemende dekaan aangestel het of, in hulle afwesigheid, die adjunk-dekaan, is amptshalwe voorsitter van die fakulteitsraad: Met dien verstande dat enige vergadering waarop geeneen van voormelde persone aanwesig is nie, 'n ander lid van die fakulteitsraad kan aanstel om op daardie vergadering voorsitter te wees.

37. (1) Die fakulteitsrade kom gewoonweg op die tye byeen wat deur die senaat bepaal word: Met dien verstande dat 'n buitengewone vergadering van enige fakulteitsraad deur die voorsitter uit eie beweging of op skriftelike versoek van minstens een derde van die lede van die fakulteitsraad byeengeroep kan word.

(2) Die tye en plekke van buitengewone vergaderings is soos bepaal deur die voorsitter in ooreenstemming met die voorsitter van die senaat of, in die afwesigheid van laasgenoemde met die vise-voorsitter van die senaat.

(3) Op alle vergaderings maak een derde van die lede van die fakulteitsraad 'n kworum uit.

38. Elke fakulteitsraad doen aanbevelings by die senaat oor die leerplanne, studiekursusse en eksamens vir sover dit die departemente van sy fakulteit raak, en oor sodanige ander aangeleenthede as wat die senaat van tyd tot tyd na hom verwys. Hy moet ook aan die senaat die name rapporteer van die persone wat voldoen het aan die voorwaardes voorgeskryf vir grade, diplomas of sertifikate in die fakulteit.

39. Geen regulasie betreffende kursusse of eksamens word deur die senaat aangeneem voordat dit aan die betrokke fakulteitsraad of -rade voorgelê is nie.

40. Die senaat kan vaste of spesiale komitees aanstel om enige aangeleenthede te behandel wat binne die bestek van die senaat ressorteer, en kan enigeen van sy bevoegdhede of funksies aan sodanige komitees deleger.

41. (1) Die senaat moet sodanige verslae aan die raad verstrek as wat ingevolge artikel *agt* (4) (a) van die Wet vereis word.

(2) Die senaat moet aan die raad 'n lys verstrek van alle persone wat in die eksamens van die universiteit geslaag het, asook sodanige ander verslae as wat vereis word.

HOOFSTUK V.

DIE KONVOKASIE.

42. (1) Die registrateur van die universiteit tree op as die sekretaris van die konvokasie en hou die rol daarvan.

(2) Dit is die plig van elke lid om sy naam en adres by die sekretaris te laat registreer, en om hom van tyd tot tyd van enige adresverandering in kennis te stel.

(3) Die rol is afdoende bewys dat iemand wie se naam daarin verskyn op die tystip waarop hy daarop aanspraak maak om as 'n lid van die konvokasie te stem, geregtig is om aldus te stem en dat iemand wie se naam nie daarin verskyn nie, nie aldus geregtig is nie.

43. (1) Daar is 'n president van die konvokasie wat deur die konvokasie uit sy eie lede op 'n jaarvergadering aangestel word en wat sy amp beklee tot aan die einde van die tweede jaarvergadering daarna.

(2) In geval van die dood of bedanking van die president, word daar op die volgende vergadering van die konvokasie 'n opvolger aangestel om die vakature vir die onverstreke termyn aan te vul.

44. Die president is die voorsitter op alle vergaderings van die konvokasie, maar enige vergadering waarop hy nie aanwesig is nie, kan 'n voorsitter vir daardie vergadering aanstel.

45. (1) Dit is die plig van die sekretaris om stappe te doen om jaarliks 'n vergadering van die konvokasie te laat hou, en kennisgewing van sodanige vergadering moet sewe weke voor die datum van die vergadering geskied.

(2) Enige lid wat op sodanige vergadering enige werksaamhede wil voorlê, moet aan die sekretaris (of, by ontstentenis van hom, die president) 'n skriftelike verklaring stuur waarin die onderwerp of onderwerpe wat vir ooreweging daarop voorgestel word, in die vorm van mosies

(4) The dean of the faculty, or in his absence any person appointed by the senate as acting dean, or in their absence the deputy-dean, shall be *ex-officio* chairman of the board of the faculty: Provided that any meeting at which none of the aforesaid persons are present may appoint some other member of the board to be chairman for that meeting.

37. (1) The boards of faculties shall ordinarily meet at such times as shall be appointed by the senate: Provided that a special meeting of any board may be called by the chairman at his own instance or upon the request in writing of at least one-third of the members of the board.

(2) The times and places of special meetings shall be as determined by the chairman in consultation with the chairman of the senate, or in the absence of the latter, with the vice-chairman of the senate.

(3) At all meetings one-third of the members of the board shall form a quorum.

38. Each board shall make recommendations to the senate, upon the syllabuses, courses of study and examinations so far as they affect the departments of its faculty, and upon such other matters as the senate may from time to time refer to it. It shall also report to the senate the names of the persons who shall have satisfied the conditions prescribed for degrees, diplomas or certificates in the faculty.

39. No regulation affecting courses or examinations shall be adopted by the senate before being submitted to the board or boards concerned.

40. The senate may appoint standing or special committees to deal with any matters which may come within the province of the senate, and may delegate to such committees any of its powers or functions.

41. (1) The senate shall furnish the council with such reports as may be required in terms of section *eight* (4) (a) of the Act.

(2) The senate shall furnish the council with a list of all persons who have passed the examinations of the University and with such other reports as may be required.

CHAPTER V.

CONVOCATION.

42. (1) The registrar of the University shall act as the secretary of convocation and shall keep the roll thereof.

(2) It shall be the duty of every member to register his name and address with the secretary, and to notify him from time to time of any change of address.

(3) The roll shall be conclusive evidence that any person whose name appears therein at the time of claiming to vote as a member of convocation is entitled so to vote and that any person whose name does not appear therein is not so entitled.

43. (1) There shall be a president of convocation who shall be appointed by convocation from amongst its own members at an annual meeting, and shall hold office until the close of the second annual meeting thereafter.

(2) In the case of the death or resignation of the president, a successor shall be appointed at the next meeting of convocation to fill the office for the unexpired period.

44. The president shall be chairman at all meetings of convocation, but any meeting at which he is not present may appoint a chairman for that meeting.

45. (1) It shall be the duty of the secretary to take steps for the holding annually of a meeting of convocation, and notice of such meeting shall be given seven weeks before the date of the meeting.

(2) Any member desiring to bring forward any business at such meeting shall forward a statement in writing to the secretary (or, failing him, the president), setting forth in the form of motions the subject or subjects proposed

uiteengesit word. Sodanige mosies moet minstens vyf weke voor die datum van die vergadering by die sekretaris (of, by ontstentenis van hom, die president) ingedien word, en moet deur die sekretaris ingevoeg word in 'n kennisgewing wat drie weke voor die datum van die vergadering aan elke lid gepos moet word.

46. 'n Buitengewone vergadering van die konvokasie kan deur die president uit eie beweging byeengeroep word, en moet deur hom of, by ontstentenis van hom, deur die sekretaris byeengeroep word op skriftelike versoek onderteken deur minstens vyftig lede en waarin die onderwerpe wat vir oorweging daarop voorgestel word, in die vorm van spesifieke mosies vermeld word.

47. Elke buitengewone vergadering word byeengeroep by kennisgewing wat minstens drie weke voor die dag wat vir die hou van sodanige vergadering bepaal is, aan elke lid gepos moet word, en in elke sodanige kennisgewing moet die onderwerpe vermeld word wat op die vergadering oorweeg gaan word.

48. Die kworum en die prosedure op vergaderings van die konvokasie is soos volg: —

- (a) Op 'n jaarvergadering maak dertig lede 'n kworum uit, en op 'n buitengewone vergadering maak honderd lede 'n kworum uit.
- (b) Die eerste werk van elke gewone vergadering nadat die vergadering saamgestel is, is om die notule van die vorige gewone vergadering en van enige buitengewone vergaderings wat daarna gehou is, te lees. Alle besware teen sodanige notule moet eers geopper en afgehandel word, waarna die notule, soos goedgekeur, bekragtig word en deur die voorsitter geteken word.
- (c) Geen lid mag sonder spesiale verlof van die vergadering meer as een keer oor 'n mosie of oor 'n amendement daarop praat nie, maar die voorstel van 'n mosie of 'n amendement het die reg om repliek te lewer.

- (d) Oor alle vroeë beslisse by meerderheid van stemme van die lede wat aanwesig is en wat stem, behalwe waar by statuut anders bepaal.

Die voorsitter het ten opsigte van elke vraag 'n gewone stem, en by staking van stemme kan daar deur die beslissende stem van die voorsitter oor die vraag beslisse word.

- (e) Die getal lede wat ten gunste van of teen enige voorstel stem, word in die notule opgeteken, indien die vergadering aldus besluit. Op versoek van enige lid moet die voorsitter gelas dat die stem van sodanige lid insgelyks opgeteken word.
- (f) Elke mosie of voorgestelde amendement moet gesekondeer word, en moet, indien die voorsitter aldus gelas, skriftelik wees; en geen mosie kan teruggetrek word nie, behalwe met die verlof van die vergadering.
- (g) Die voorsitter kan toelaat dat enige aangeleentheid waarvan daar nie behoorlike kennis gegee is nie, bespreek word en dat stappe in verband daarmee gedoen word, mits dit 'n onbestrede mosie is.
- (h) Die beslissing van die voorsitter oor enige kwessie van orde of prosedure is bindend, tensy dit onmiddellik deur 'n lid betwis word, en in dié geval word dit sonder bespreking aan die vergadering voorgeleë wie se beslissing afdoende is.

49. (1) Wanneer die konvokasie 'n kanselier of een of meer lede van die raad moet aanstel, laat die sekretaris minstens sewe weke voor die datum van verkiesing kennisgewings waarin om nominasies gevra word, aan elke lid van die konvokasie pos.

(2) Skriftelike nominasies moet minstens vyf weke voor die datum van verkiesing by die sekretaris ingedien word.

(3) Elke nominasie moet deur vier lede onderteken wees.

50. Indien die getal persone wat vir enige amp genomineer word, nie die getal te bowe gaan wat vir daardie amp aangestel moet word nie, verklaar die sekretaris onverwyld sodanige persoon of persone behoorlik aangestel. Indien meer persone genomineer word as wat

for consideration thereat. Such motions must be lodged with the secretary (or, failing him, the president) at least five weeks before the date of the meeting, and shall be inserted by the secretary in a notice to be posted to each member three weeks before the date of the meeting.

46. A special meeting of convocation may be called by the president at his own instance, and shall be called by him or, failing him, by the secretary, upon a written requisition signed by at least fifty members, and stating in the form of specific motions the subjects proposed to be considered thereat.

47. Every special meeting shall be called by a notice to be posted to each member not less than three weeks before the day appointed for holding such meeting and every such notice shall state the subjects to be considered at the meeting.

48. The quorum and the procedure at meetings of convocation shall be as follows: —

- (a) Thirty members shall form a quorum at an annual meeting and one hundred members shall form a quorum at a special meeting.
- (b) The first business of each ordinary meeting after being constituted shall be to read the minutes of the last preceding ordinary meeting and of any special meetings held subsequently thereto. All objections to such minutes shall first be raised and decided, whereupon the minutes as approved shall be confirmed and shall be signed by the chairman.
- (c) No member may, without special leave of the meeting, speak more than once to any motion or to any amendment thereon, but the mover of any motion or any amendment shall have the right to reply.

- (d) All questions shall be decided by the majority of votes of the members present and voting, except where otherwise provided by statute.

On every question the chairman shall have a deliberative vote, and in the case of an equality in the number of votes the question may be decided by the casting vote of the chairman.

- (e) The number of members voting for or against any proposal shall be entered in the minutes if so decided by the meeting. Upon the request of any member the chairman shall direct that a record of the vote of such member shall likewise be entered.
- (f) Every motion or proposed amendment shall require to be seconded, and shall, if so directed by the chairman, be in writing; and no motion may be withdrawn except by permission of the meeting.
- (g) The chairman may allow any matter of which due notice has not been given to be discussed and action to be taken on it, provided it be an unopposed motion.
- (h) The ruling of the chairman on any question of order or procedure shall be binding, unless immediately challenged by a member, in which case it shall be submitted without discussion to the meeting, whose decision shall be final.

49. (1) Whenever convocation has to appoint a chancellor or one or more members of the council, the secretary shall cause notices calling for nominations to be posted to every member of convocation at least seven weeks before the date of election.

(2) Nominations in writing must be lodged with the secretary at least five weeks before the date of election.

(3) Each nomination must be signed by four members.

50. If the number of persons nominated for any office does not exceed the number to be appointed for that office the secretary shall forthwith declare such person or persons to be duly appointed. If more persons be nominated

aangestel moet word, moet die sekretaris minstens drie weke voor die dag van die verkiesing 'n skriftelike kennisgewing aan elke lid van die konvokasie pos, tesame met 'n gedrukte stembriefie, waarop die name van al die kandidate in alfabetiese volgorde aangegee moet word.

51. Die stembriefie by alle verkiesings moet in die volgende vorm wees:—

UNIVERSITEIT VAN KAAPSTAD.

Verkiesing van.....
Datum van verkiesing.....
Getal kandidate vir wie kieser mag stem.....

<i>Name van kandidate.</i>	<i>Name van persone deur wie kandidate genomineer word.</i>
.....	
.....	
.....	

Gedateer te.....op hede die.....
dag van.....19.....

(Geteken).....

Instruksies.—Die kieser moet 'n kruisie (x) plaas teenoor die naam van elke kandidaat vir wie hy sy stem wil uitbring, en geen ander verandering van die stembriefie word toegelaat nie. Niemand word toegelaat om deur middel van meer as een stembriefie by enige verkiesing te stem nie. Indien 'n kieser nie van 'n gedrukte stembriefie voorsien is nie, kan hy so 'n stembriefie verkry deur by die sekretaris aansoek te doen, en indien die gedrukte stembriefie wat verskaf is, verlore geraak het of vernietig is, kan nog so 'n stembriefie van die sekretaris verkry word.

52. Alle stembriefies moet aan die sekretaris teruggestuur word sodat dit hom nie later as die dag voor die dag van die verkiesing bereik nie.

53. By alle verkiesings tree die sekretaris as stembeampste op en word hy bygestaan deur twee stemopnemers aangestel deur die president of, by ontstentenis van hom, deur die rektor en vise-kanselier.

54. 'n Afskrif van alle besluite van die konvokasie en 'n opgawe van sodanige ander aangeleenthede as wat die konvokasie van tyd tot tyd besluit, behoorlik gesertifiseer deur die voorsitter en deur die sekretaris, word ter inligting van die raad aan die voorsitter van die raad en ter inligting van die senaat aan die rektor en vise-kanselier gestuur.

HOOFSTUK VI.

DIE REGISTRATEUR EN ANDER ADMINISTRATIEWE BEAMPTES.

55. Die raad moet 'n registrateur van die Universiteit, wat sy hoof-administratiewe beampte is, en sodanige ander administratiewe beamptes as wat die raad van tyd tot tyd bepaal, aanstel. Die pligte van administratiewe beamptes is soos deur die raad bepaal, behoudens die bepalinge van die statuut en die gemeenskaplike statute.

HOOFSTUK VII.

BENAMING VAN GRADE.

56. Die Universiteit het die bevoegdheid om die volgende grade toe te ken, nl.:—

	<i>Aangedui deur die letters.</i>
(i) In die Fakulteit van Lettere en Wysbegeerte:	
Baccalaureus Artium.....	B.A.
Baccalaureus Artium (Honneurs).....	B.A. (Hons.)
Magister Artium.....	M.A.
Doctor Litterarum.....	D.Litt.
(ii) In die Fakulteit van Natuurwetenskappe:	
Baccalaureus Scientiae.....	B.Sc.
Baccalaureus Scientiae (Honneurs).....	B.Sc. (Hons.)
Magister Scientiae.....	M.Sc.
Doctor Scientiae.....	D.Sc.
(iii) In die Fakulteit van Regsgeleerdheid:	
Legum Baccalaureus.....	LL.B.
Legum Magister.....	LL.M.
Legum Doctor.....	LL.D.

than are to be appointed, a written notice shall be posted by the secretary at least three weeks before the day of the election to every member of convocation, together with a printed voting paper, which shall give in alphabetical order the names of all the candidates.

51. The voting paper at all elections shall be in the following form:—

UNIVERSITY OF CAPE TOWN.

Election of.....
Date of election.....
Number of candidates for whom elector may vote.....

<i>Names of Candidates.</i>	<i>Names of Persons Nominating Candidates.</i>
.....	
.....	
.....	

Dated at.....this.....day of
.....19.....

(Signed).....

Instructions.—The voter shall put a cross (x) against the name of every candidate for whom he wishes to record his vote, no other alteration of the voting paper being permitted. No person shall be permitted to vote by more than one voting paper at any election. Should a voter not have been supplied with a printed voting paper, he may obtain one by applying to the secretary, and if the printed voting paper which has been supplied be lost or destroyed, another may be obtained from the secretary.

52. All voting papers shall be returned to the secretary so as to reach him not later than the day before the day of the election.

53. At all elections the secretary shall act as returning officer and shall be assisted by two scrutineers appointed by the president or, failing him, by the principal and vice-chancellor.

54. A copy of all resolutions of convocation, and a statement of such other matters as convocation may from time to time decide, duly certified by the chairman and by the secretary, shall be sent to the chairman of council for the information of the council and to the principal and vice-chancellor for the information of the senate.

CHAPTER VI.

THE REGISTRAR AND OTHER ADMINISTRATIVE OFFICERS.

55. The council shall appoint a registrar of the University, who shall be its chief administrative officer, and such other administrative officers as the council may from time to time determine. The duties of administrative officers shall be as determined by the council subject to the provisions of the statute and the joint statutes.

CHAPTER VII.

DESIGNATION OF DEGREES.

56. The University shall have the power to confer the following degrees, viz.—

	<i>To be denoted by the letters.</i>
(i) In the Faculty of Arts:	
Bachelor of Arts.....	B.A.
Bachelor of Arts (Honours).....	B.A. (Hons.)
Master of Arts.....	M.A.
Doctor of Literature.....	D.Litt.
(ii) In the Faculty of Science:	
Bachelor of Science.....	B.Sc.
Bachelor of Science (Honours).....	B.Sc. (Hons.)
Master of Science.....	M.Sc.
Doctor of Science.....	D.Sc.
(iii) In the Faculty of Law:	
Bachelor of Laws.....	LL.B.
Master of Laws.....	LL.M.
Doctor of Laws.....	LL.D.

	<i>Aangedui deur die letters.</i>
(iv) In die Fakulteit van Ingenieurswese:	
Baccalaureus Scientiae in Ingenieurswese	B.Sc.
Baccalaureus Scientiae in Toegepaste en Bedryfschemie	B.Sc.
Baccalaureus Scientiae in Chemiese Ingenieurswese	B.Sc.
Baccalaureus Scientiae in Landmeetkunde	B.Sc.
Baccalaureus Scientiae (Honneurs) in Ingenieurswese	B.Sc. (Hons.)
Baccalaureus Scientiae (Honneurs) in Toegepaste en Bedryfschemie	B.Sc. (Hons.)
Baccalaureus Scientiae (Honneurs) in Chemiese Ingenieurswese	B.Sc. (Hons.)
Baccalaureus Scientiae (Honneurs) in Landmeetkunde	B.Sc. (Hons.)
Magister Scientiae in Ingenieurswese	M.Sc.
Magister Scientiae in Toegepaste en Bedryfschemie	M.Sc.
Magister Scientiae in Chemiese Ingenieurswese	M.Sc.
Magister Scientiae in Landmeetkunde	M.Sc.
Doctor Scientiae in Ingenieurswese	D.Sc.
Doctor Scientiae in Chemiese Ingenieurswese	D.Sc.
Doctor Scientiae in Landmeetkunde	D.Sc.
Doctor Scientiae in Toegepaste en Bedryfschemie	D.Sc.
(v) In die Fakulteit van Geneeskunde:	
Medicinae Baccalaureus en Chirurgiae Baccalaureus	M.B., Ch.B.
Baccalaureus in Tandheelkunde	B. Tandh.
Magister Medicinae—Anesthesiologie	M.Med. (Anaes.)
Magister Medicinae—Dermatologie	M.Med. (Derm.)
Magister Medicinae—Geneeskunde	M.Med.
Magister Medicinae—Obstetrie en Ginekologie	M.Med. (O. & G.)
Magister Medicinae—Oogheelkunde	M.Med. (Ophth.)
Magister Medicinae—Ortopedie	M.Med. (Orth.)
Magister Medicinae—Oor-, Neus- en Keelheelkunde	M.Med. (Otol.)
Magister Medicinae—Pediatrie	M.Med. (Paed.)
Magister Medicinae—Patologie	M.Med. (Path.)
Magister Medicinae—Radiodiagnose	M.Med. (Rad. D.)
Magister Medicinae—Radioterapie	M.Med. (Rad. T.)
Magister Medicinae—Chirurgie	M.Med. (Chir.)
Chirurgiae Magister	Ch.M.
Medicinae Doctor	M.D.
Doktor in Tandheelkunde	D.Tandh.
(vi) In die Fakulteit van Handel:	
Baccalaureus Commercii	B.Com.
Magister Commercii	M.Com.
Magister in Besigheidsadministrasie	M.B.A.
(vii) In die Fakulteit van Musiek:	
Baccalaureus Musicae	B.Mus.
Baccalaureus Artium (Musiek)	B.A. (Mus.)
Magister Musicae	M.Mus.
Doctor Musicae	D.Mus.
(viii) In die Fakulteit van Skone Kunste en Argitektuur:	
Baccalaureus Artium in Skone Kunste	B.A.
Baccalaureus Artium (Kuns)	B.A. (Kuns.)
Baccalaureus Architecturae	B.Arch.
Baccalaureus Scientiae in Bourekene	B.Sc.
Magister Artium in Skone Kunste	M.A.
Magister Architecturae	M.Arch.
(ix) In die Fakulteit van Opvoedkunde:	
Baccalaureus Educationis	B.Ed.
Magister Educationis	M.Ed.
(x) In die Fakulteit van Sosiale Wetenskap:	
Baccalaureus in Sosiale Wetenskap	B.Soc. Sc.
Baccalaureus in Sosiale Wetenskap (Honneurs)	B.Soc. Sc. (Hons.)
Magister in Sosiale Wetenskap	M.Soc. Sc.
Doktor in Sosiale Wetenskap	D.Soc. Sc.
(xi) In alle Fakulteite:	
Philosophiae Doctor	Ph.D.

HOOFSTUK VIII.

REGISTRASIEGELD.

57. Elkeen wat as 'n student geregistreer wil word, moet 'n registrasiegeld van R2 betaal, en elke student moet, wanneer hy jaarliks sy registrasie hernieu, 'n registrasiegeld van R2 betaal.

	<i>To be denoted by the letters.</i>
(iv) In the Faculty of Engineering:	
Bachelor of Science in Engineering	B.Sc.
Bachelor of Science in Applied and Industrial Chemistry	B.Sc.
Bachelor of Science in Chemical Engineering	B.Sc.
Bachelor of Science in Land Surveying	B.Sc.
Bachelor of Science (Honours) in Engineering	B.Sc. (Hons.)
Bachelor of Science (Honours) in Applied and Industrial Chemistry	B.Sc. (Hons.)
Bachelor of Science (Honours) in Chemical Engineering	B.Sc. (Hons.)
Bachelor of Science (Honours) in Land Surveying	B.Sc. (Hons.)
Master of Science in Engineering	M.Sc.
Master of Science in Applied and Industrial Chemistry	M.Sc.
Master of Science in Chemical Engineering	M.Sc.
Master of Science in Land Surveying	M.Sc.
Doctor of Science in Engineering	D.Sc.
Doctor of Science in Chemical Engineering	D.Sc.
Doctor of Science in Land Surveying	D.Sc.
Doctor of Science in Applied and Industrial Chemistry	D.Sc.
(v) In the Faculty of Medicine:	
Bachelor of Medicine and Bachelor of Surgery	M.B., Ch.B.
Bachelor of Dental Surgery	B.D.S.
Master of Medicine—Anaesthetics	M.Med. (Anaes.)
Master of Medicine—Dermatology	M.Med. (Derm.)
Master of Medicine—Medicine	M.Med.
Master of Medicine—Obstetrics and Gynaecology	M.Med. (O. & G.)
Master of Medicine—Ophthalmology	M.Med. (Ophth.)
Master of Medicine—Orthopaedics	M.Med. (Orth.)
Master of Medicine—Otorhinolaryngology	M.Med. (Otol.)
Master of Medicine—Paediatrics	M.Med. (Paed.)
Master of Medicine—Pathology	M.Med. (Path.)
Master of Medicine—Radiodiagnosis	M.Med. (Rad. D.)
Master of Medicine—Radiotherapy	M.Med. (Rad. T.)
Master of Medicine—Surgery	M.Med. (Surg.)
Master of Surgery	Ch.M.
Doctor of Medicine	M.D.
Doctor of Dental Surgery	D.D.S.
(vi) In the Faculty of Commerce:	
Bachelor of Commerce	B.Com.
Master of Commerce	M.Com.
Master of Business Administration	M.B.A.
(vii) In the Faculty of Music:	
Bachelor of Music	B.Mus.
Bachelor of Arts (Music)	B.A. (Mus.)
Master of Music	M.Mus.
Doctor of Music	D.Mus.
(viii) In the Faculty of Fine Art and Architecture:	
Bachelor of Arts in Fine Art	B.A.
Bachelor of Arts (Art)	B.A. (Art.)
Bachelor of Architecture	B.Arch.
Bachelor of Science in Quantity Surveying	B.Sc.
Master of Arts in Fine Art	M.A.
Master of Architecture	M.Arch.
(ix) In the Faculty of Education:	
Bachelor of Education	B.Ed.
Master of Education	M.Ed.
(x) In the Faculty of Social Science:	
Bachelor of Social Science	B.Soc.Sc.
Bachelor of Social Science (Honours)	B.Soc.Sc. (Hons.)
Master of Social Science	M.Soc.Sc.
Doctor of Social Science	D.Soc.Sc.
(xi) In all Faculties:	
Doctor of Philosophy	Ph.D.

CHAPTER VIII.

REGISTRATION FEE.

57. Every person who wishes to be registered as a student shall pay a registration fee of R2, and every student shall, on renewing his registration annually, pay a registration fee of R2.

HOOFSTUK IX.

TOELATING TOT GRADE DEUR EKSAMEN.

58. Behalwe soos by statuut of gemeenskaplike statute anders bepaal—

- (i) moet elke kandidaat vir toelating tot die graad baccalaureus in die fakulteit van lettere en wysbegeerte of die fakulteit van natuurwetenskappe of die fakulteit van regsgeleerdheid of die fakulteit van handel vir minstens drie jaar na sy eerste registrasie goedgekeurde kursusse as 'n gematrikuleerde student van die Universiteit bygewoon het;
- (ii) moet elke kandidaat vir toelating tot die graad baccalaureus in die fakulteit van ingenieurswese of die fakulteit van musiek vir minstens vier jaar na sy eerste registrasie goedgekeurde kursusse as 'n gematrikuleerde student van die Universiteit bygewoon het;
- (iii) moet elke kandidaat vir toelating tot die graad baccalaureus in die fakulteit van geneeskunde vir minstens ses jaar na sy eerste registrasie goedgekeurde kursusse as 'n gematrikuleerde student van die Universiteit bygewoon het;
- (iv) moet elke kandidaat vir toelating tot die graad baccalaureus in die fakulteit van opvoedkunde vir minstens vyf jaar na sy eerste registrasie goedgekeurde kursusse as 'n gematrikuleerde student van die Universiteit bygewoon het;
- (v) moet elke kandidaat vir toelating tot die graad baccalaureus in die fakulteit van skone kunste en argitektuur vir minstens (a) vier jaar vir baccalaureus artium in skone kunste of (b) vyf jaar vir baccalaureus architecturae of baccalaureus scientiae in bourekenen na sy eerste registrasie goedgekeurde kursusse as 'n gematrikuleerde student van die Universiteit bygewoon het.

59. Behalwe soos by statuut of gemeenskaplike statute anders bepaal, word geen kandidaat tot 'n honneurs-baccalaureusgraad in enige fakulteit toegelaat voor minstens een jaar nadat hy tot 'n graad van baccalaureus in die Universiteit toegelaat is nie: Met dien verstande dat 'n kandidaat na 1960 van dié vereiste vrygestel kan word indien hy goedgekeurde kursusse as 'n gematrikuleerde student van die Universiteit vir 'n tydperk van minstens drie jaar bygewoon het en voldoen het aan die spesiale vereistes wat by regulasie vir die doel voorgeskryf word.

60. Behalwe soos by statuut of gemeenskaplike statute anders bepaal, word geen kandidaat tot die graad magister in enige fakulteit toegelaat voor minstens een jaar nadat hy tot 'n graad van baccalaureus in die Universiteit toegelaat is nie.

61. Behalwe soos by statuut of gemeenskaplike statute anders bepaal—

- (i) word geen kandidaat tot die graad doktor in die fakulteit van lettere en wysbegeerte of in die fakulteit van natuurwetenskappe of in die fakulteit van ingenieurswese of in die fakulteit van regsgeleerdheid toegelaat voor minstens vier jaar nadat hy tot 'n graad van baccalaureus in die Universiteit of minstens drie jaar nadat hy tot 'n graad van magister toegelaat is nie; en
- (ii) word geen kandidaat tot die graad doktor in die fakulteit van geneeskunde toegelaat voor minstens een jaar nadat hy tot die graad baccalaureus in daardie fakulteit toegelaat is nie.

62. Ondanks enige andersluidende bepaling in paragraaf 61 vervat, kan die Universiteit enige kandidaat wat minstens drie jaar tevore toegelaat is tot 'n graad van baccalaureus in die Universiteit of in enige ander universiteit wat deur die senaat vir die doel erken word, tot die graad philosophiae doctor (Ph.D.) toelaat: Met dien verstande dat die Universiteit enige kandidaat wat minstens twee jaar tevore tot 'n graad van baccalaureus in die Universiteit of in enige ander universiteit wat deur die senaat vir die doel erken word, tot die graad philosophiae doctor (Ph.D.) kan toelaat indien die minimum-studietydperk vir sodanige baccalaureusgraad voorgeskryf minstens vier jaar is.

CHAPTER IX.

ADMISSION TO DEGREES BY EXAMINATION.

58. Save as may be otherwise provided by statute or joint statutes—

- (i) Every candidate for admission to the degree of bachelor in the faculty of arts or the faculty of science or the faculty of law or the faculty of commerce, must have attended approved courses as a matriculated student of the University for at least three years subsequent to his first registration;
- (ii) every candidate for admission to the degree of bachelor in the faculty of engineering or the faculty of music, must have attended approved courses as a matriculated student of the University for at least four years subsequent to his first registration;
- (iii) every candidate for admission to the degree of bachelor in the faculty of medicine must have attended approved courses as a matriculated student of the University for at least six years subsequent to his first registration;
- (iv) every candidate for admission to the degree of bachelor in the faculty of education must have attended approved courses as a matriculated student of the University for at least five years subsequent to his first registration;
- (v) every candidate for admission to the degree of bachelor in the faculty of fine art and architecture must have attended approved courses as a matriculated student of the University for at least (a) four years for bachelor of arts in fine art, or (b) five years for bachelor of architecture or bachelor of science in quantity surveying subsequent to his first registration.

59. Save as may be otherwise provided by statute or joint statutes, no candidate shall be admitted to an honours bachelor degree in any faculty until at least one year after he has been admitted to a degree of bachelor in the University. Provided that a candidate may, after 1960, be exempted from this requirement if he has attended approved courses as a matriculated student of the University for a period of at least three years and has satisfied the special requirements which may be laid down for the purpose by regulation.

60. Save as may be otherwise provided by statute or joint statute, no candidate shall be admitted to the degree of master in any faculty until at least one year after he has been admitted to a degree of bachelor in the University.

61. Save as may be otherwise provided by statute or joint statute—

- (i) no candidate shall be admitted to the degree of doctor in the faculty of arts or in the faculty of science, or in the faculty of engineering, or in the faculty of law, until at least four years after he has been admitted to a degree of bachelor in the University, or at least three years after he has been admitted to a degree of master; and
- (ii) no candidate shall be admitted to the degree of doctor in the faculty of medicine until at least one year after he has been admitted to the degree of bachelor in that faculty.

62. Notwithstanding anything to the contrary contained in paragraph 61, the University may admit to the degree of doctor of philosophy (Ph.D.) any candidate who has been admitted at least three years previously to a degree of bachelor in the University or in any other university recognised by the senate for the purpose: Provided that the University may admit to the degree of doctor of philosophy (Ph.D.) any candidate who has been admitted at least two years previously to a degree of bachelor in the University or in any other university recognised by the senate for the purpose, if the minimum period of study prescribed for such bachelor's degree is not less than four years.

HOOFSTUK X.

GRADE *honoris causa*.

63. 'n Voorstel om by besluit van die raad en van die senaat 'n graad *honoris causa* toe te ken, moet deur 'n lid van die raad of van die senaat gedoen word. 'n Voorstel om by besluit van die raad 'n graad *honoris causa* toe te ken, moet deur 'n lid van die raad gedoen word. Elke sodanige voorstel moet nie later nie as die 30ste dag van September skriftelik aan die registrateur meegedeel word, en moet deur die registrateur aan die volgende vergadering van die betrokke liggaam of liggame voorgelê word.

64. Die prosedure wat deur onderskeidelik die raad en die senaat gevolg moet word met betrekking tot die ooreweging van voorstelle om grade *honoris causa* toe te ken, is soos deur die betrokke liggaam bepaal: Met dien verstande dat alle stemming oor die toekenning van enige graad *honoris causa* per geslote stembrieffies geskied, en geen besluit om so 'n graad aan enigiemand toe te ken, aangeneem word deur of die raad of die senaat, na gelang van die geval, sonder dat 'n volstreekte meerderheid van die betrokke liggaam ten gunste daarvan stem nie.

HOOFSTUK XI.

EKSAMENS.

65. Vir elke eksamen, of ander toets, van die Universiteit vir kwalifisering in enige vak vir 'n graad moet daar minstens twee eksaminatore aangestel word, van wie minstens een 'n dosent van die vak in die Universiteit moet wees.

66. Wanneer die senaat besluit of 'n kandidaat in die Universiteitseksamen vir kwalifisering in enige vak vir 'n graad geslaag het, het die senaat die bevoegdheid om die verslag van die dosent of dosente in sodanige vak oor die klaswerk van sodanige kandidaat in aanmerking te neem.

67. Geen kandidaat vir die graad van baccalaureus word toegelaat om hom aan te meld vir 'n eksamen in enige vak deur hom gevolg nie tensy hy 'n sertifikaat tot tevredenheid van die senaat voorlê van die dosent of dosente in sodanige vak dat hy deur bywoning daarop geregtig is en die werk van die klas in die vak behoorlik verrig het.

68. Geen kandidaat vir die graad baccalaureus word toegelaat om tot die werk van die tweede of enige daaropvolgende jaar in enige vak deur hom gevolg oor te gaan nie tensy hy na die oordeel van die senaat 'n bevredigende peil van bekwaamheid in sy vorige werk in sodanige vak bereik het.

69. Geen kandidaat vir die honneurs-baccalaureusgraad word toegelaat om hom vir 'n eksamen aan te meld nie tensy hy 'n sertifikaat tot tevredenheid van die senaat voorlê dat hy goedgekeurde kursusse aan die Universiteit bygewoon het vir die tydperk wat ingevolge paragraaf 59 vereis word en in elke vak wat hy in die eksamen kies die werk van die klas behoorlik verrig het.

70. Geen kandidaat vir die graad van magister in die fakulteit van lettere en wysbegeerte of van natuurwetenskappe word toegelaat om hom vir 'n eksamen aan te meld nie tensy hy 'n sertifikaat tot tevredenheid van die senaat voorlê dat hy goedgekeurde kursusse aan die Universiteit bygewoon het vir 'n tydperk van minstens een jaar nadat hy die bevoegdheid vir toelating tot die graad van baccalaureus verwerf het en die werk van die klas in elke vak wat hy in die eksamen kies behoorlik verrig het.

HOOFSTUK XII.

VRYSTELLINGS.

Erkenning van bywoning en eksamens aan ander universiteite, ens.

71. Die senaat het die bevoegdheid om, as deel van die bywoning van 'n student van die Universiteit wat hom vir toelating tot die graad baccalaureus in aanmerking laat kom, tydperke van bywoning aan 'n ander universiteit of inrigting wat spesiaal deur die senaat vir die doel erken

CHAPTER X.

DEGREES *Honoris Causa*.

63. A proposal to grant an honorary degree by resolution of the council and of the senate must be made by a member of the council or of the senate. A proposal to grant an honorary degree by resolution of the council must be made by a member of the council. Every such proposal must be communicated in writing to the registrar not later than the 30th day of September, and shall be submitted by the registrar to the next meeting of the body or bodies concerned.

64. The procedure to be adopted by the council and the senate respectively as regards the consideration of proposals to grant honorary degrees shall be as determined by the body concerned: Provided that all voting as to the granting of any honorary degree shall be by ballot, and no resolution to grant such degree to any person shall be adopted either by the council, or by the senate, as the case may be, without a vote in its favour of an absolute majority of the body concerned.

CHAPTER XI.

EXAMINATIONS.

65. For every examination, or other test, of the university qualifying in any subject for a degree there shall be appointed not fewer than two examiners, one of whom at least shall be a teacher of the subject in the University.

66. In deciding whether a candidate has passed the University examination qualifying in any subject for a degree the senate shall have the power to take into consideration the report of the teacher or teachers in such subject on the class-work of such candidate.

67. No candidate for the degree of bachelor shall be allowed to present himself for examination in any subject taken by him unless he submits a certificate to the satisfaction of the senate from the teacher or teachers in such subject that he is qualified by attendance and has duly performed the work of the class in the subject.

68. No candidates for the degree of bachelor shall be allowed to enter upon the work of the second or any subsequent year in any subject taken by him unless in the opinion of the senate he has attained a satisfactory standard of proficiency in his previous work in such subject.

68. No candidate for the degree of bachelor shall be allowed to present himself for examination unless he submits a certificate to the satisfaction of the senate that he has attended approved courses at the University for the period required in terms of paragraph 59 and has duly performed the work of the class in each subject taken by him in the examination.

70. No candidate for the degree of master in the faculty of arts or of science shall be allowed to present himself for examination unless he submits a certificate to the satisfaction of the senate that he has attended approved courses at the University for a period of at least one year after having qualified for admission to the degree of bachelor and has duly performed the work of the class in each subject taken by him in the examination.

CHAPTER XII.

EXEMPTIONS.

Recognition of Attendance and Examinations at Other Universities, etc.

71. The senate shall have the power to accept, as part of the attendance of a student of the University qualifying for admission to the degree of bachelor, periods of attendance at another university or institution specially recognised by the senate for the purpose; and to accept

word, te aanvaar, asook om te aanvaar dat eksamens wat by enige sodanige universiteit of inrigting met goeie gevolg afgelê is in enige vak, vrystelling verleen van eksamens van die Universiteit in sodanige vak: Met dien verstande dat geen sodanige student tot die graad baccalaureus toegelaat word nie tensy—

- (a) hy goedgekeurde kursusse aan die Universiteit bygewoon het soos volg, nl.: In die fakulteit van lettere en wysbegeerte of van natuurwetenskappe, vir minstens die helfte van die kursusse vir die graad voorgeskryf; in die fakulteit van regsgeleerdheid of van ingenieurswese, vir minstens die finale twee jaar; in die fakulteit van geneeskunde, vir minstens die finale drie jaar;
- (b) sy tydperke van bywoning aan sodanige erkende universiteit of inrigting en aan die Universiteit tesame nie minder is nie as die totale tydperk wat normaalweg vir toelating tot die graad vereis word;
- (c) hy in sodanige eksamens van die Universiteit geslaag het as wat die senaat bepaal;
- (d) hy sodanige gelde betaal het as wat by regulasie voorgeskryf word;
- (e) hy in ander opsigte aan die vereistes vir die graad voldoen het.

Toelating van gegradueerdes in lettere en wysbegeerte of natuurwetenskappe tot grade in ander fakulteite.

72. In die geval van 'n kandidaat wat 'n gegradueerde in lettere en wysbegeerte of natuurwetenskappe is van die Universiteit, of van enige ander universiteit wat deur die senaat vir dié doel erken word, het die senaat die bevoegdheid om te aanvaar dat tydperke van bywoning en eksamens in enige vak vrystelling verleen van bywoning en eksamen in sodanige vak voorgeskryf vir 'n graad in 'n ander fakulteit: Met dien verstande dat geen sodanige kandidaat tot 'n graad in sodanige ander fakulteit toegelaat word nie tensy hy voldoen aan die voorwaardes in klousules (a), (c), (d) en (e) van paragraaf 71 voorgeskryf.

73. Die senaat het die bevoegdheid om 'n gegradueerde van enige ander universiteit wat deur die senaat vir dié doel erken word, toe te laat as 'n kandidaat vir die honneurs-baccalaureusgraad in sodanige fakulteit as wat die senaat goedkeur: Met dien verstande dat geen sodanige kandidaat tot 'n honneurs-baccalaureusgraad toegelaat word nie tensy hy goedgekeurde kursusse aan die Universiteit vir 'n tydperk van minstens een jaar bygewoon het en voldoen het aan die voorwaardes in klousules (c), (d) en (e) van paragraaf 71 voorgeskryf.

Toelating van gegradueerdes van ander universiteite tot grade van magister.

74. Die senaat het die bevoegdheid om 'n gegradueerde van enige ander universiteit wat deur die senaat vir dié doel erken word, toe te laat as 'n kandidaat vir die graad magister in sodanige fakulteit as wat die senaat goedkeur: Met dien verstande dat geen sodanige kandidaat tot 'n graad van magister toegelaat word nie tensy hy goedgekeurde kursusse aan die Universiteit vir 'n tydperk van minstens een jaar bygewoon het en voldoen het aan die voorwaardes in klousules (c), (d) en (e) van paragraaf 71 voorgeskryf.

Toelating van gegradueerdes van ander universiteite tot grade in regsgeleerdheid.

75. Die senaat het die bevoegdheid om 'n gegradueerde in 'n fakulteit of skool van regsgeleerdheid van enige ander universiteit wat deur die senaat vir dié doel erken word, toe te laat as 'n kandidaat vir die graad baccalaureus in die regsgeleerdheid: Met dien verstande dat geen sodanige kandidaat tot sodanige graad toegelaat word nie tensy hy goedgekeurde kursusse aan die Universiteit vir 'n tydperk van minstens een jaar bygewoon het en voldoen het aan die voorwaardes in klousules (c), (d) en (e) van paragraaf 71 voorgeskryf.

Toelating van gegradueerdes van ander universiteite tot grade in geneeskunde en chirurgie.

76. Die senaat het die bevoegdheid om 'n gegradueerde in geneeskunde van enige ander universiteit wat deur die senaat vir dié doel erken word, of die houer van 'n registreerbare geneeskundige kwalifikasie deur die senaat goedkeur, toe te laat as 'n kandidaat vir die graad medicinae

examinations passed at any such university or institution in any subject as exempting from examinations of the University in such subject: Provided that no such student shall be admitted to the degree of bachelor unless—

- (a) he shall have attended approved courses at the University as follows, viz., in the faculty of arts or of science, for at least one-half of the courses prescribed for the degree; in the faculty of law or of engineering, for at least the final two years; in the faculty of medicine, for at least the final three years;
- (b) his periods of attendance at such recognised university or institution and at the University are together not less than the complete period ordinarily required for admission to the degree;
- (c) he shall have passed such examinations of the University as the senate may determine;
- (d) he shall have paid such fees as may be prescribed by regulation;
- (e) he shall have complied in other respects with the requirements for the degree.

Admission of Graduates in Arts or Science to Degrees in Other Faculties.

72. In the case of a candidate who is a graduate in arts or science of the University, or of any other university recognised by the senate for this purpose, the senate shall have the power to accept periods of attendance and examinations in any subject as exempting from attendance and examination in such subject prescribed for a degree in another faculty: Provided that no such candidate shall be admitted to a degree in such other faculty unless he shall have satisfied the conditions laid down in clauses (a), (c), (d) and (e) of paragraph 71.

73. The senate shall have the power to admit a graduate of any other university recognised by the senate for this purpose, as a candidate for the honours bachelor degree in such faculty as the senate may approve: Provided that no such candidate shall be admitted to an honours bachelor degree unless he shall have attended approved courses at the University for a period of at least one year and shall have satisfied the conditions laid down in clauses (c), (d) and (e) of paragraph 71.

Admission of Graduates of Other Universities to Degree of Master.

74. The senate shall have the power to admit a graduate of any other university recognised by the senate for this purpose, as a candidate for the degree of master in such faculty as the senate may approve: Provided that no such candidate shall be admitted to a degree of master unless he shall have attended approved courses at the University for a period of at least one year and shall have satisfied the conditions laid down in clauses (c), (d) and (e) of paragraph 71.

Admission of Graduates of Other Universities to Degrees in Law.

75. The senate shall have the power to admit a graduate in a faculty or school of law of any other university recognised by the senate for this purpose, as a candidate for the degree of bachelor of laws: Provided that no such candidate shall be admitted to such degree unless he shall have attended approved courses at the University for a period of at least one year, and shall have satisfied the conditions laid down in clauses (c), (d) and (e) of paragraph 71.

Admission of Graduates of Other Universities to Degrees in Medicine and Surgery.

76. The senate shall have the power to admit a graduate in medicine of any other university recognised by the senate for this purpose, or the holder of a registrable medical qualification approved by the senate, as a candidate for the degree of doctor of medicine or of master of

doctor of chirurgiae magister: Met dien verstande dat geen sodanige kandidaat tot sodanige graad toegelaat word nie tensy hy goedgekeurde kursusse aan die Universiteit vir 'n addisionele tydperk van minstens een jaar bygewoon het en voldoen het aan die voorwaardes in klousules (c), (d) en (e) van paragraaf 71 voorgeskryf.

Toelating van houers van erkende diplomas tot nagraadse grade.

77. Die senaat het die bevoegdheid om vir die doelendes van toelating tot nagraadse graadkursusse enige diploma te erken wat, na sy oordeel, van 'n standaard is wat met dié van 'n baccalaureusgraad gelykstaan: Met dien verstande dat sodanige diploma toegeken is deur 'n goedgekeurde universiteit of deur 'n inrigting wat deur die senaat erken word as 'n inrigting wat onderwys- en eksamenstandaarde het wat met dié van 'n universiteit gelykstaan.

HOOFTUK XIII.

TUG.

78. Alle studente is onderworpe aan die tugbevoegdheid van die raad of van die senaat, volgens die aard van die oortreding. Die gesag van die raad en van die senaat word op die volgende wyse uitgeoefen:

Die raad.

(1) Die bestuur en uitvoerende bevoegdheid van die Universiteit berus by die raad, en die raad is dienoreenkomstig gemagtig om enige oortreding, uitgesonderd dié in subparagrafe (3), (4) en (5) hieronder vermeld, te behandel.

(2) Die raad het die bevoegdheid om die volgende vonnisse op te lê, of afsonderlik of gesamentlik: (a) ontneming van graad op onbehoorlike wyse verkry; (b) uitsetting; (c) tydelike skorsing; (d) geldelike boetes; (e) enige ander geoorloofde vonnis wat hy in die omstandighede geskik ag.

Die senaat.

(3) Die senaat kan 'n student vir enige oortreding rakende die tug of onderrig van die verskillende departemente, voorlesings, klasse en eksamens van die Universiteit straf deur die oplegging van die volgende strawwe, of afsonderlik of gesamentlik: (a) uitsetting; (b) tydelike skorsing; (c) skorsing van bywoning van klasse; (d) geldelike boetes; (e) enige ander geoorloofde vonnis wat hy in die omstandighede van die bepaalde geval geskik ag. In die gevalle van uitsetting of tydelike skorsing deur die senaat moet die besluit aan die raad gerapporteer word.

(4) Die senaat het die bevoegdheid om te weier om aan enige student wie se werk of gedrag onbevredigend was verlof te verleen om 'n klas of klasse by te woon.

(5) Gereelde verwaarlosing van werk in enige klas of afwesigheid sonder redelike oorsaak kan 'n tugoortreding wees wat ooreenkomstig subparagraaf (3) behandel moet word.

Die rektor.

(6) (i) Die rektor is die hooftugbeampte van die Universiteit namens die raad en die senaat, en behandel enige tugoortreding of wangedrag binne die grense van die Universiteit of elders. Behoudens die bepalinge van subparagrafe (15) en (16) hieronder, word alle aanklagte van tugoortreding in die eerste instansie aan die rektor gerapporteer.

(ii) In die afwesigheid van die rektor word sy bevoegdhede uitgeoefen deur die adjunk-rektor of deur sodanige ander beampte van die Universiteit as wat die raad aanstel.

(7) In enige geval van tugoortreding of wangedrag op of buite die terrein van die Universiteit doen die rektor sodanige stappe as wat hy nodig ag en het hy die bevoegdheid om die student daarvan te skors om klasse by te woon en/of om aan enige ander bedrywighede van die Universiteit deel te neem, hangende 'n finale beslissing.

surgery: Provided that no such candidate shall be admitted to such degree unless he shall have attended approved courses at the University for an additional period of at least one year, and shall have satisfied the conditions laid down in clauses (c), (d) and (e) of paragraph 71.

Admission of Holders of Recognised Diplomas to Post-graduate Degrees.

77. The senate shall have the power to recognise for purpose of admission to post-graduate degree courses any diploma which is, in its opinion, of a standard equivalent to that of a bachelor's degree: Provided that such diploma has been conferred by an approved university or by an institution recognised by the senate as having teaching and examination standards equivalent to those of a university.

CHAPTER XIII.

DISCIPLINE.

78. All students are subject to the disciplinary jurisdiction of the council or of the senate, according to the nature of the offence. The authority of the council and of the senate shall be exercised in the following manner:—

The Council.

(1) The government and executive authority of the University is vested in the council, and in accordance therewith the council shall be empowered to deal with any offence other than those referred to in sub-paragraphs (3), (4) and (5) below.

(2) The council shall have power to inflict the following sentences, either singly or in combination: (a) deprivation of degree improperly obtained; (b) expulsion; (c) rustication; (d) pecuniary fines; (e) any other competent sentence which in the circumstances it may consider appropriate.

The Senate.

(3) The senate may punish a student for any offence affecting the discipline or instruction of the various departments, lectures, classes and examinations of the University by the imposition of the following penalties either singly or in combination: (a) expulsion; (b) rustication; (c) suspension from attendance at classes; (d) pecuniary fines; (e) any other competent sentence which in the circumstances of the particular case it may consider appropriate. In the cases of expulsion or rustication by the senate the decision shall be reported to the council.

(4) The senate shall have the power to refuse permission to attend a class or classes to any student whose work or conduct has been unsatisfactory.

(5) Habitual neglect of work in any class or absence without reasonable cause may be a breach of discipline to be dealt with in terms of sub-paragraph (3).

The Principal.

(6) (i) The principal shall be the chief disciplinary officer of the University on behalf of the council and of the senate, and shall deal with any breach of discipline or misconduct within the precincts of the University or elsewhere. Subject to the provisions of sub-paragraph (15) and (16) below all charges of breach of discipline shall be reported to the principal in the first instance.

(ii) In the absence of the principal, his powers shall be exercised by the deputy-principal or by such other officer of the University as the council may appoint.

(7) In any case of breach of discipline or misconduct on or off the University premises the principal shall take such action as he may deem necessary and shall have the power to suspend the student from attendance at classes and/or from participating in any other activities of the University pending a final decision.

(8) Die rektor is gemagtig om namens die raad en die senaat self 'n beslissing ten opsigte van enige geval te gee, en by die uitoefening van sodanige bevoegdheid kan hy 'n boete van hoogstens R40 opleë of ander gepaste stappe doen. Die student wat oortree het, het die reg van appel by die senaat indien die oortreding 'n oortreding is wat die departemente, voorlesings, klasse of eksamens van die Universiteit raak, en by die raad indien die oortreding van enige ander aard is. Enige sodanige appel moet binne vyf dae na kennisgewing aan die student van die rektor se beslissing aangeteken word.

(9) Indien die rektor van oordeel is dat 'n geval van tugoortreding of 'n ander oortreding ernstig genoeg is, kan hy dit of na die senaat of na die raad verwys.

Tughof.

(10) Daar word 'n tughof saamgestel, bestaande uit agt lede, nl.: (a) die voorsitter van die raad, wat die voorsitter van die hof is; (b) drie lede van die raad (uitgesonderd die voorsitter en die rektor), wat deur die raad met geslote stembrieffies verkies word; (c) die rektor; (d) drie lede van die senaat (uitgesonderd die rektor), wat deur die senaat met geslote stembrieffies verkies word.

Vyf lede van die tughof maak 'n kworum uit. 'n Lid wat met geslote stembrieffies verkies is, beklee sy amp vir drie jaar en kan herkies word.

Enige vakature wat anders as deur verloop van tyd ontstaan, word aangevul deur 'n lid wat deur die raad of deur die senaat, na gelang van die geval, met geslote stembrieffies verkies word, en sodanige lid beklee sy amp vir die onverstreke termyn van die drie jaar.

(11) Die hof tree vir die raad en die senaat op ooreenkomstig reëls deur die raad na oorlegpleging met die senaat goedgekeur.

(12) Wanneer enige aanklag van tugoortreding na die senaat of na die raad deur die rektor verwys word, of wanneer 'n student by die senaat of die raad appelleer teen 'n beslissing deur die rektor ooreenkomstig subparagraaf (8) hierbo, word die aanklag in die eerste instansie deur die tughof ondersoek.

Die hof rapporteer aan die senaat of die raad, na gelang van die geval, en kan die oplegging van enige geoorloofde straf aanbeveel.

Die senaat of die raad mag nie tot 'n beslissing kom voordat die verslag van die hof aan hom voorgelê is nie. Die beslissing van die senaat of van die raad is afdoende.

(13) (i) Wanneer die verslag en aanbevelings van die tughof aan die senaat of die raad, na gelang van die geval, voorgelê word ooreenkomstig subparagraaf (12) hierbo, moet dit vergesel gaan van 'n uiteensetting van die verrigtings in die hof, en die senaat of die raad, na gelang van die geval, kan die beskuldigde vrysprek of skuldig bevind en hom vonnis ooreenkomstig sodanige aanbevelings.

(ii) Indien die senaat of die raad, na gelang van die geval, nie bereid is om die verslag of die aanbevelings van die tughof te aanvaar nie, moet hy die saak vir heroorweging na die hof terugverwys, tesame met sodanige aanbevelings as wat hy goedvind om te doen.

(iii) Die raad of die senaat kan aan die tughof bevoegdheid verleen om finaal op te tree.

(14) 'n Student wie se gedrag die onderwerp van ondersoek deur die tughof uitmaak, is geregtig om die ondersoek wat deur die hof ingestel word, by te woon en om sy verweer waar te neem. Daar moet vroegtydig kennis van die ondersoek en van die aard van die aanklag aan hom gegee word, en hy is geregtig om 'n vriend saam met hom by die ondersoek te hê, wat hom kan bystaan in enige verweer wat hy stel.

Die verrigtings van die tughof vind agter geslote deure plaas, maar die senaat of die raad, na gelang van die geval, kan gelas dat die skuldigbevinding, vonnis en naam van 'n student wat aan 'n oortreding skuldig bevind word, op die kennisgewingborde van die Universiteit openbaar gemaak word of meegedeel word aan enige belanghebbende persoon of liggaam, of kan een of meer sodanige lasgewings uitreik.

(8) The principal shall be empowered, on behalf of the council and of the senate, to give a decision on any case himself, and in the exercise of such power he may impose a fine not exceeding R40 or take other appropriate action. The offending student shall have the right of appeal to the senate if the offence is one affecting the departments, lectures, classes or examinations of the University, and to the council if the offence is of any other nature. Any such appeal must be made within five days of notification to the student of the principal's decision.

(9) If the principal considers that a case of breach of discipline or other offence is of sufficient gravity, he may refer it either to the senate or to the council.

Court of Discipline.

(10) There shall be constituted a court of discipline composed of eight members, viz.: (a) The chairman of the council, who shall be chairman of the court; (b) three members of the council other than the chairman and the principal, who shall be elected by the council by ballot; (c) the principal; (d) three members of the senate, other than the principal, who shall be elected by the senate by ballot.

Five members of the court of discipline shall form a quorum.

A member elected by ballot shall hold office for three years and shall be eligible for re-election.

Any vacancy caused otherwise than by effluxion of time shall be filled by a member elected by ballot by the council or by the senate, as the case may be, and such member shall hold office for the unexpired period of the three years.

(11) The court shall act for the council and the senate in accordance with rules approved by the council after consultation with the senate.

(12) When any charge of breach of discipline is referred by the principal to the senate or to the council, or when a student appeals to the senate or the council against a decision by the principal under subparagraph (8) above, the charge shall in the first instance be investigated by the court of discipline.

The court shall report to the senate or the council, as the case may be, and may recommend the infliction of any competent penalty.

The senate or the council shall not come to a decision until the report of the court is laid before it. The decision of the senate or of the council shall be final.

(13) (i) When the report and recommendations of the court of discipline are placed before the senate or the council, as the case may be, in terms of sub-paragraph (12) above, they shall be accompanied by a statement of the proceedings in the court, and the senate or council, as the case may be, may acquit or convict and sentence the accused in accordance with such recommendations.

(ii) If the senate or council, as the case may be, is not prepared to accept the report or the recommendations of the court of discipline, it shall remit the matter for reconsideration to the court, together with such recommendations as it may deem fit to make.

(iii) The council or senate may confer upon the court of discipline power to act finally.

(14) A student whose conduct is the subject of investigation by the court of discipline shall be entitled to attend the enquiry held by the court and to conduct his defence. He shall be given timeous notice of the enquiry and of the nature of the charge and shall be entitled to have with him at the enquiry a friend who may assist him in any defence which he may set up.

The proceedings of the court of discipline shall be held in private, but the senate or the council, as the case may be, may order that the conviction, sentence and name of a student found guilty of an offence shall be promulgated on the University notice boards or be communicated to any interested person or body or to make one or more of such orders.

Hoofde van koshuise.

(15) Die gesag van die Universiteitsraad vir sover dit die koshuise aangaan, berus by die hoof van die koshuis, wat deur bemiddeling van die rektor aan die raad verantwoordelik is. Die hoof staan *in loco parentis* vir alle minderjarige studente in sy koshuis en is gemagtig om in enige noodgeval vir hulle en vir ander studente in sy koshuis op te tree.

(16) (i) Die hoof van die koshuis kan tugoortredings of wangedrag van studente van sy koshuis behandel, maar mag nie 'n boete van meer as R10 of enigeen van die ander strawwe in subparagrafe (ii) en (iii) van hierdie paragraaf vermeld, opleë nie.

(ii) Die hoof van 'n koshuis kan, met die goedkeuring van die rektor, 'n student uit die koshuis sit.

(iii) In 'n geval waar die tugoortreding ander departemente van die Universiteit raak, of waar die hoof dit as ernstig genoeg beskou, kan die hoof die saak na die rektor of sy adjunk verwys, wat ooreenkomstig subparagrafe (6) tot (9) hierbo stappe kan doen.

Algemeen.

(17) In enige geval van tugoortreding of wangedrag in of buite die geboue of op of buite die terrein van die Universiteit verbeur die betrokke student alle aanspraak op terugbetaling of korting van gelde betaal of betaalbaar aan die Universiteit uit hoofde van inmenging met of onderbreking of beëindiging van sy studies aan die Universiteit of sy uitsluiting uit 'n Universiteitskoshuis as gevolg van stappe kragtens die bepalings van hierdie statuut gedoen.

HOOFSTUK XIV.

ALGEMENE BEPALINGS.

79. Enige lid van die raad of die senaat of die konvokasie wat bedank, doen dit per brief gerig aan die registrateur van die Universiteit.

80. Die „Tussentijds Statuut A” en Statuut I van die Universiteit, afgekondig by Goewermenskenningsgewings No. 823 op 25 Junie 1917, No. 1157 op 31 Augustus 1917 en No. 303 van 7 Maart 1918, soos gewysig by Goewermenskenningsgewings No. 413 van 8 Maart 1922, No. 772 van 13 Mei 1922, No. 55 van 11 Januarie 1929, No. 478 van 15 Maart 1929, No. 285 van 3 Maart 1933, No. 1287 van 15 September 1933, No. 504 van 27 April 1934, No. 92 van 25 Januarie 1935, No. 805 van 14 Junie 1935, No. 1658 van 6 November 1936, No. 306 van 26 Februarie 1937, No. 1195 van 6 Augustus 1937, No. 560 van 8 April 1938, No. 1168 van 15 Julie 1938, No. 1752 van 28 Oktober 1938, No. 1865 van 11 November 1938, No. 524 van 21 April 1939, No. 1407 van 30 Augustus 1940, No. 562 van 18 April 1941, No. 483 van 20 Maart 1942, No. 784 van 1 Mei 1942, No. 1710 van 13 Oktober 1944, No. 596 van 13 April 1945, No. 1111 van 7 Junie 1946, No. 823 van 25 April 1947, No. 1460 van 16 Julie 1948, No. 2254 van 22 Oktober 1948, No. 2611 van 3 Desember 1948, No. 696 van 14 April 1949, No. 2571 van 7 November 1952, No. 788 van 17 April 1953, No. 802 van 17 April 1953, No. 2038 van 18 September 1953, No. 2765 van 11 Desember 1953, No. 1046 van 28 Mei 1954 en No. 1493 van 27 September 1957 word hierby herroep.

DEPARTEMENT VAN POS-EN-
TELEGRAAFWESE.

No. R. 1382.]

[6 September 1963.]

WYSIGING VAN TELEFOONREGULASIES.

Dit het die Staatspresident behaag om, kragtens die bepalings van subartikel (4) van artikel twee en van artikel drie van Wet No. 44 van 1958, sy goedkeuring te heg aan onderstaande wysiging van die Telefoonregulasies:—

Regulasie 69.

(a) Na “69”, voeg in “(i)”.

Heads of Residences (Wardens).

(15) The authority of the University council in so far as the residences are concerned is vested in the head of the residence, who is responsible to the council through the principal. The head stands *in loco parentis* to all minor students in his residence and is empowered to act for them and for other students in residence in any emergency.

(16) (i) The head of a residence may deal with breaches of discipline or misconduct of students of his residence but shall not impose a fine exceeding R10 or any of the other penalties listed in sub-paragraphs (ii) and (iii) of this paragraph.

(ii) The head of a residence may, with the approval of the principal, expel a student from the residence.

(iii) In a case where the breach of discipline affects other departments of the University, or where he considers it of a sufficient gravity, the head shall refer the matter to the principal, or his deputy, who may take action in accordance with sub-paragraphs (6) to (9) above.

General.

(17) In any case of breach of discipline or misconduct in or outside the buildings or on or off the premises of the University, the student concerned shall forfeit all claim to repayment or rebate of fees paid or payable to the University by reason of interference of or interruption or termination of his studies at the University or his exclusion from a University residence as a result of action taken by virtue of the provisions of this statute.

CHAPTER XIV.

GENERAL PROVISIONS.

79. Any member of the council or the senate or convocation resigning shall do so by letter addressed to the registrar of the University.

80. The Interim Statute A and Statute I of the University published under Government Notices No. 823 on 25th June, 1917, No. 1157 on 31st August, 1917, and No. 303 of 7th March, 1918, as amended by Government Notices No. 413 of 8th March, 1922, No. 772 of 13th May, 1922, No. 55 of 11th January, 1929, No. 478 of 15th March, 1929, No. 285 of 3rd March, 1933, No. 1287 of 15th September, 1933, No. 504 of 27th April, 1934, No. 92 of 25th January, 1935, No. 805 of 14th June, 1935, No. 1658 of 6th November, 1936, No. 306 of 26th February, 1937, No. 1195 of 6th August, 1937, No. 560 of 8th April, 1938, No. 1168 of 15th July, 1938, No. 1752 of 28th October, 1938, No. 1865 of 11th November, 1938, No. 524 of 21st April, 1939, No. 1407 of 30th August, 1940, No. 562 of 18th April, 1941, No. 483 of 20th March, 1942, No. 784 of 1st May, 1942, No. 1710 of 13th October, 1944, No. 596 of 13th April, 1945, No. 1111 of 7th June, 1946, No. 823 of 25th April, 1947, No. 1460 of 16th July, 1948, No. 2254 of 22nd October, 1948, No. 2611 of 3rd December, 1948, No. 696 of 14th April, 1949, No. 2571 of 7th November, 1952, No. 788 of 17th April, 1953, No. 802 of 17th April, 1953, No. 2038 of 18th September, 1953, No. 2765 of 11th December, 1953, No. 1046 of 28th May, 1954, and No. 1493 of 27th September, 1957, are hereby repealed.

DEPARTMENT OF POSTS AND TELEGRAPHS.

No. R. 1382.]

[6 September 1963.]

AMENDMENT OF TELEPHONE REGULATIONS.

The State President has been pleased, under the provisions of sub-section (4) of section two and of section three of Act No. 44 of 1958, to approve of the following amendments to the Telephone Regulations:—

Regulation 69.

(a) After “69” insert “(i)”.

(b) Voeg die volgende nuwe regulasie in:—

“69. (ii) Verplasingsgelde ten opsigte van die bedrading van aanvullende dienste op private outomatiese taksentrales.—Wanneer die bedrading ten opsigte van 'n aanvullende diens op 'n private outomatiese taksentrale verplaas word, is die volgende koste aan die Posmeester-generaal betaalbaar:—

(a) *Vir aanvullende dienste wat met bylyne geassosieer is.*

(i) *Skakelaaroproefasiliteite.*—R8.00 per skakelaaroproefasiliteit plus die verplasingsgeld vir die bylyn soos voorgeskryf by Telefoonregulasie 42.

(ii) *Samesprekingsfasiliteite.*—R8.00 per samesprekingseenheid plus die verplasingsgeld vir die bylyn soos voorgeskryf by Telefoonregulasie 42.

(iii) *Brandalarmdiens.*—R9.00 per vertoonpaneel plus die verplasingsgeld vir die bylyn soos voorgeskryf by Telefoonregulasie 42.

(iv) *Dubbelaanknopingsdiens, tweede knoppie op 'n telefoon en fasiliteite om voorkeurbehandeling van operateur te verkry.*—R3.00 per bylyn (verplasingsgeld van bylyn ingesluit) wat met een of meer van bogemelde fasiliteite uitgerus is.

(v) *Lyn beset-aanwysing.*—R3.00 per aanwyserkassie plus die verplasingsgeld vir die bylyn soos voorgeskryf by Telefoonregulasie 42.

(vi) *Outomatiese oorplasing van luisseine na alternatiewe bylyne.*—R3.00 per aanwyserkassie plus die verplasingsgeld vir die bylyn soos voorgeskryf by Telefoonregulasie 42.

(b) *Vir aanvullende dienste wat nie met bylyne geassosieer is nie.*

(i) *Personeelopsporingsdiens.*—R5.00 per aanwyserpunt.

(ii) *Wagklokdiens.*—R8.00 per vertoonpaneel.

(iii) *Nagdiens.*—R3.00 per klok.

(c) *Diverse aanvullende dienste van kleiner aard, soos deur die Posmeester-generaal besluit mag word, waarvoor daar nie spesifieke voorsiening in hierdie regulasie gemaak word nie:*

R3.00 per fasiliteit.”

DEPARTEMENT VAN LANDBOU-EKONOMIE EN BEMARKING.

No. R. 1383.]

[6 September 1963.]

REGULASIES KRAGTENS DIE WET OP DIE VERKOOP VAN BEDERFBARE LANDBOU-PRODUKTE, 1961, SOOS GEWYSIG.—WYSIGING.

Die Staatspresident het, kragtens die bevoegdheid hom verleen by artikel *ses-en-twintig* van die Wet op die Verkoop van Bederfbare Landbouprodukte, 1961 (Wet No. 2 van 1961), soos gewysig, die regulasies afgekondig by Goewermentskennisgewing No. R. 427 van 18 Augustus 1961, soos gewysig, verder gewysig soos uiteengesit in die Bylae hiervan.

BYLAE.

Subregulasie (2) van regulasie 2 van genoemde regulasies word hierby gewysig deur die woord „Twee” deur die woord „Vier” te vervang.

(b) Insert the following new regulation:—

“69. (ii) Transfer fees in respect of the wiring of supplementary services on private automatic branch exchanges.—When the wiring in respect of a supplementary service on a private automatic branch exchange is transferred, the following costs are payable to the Postmaster-General:—

(a) *For supplementary services that are associated with extensions.*

(i) *Keycalling Facilities.*—R8.00 per keycalling facility plus the transfer fee for the extension as prescribed by Telephone Regulation 42.

(ii) *Conference Facilities.*—R8.00 per conference unit plus the transfer fee for the extension as prescribed by Telephone Regulation 42.

(iii) *Fire Alarm Service.*—R9.00 per display panel plus the transfer fee for the extension as prescribed by Telephone Regulation 42.

(iv) *Call Back Service, second button on a telephone and facilities to obtain preferential service from operator.*—R3.00 per extension (transfer fee of extension included) that is equipped with one or more of the above-mentioned facilities.

(v) *Busy Line Indication.*—R3.00 per indicator cabinet plus the transfer fee for the extension as prescribed by Telephone Regulation 42.

(vi) *Automatic transferring of ringing signals to alternative extensions.*—R3.00 per indicator cabinet plus the transfer fee for the extension as prescribed by Telephone Regulation 42.

(b) *For supplementary services that are not associated with extensions.*

(i) *Staff Locating Service.*—R5.00 per indicator point.

(ii) *Night Watchman's Service.*—R8.00 per display panel.

(iii) *Night Service.*—R3.00 per bell.

(c) *Miscellaneous supplementary services of a minor nature, as may be decided by the Postmaster-General, for which specific provision has not been made in this regulation:*

R3.00 per facility.”

DEPARTMENT OF AGRICULTURAL ECONOMICS AND MARKETING.

No. R. 1383.]

[6 September 1963.]

REGULATIONS IN TERMS OF THE PERISHABLE AGRICULTURAL PRODUCE SALES ACT, 1961, AS AMENDED.—AMENDMENT.

The State President has, under the powers vested in him by section *twenty-six* of the Perishable Agricultural Produce Sales Act, 1961 (Act No. 2 of 1961), as amended, further amended the regulations published under Government Notice No. R. 427 of the 18th August, 1961, as amended, as set out in the Annexure hereto.

ANNEXURE.

Subregulation (2) of regulation 2 of the aforesaid regulations is hereby amended by the substitution for the word “Two” of the word “Four”.

DEPARTEMENT VAN ARBEID.

No. R. 1384.]

[6 September 1963.]

WET OP NYWERHEIDSVERSOENING, 1956.

AFBAKENINGSVASSTELLING.—KOMMISSIE-AGENTE, ONAFHANKLIKE KONTRAKTEURS OF HANDELAARS—WASSERY-, DROOGSKOONMAAK- EN KLEURBEDRYF (TRANSVAAL).

In opdrag van die Minister van Arbeid, word hierby ingevolge subartikel (7) van artikel *ses-en-sewentig* van die Wet op Nywerheidsversoening, 1956, soos gewysig, bekendgemaak dat die Nywerheidshof kragtens die bevoegdheid hom verleen by subartikel (6) gelees met paragraaf (a) van subartikel (10) van artikel *ses-en-sewentig* van genoemde Wet, die vasstelling gemaak het wat in die Bylae hiervan voorkom.

BYLAE.

AFBAKENING DEUR DIE NYWERHEIDSHOF INGEVOLGE SUBARTIKEL (6) GELEES MET SUBARTIKELS (1) EN (3) VAN ARTIKEL *SES-EN-SEWENTIG* VAN DIE WET OP NYWERHEIDSVERSOENING, 1956, SOOS GEWYSIG.

Hierby word vasgestel—

- (a) dat die klas werkgewers wat bekend staan as kommissie-agente of onafhanklike kontrakteurs of handelaars en wat betrokke is by of wie se werknemers betrokke is by die dryf van voertuie en/of die bestuur van depots met die doel om van lede van die publiek bestellings te werf, te vra, te soek, te versamel of te ontvang vir goedere wat gewas en gestryk, droogskoongemaak of gekleur moet word maar wat self nie 'n bedryfsinrigting waar sodanige goedere gewas en gestryk, droogskoongemaak of gekleur word, besit of bestuur nie, betrokke is in die Wassery-, Droogskoonmaak- en Kleurbedryf soos omskryf in die Ooreenkoms gepubliseer by Goewermentskennisgewing No. 270 van 21 Julie 1961;
- (b) dat die besigheid of werk, of 'n werksaamheid of proses wat uitgevoer of verrig word deur genoemde klas werkgewers of hul werknemers in verband met en vir die doeleindes van die werksaamhede soos hierbo beskryf, binne voornoemde Bedryf val; en
- (c) dat die Ooreenkoms wat op die Wassery-, Droogskoonmaak- en Kleurbedryf betrekking het en by Goewermentskennisgewing No. 270 van 21 Julie 1961 gepubliseer is, ten opsigte van genoemde werksaamhede bindend is vir genoemde klas werkgewers en hul werknemers.

Alle uitdrukkings wat in hierdie Vasstelling gebesig en in die Wet op Nywerheidsversoening, 1956, soos gewysig, of in bogenoemde Ooreenkoms omskryf word, het dieselfde betekenis as in daardie Wet of daardie Ooreenkoms, na gelang van die geval; met dien verstande dat die woord "depot" nie 'n hotel insluit nie wat terwyl dit uitsluitlik vir en ten behoeve van die inwonende gaste van daardie hotel optree, bestellings vir artikels wat gewas en gestryk, droogskoongemaak of gekleur moet word, werf, vra, soek, versamel of ontvang, afgesien daarvan of sodanige artikels gewas en gestryk, droogskoongemaak of gekleur word in of op sodanige hotel se eie perseel of deur ander operateurs.

Hierdie Vasstelling is finaal en bindend in die Munisipale Gebied van Johannesburg met ingang van die 21ste dag van Oktober 1963.

F. J. VILJOEN,
Voorsitter.

G. McCORMICK,
Lid.

C. P. N. BOLTON,
Lid.

G. H. F. CROUS,
Sekretaris.

Pretoria, 9 Augustus 1963.

DEPARTMENT OF LABOUR.

No. R. 1384.]

[6 September 1963.]

INDUSTRIAL CONCILIATION ACT, 1956.

DEMARCATIION DETERMINATION.—COMMISSION AGENTS, INDEPENDENT CONTRACTORS OR TRADERS—LAUNDRY, DRY CLEANING AND DYEING TRADE (TRANSVAAL).

By direction of the Minister of Labour, it is hereby notified, in terms of sub-section (7) of section *seventy-six* of the Industrial Conciliation Act, 1956, as amended, that the Industrial Tribunal under powers vested in it by sub-section (6), read with paragraph (a) of sub-section (10) of section *seventy-six* of the said Act, has made the determination appearing in the Schedule hereto.

SCHEDULE.

DETERMINATION BY THE INDUSTRIAL TRIBUNAL IN TERMS OF SUB-SECTION (6) READ WITH SUB-SECTIONS (1) AND (3) OF SECTION *SEVENTY-SIX* OF THE INDUSTRIAL CONCILIATION ACT, 1956, AS AMENDED.

It is hereby determined—

- (a) that the class of employers known as Commission Agents or Independent Contractors or Traders and who are engaged or whose employees are employed in operating vehicles and/or conducting depots for the purpose of canvassing, inviting, soliciting, collecting or receiving from members of the public orders for goods to be laundered, dry cleaned or dyed, but who themselves do not own or operate any establishments where such goods are laundered, dry cleaned or dyed, are engaged in the Laundry, Dry Cleaning and Dyeing Trade as defined in the Agreement published under Government Notice No. 270, dated 21st July, 1961;
- (b) that the business or work, or any operation or process carried on or performed by the said class of employers or their employees in connection with and for the purpose of the activities described as aforesaid, falls within the aforementioned Trade; and
- (c) that the Agreement relating to the Laundry, Dry Cleaning and Dyeing Trade and published under Government Notice No. 270 of the 21st July, 1961, is binding on the said class of employers and their employees in respect of the said activities.

Any expression used in this Determination that is defined in the Industrial Conciliation Act, 1956, as amended, or in the agreement referred to above, shall have the same meaning as that in the Act or in the Agreement, as the case may be; provided that the terms "depot" shall not include any hotel which, while acting solely for and on behalf of the resident guests of that hotel, canvasses, invites, solicits, collects or receives articles for laundering, dry cleaning or dyeing, irrespective of whether such articles are laundered, dry cleaned or dyed in or upon such hotel's own premises or by any other operators.

This Determination shall be final and binding in the Municipal Area of Johannesburg from the 21st day of October, 1963.

F. J. VILJOEN,
Chairman.

G. McCORMICK,
Member.

C. P. N. BOLTON,
Member.

G. H. F. CROUS,
Secretary.

Pretoria, 9th August, 1963.

No. R. 1385.]

[6 September 1963.]

LOONWET, 1957.

Hierby word vir algemene inligting bekendgemaak dat dit die Staatspresident behaag het om, kragtens die bevoegdheid hom verleen by artikel *ses-en-dertig* van die Loonwet, 1957 (Wet No. 5 van 1957), met ingang van die datum van publikasie hiervan—

(a) die regulasies wat gepubliseer is by Goewerments-kennisgewing No. 1109 van 26 Julie 1957 te herroep; en

(b) onderstaande regulasie uit te vaardig:—

REGULASIES.

1. ALGEMEEN.

(1) In hierdie regulasies, tensy dit strydig met die samehang is, beteken „Wet” die Loonwet, 1957, „aanhangel” ’n aanhangel van hierdie regulasies, en het enige uitdrukking wat in die Wet gebesig word en waaraan ’n betekenis daarin geheg is, dieselfde betekenis wanneer dit in hierdie regulasies gebruik word.

(2) Die invulling sover omstandighede dit vereis of moontlik maak, van die vorms wat in regulasies 2 en 3 van hierdie regulasies voorgeskryf is, word geag nakoming te wees van die bepalinge daarvan met betrekking tot sodanige invulling.

(3) Die Minister stel ’n amptenaar aan wat die sekretaris van die raad moet wees, en kan ’n amptenaar aanstel om op te tree as sekretaris van die raad tydens die afwesigheid van die sekretaris.

(4) Wanneer die uitdrukking „inspekteur by regulasie bepaal” in die Wet of hierdie regulasies voorkom, beteken dit—

(a) in die landdrostdistrikte Barberton, Belfast, Brits, Bronkhorstspuit, Carolina, Groblersdal, Koster, Letaba (Tzaneen), Lydenburg, Marico (Zeerust), Middelburg (Transvaal), Nelspruit, Pelgrimsrus, Pietersburg, Potgietersrus, Pretoria, Rustenburg, Sibasa, Soutpansberg, Swart-ruggens, Thabazimbi, Warmbad, Waterberg, Witbank en Witrivier—

die Afdelingsinspekteur, Departement van Arbeid, Pretoria (Posbus 393);

(b) in die landdrostdistrikte Alberton, Amersfoort, Balfour, Benoni, Bethal, Bloemhof, Boksburg, Brakpan, Christiana, Delareyville, Delmas, Ermelo, Germiston, Heidelberg (Transvaal), Heilbron, Johannesburg, Kempton Park, Klerksdorp, Krugersdorp, Lichtenburg, Nigel, Oberholzer, Parys, Piet Retief, Potchefstroom, Randfontein, Roodepoort, Sasolburg, Schweizer-Reneke, Springs, Standerton, Vanderbijlpark, Ventersdorp, Vereeniging, Volksrust, Vredefort, Wakkerstroom en Wolmaransstad—

die Afdelingsinspekteur, Departement van Arbeid, Johannesburg (Posbus 4560);

(c) in die Provinsie Natal en die landdrostdistrikte Bizana, Flagstaff, Lusikisiki, Matatiele, Mount Ayliff, Mount Currie, Tabankulu en Umzimkulu—

die Afdelingsinspekteur, Departement van Arbeid, Durban (Posbus 940);

(d) in die landdrostdistrikte Albert, Aliwal-Noord, Barkley-Oos, Butterworth, Cathcart, Elliot, Elliotdale, Engcobo, Fort Beaufort, Glen Grey (Lady Frere), Herschel, Idutywa, Indwe, Keiskammahoe, Kentani, King William's Town, Komga, Lady Grey, Libode, Maclear, Middelbush, Molteno, Mount Fletcher, Mount Frere, Mqanduli, Ngqeleni, Nqamakwe, Oos-Londen, Peddie, Port St. Johns, Queens-town, Qumbu, St. Marks (Cofimvaba), Sterkstroom, Stockenström, Stutterheim, Tarka, Tsolo, Tsoemo, Umtata, Victoria-Oos, Willowvale, Wodehouse en Xalanga (Cala)—

die Afdelingsinspekteur, Departement van Arbeid, Oos-Londen (Posbus 312);

(e) in die landdrostdistrikte Aberdeen, Adelaide, Albany, Alexandria, Bathurst, Bedford, Colesberg, Cradock, Graaff-Reinet, Hanover, Humansdorp, Jansenville, Kirkwood, Maraisburg, Middelburg (Kaap), Murraysburg, Noupoort, Pearston, Port Elizabeth, Richmond (Kaap), Somerset-Oos, Steynsburg, Steytlerville, Uitenhage, Venterstad en Willowmore—

die Afdelingsinspekteur, Departement van Arbeid, Port Elizabeth (Privaatsak 6027);

(f) in die landdrostdistrikte Beaufort-Wes, Bellville, Bredasdorp, Caledon, Calvinia, Carnarvon, Ceres, Clanwilliam, Die Kaap, Fraserburg, Heidelberg (Kaap), Hopefield, Ladismith (Kaap), Laingsburg, Malmesbury, Montagu, Namakwaland, Paarl, Piketberg, Prins Albert, Robertson, Simonstad, Somerset-Wes, Stellenbosch, Sutherland, Swellendam, Tulbagh, Vanrhynsdorp, Victoria-Wes, Vredenburg, Vredendal, Wellington, Williston, Worcester en Wynberg—

die Afdelingsinspekteur, Departement van Arbeid, Kaapstad (Posbus 872);

No. R. 1385.]

[6 September 1963.]

WAGE ACT, 1957.

It is hereby notified for general information that the State President has been pleased, under the powers vested in him by section *thirty-six* of the Wage Act, 1957 (Act No. 5 of 1957), with effect from the date of publication hereof—

(a) to rescind the regulations published under Government Notice No. 1109 of the 26th July, 1957; and

(b) to make the following regulations:—

REGULATIONS.

1. GENERAL.

(1) In these regulations, unless inconsistent with the context, “Act” means the Wage Act, 1957, “Annexure” means an annexure of these regulations, and any expression used in the Act to which a meaning has therein been assigned bears the same meaning when used in these regulations.

(2) The completion, as far as circumstances require or permit, of the forms prescribed in regulations 2 and 3 of these regulations shall be deemed to be a compliance with the provisions thereof relating to such completion.

(3) The Minister shall appoint an officer to be secretary to the board and may appoint an officer to act as secretary to the board during the absence of the secretary.

(4) Whenever the term “inspector defined by regulation” occurs in the Act or these regulations, it means—

(a) in the Magisterial Districts of Barberton, Belfast, Brits, Bronkhorstspuit, Carolina, Groblersdal, Koster, Letaba (Tzaneen), Lydenburg, Marico (Zeerust), Middelburg (Transvaal), Nelspruit, Pietersburg, Pilgrim's Rest, Potgietersrus, Pretoria, Rustenburg, Sibasa, Soutpansberg, Swart-ruggens, Thabazimbi, Warmbaths, Waterberg, White River and Witbank—

the Divisional Inspector, Department of Labour, Pretoria (P.O. Box 393);

(b) in the Magisterial Districts of Alberton, Amersfoort, Balfour, Benoni, Bethal, Bloemhof, Boksburg, Brakpan, Christiana, Delareyville, Delmas, Ermelo, Germiston, Heidelberg (Transvaal), Heilbron, Johannesburg, Kempton Park, Klerksdorp, Krugersdorp, Lichtenburg, Nigel, Oberholzer, Parys, Piet Retief, Potchefstroom, Randfontein, Roodepoort, Sasolburg, Schweizer-Reneke, Springs, Standerton, Vanderbijlpark, Ventersdorp, Vereeniging, Volksrust, Vredefort, Wakkerstroom and Wolmaransstad—

the Divisional Inspector, Department of Labour, Johannesburg (P.O. Box 4560);

(c) in the Province of Natal and the Magisterial Districts of Bizana, Flagstaff, Lusikisiki, Matatiele, Mount Ayliff, Mount Currie, Tabankulu and Umzimkulu—

the Divisional Inspector, Department of Labour, Durban (P.O. Box 940);

(d) in the Magisterial Districts of Albert, Aliwal North, Barkly East, Butterworth, Cathcart, East London, Elliot, Elliotdale, Engcobo, Fort Beaufort, Glen Grey (Lady Frere), Herschel, Idutywa, Indwe, Keiskammahoe, Kentani, King William's Town, Komga, Lady Grey, Libode, Maclear, Middelbush, Molteno, Mount Fletcher, Mount Frere, Mqanduli, Ngqeleni, Nqamakwe, Peddie, Port St. Johns, Queenstown, Qumbu, St. Marks (Cofimvaba), Sterkstroom, Stockenström, Stutterheim, Tarka, Tsolo, Tsoemo, Umtata, Victoria East, Willowvale, Wodehouse and Xalanga (Cala)—

the Divisional Inspector, Department of Labour, East London (P.O. Box 512);

(e) in the Magisterial District of Aberdeen, Adelaide, Albany, Alexandria, Bathurst, Bedford, Colesberg, Cradock, Graaff-Reinet, Hanover, Humansdorp, Jansenville, Kirkwood, Maraisburg, Middelburg (Cape), Murraysburg, Noupoort, Pearston, Port Elizabeth, Richmond (Cape), Somerset East, Steynsburg, Steytlerville, Uitenhage, Venterstad and Willowmore—

the Divisional Inspector, Department of Labour, Port Elizabeth (Private Bag 6027);

(f) in the Magisterial Districts of Beaufort West, Bellville, Bredasdorp, Caledon, Calvinia, The Cape, Carnarvon, Ceres, Clanwilliam, Fraserburg, Heidelberg (Cape), Hopefield, Ladismith (Cape), Laingsburg, Malmesbury, Montagu, Namaqualand, Paarl, Piketberg, Prince Albert, Robertson, Simonstown, Somerset West, Stellenbosch, Sutherland, Swellendam, Tulbagh, Vanrhynsdorp, Victoria West, Vredenburg, Vredendal, Wellington, Williston, Worcester and Wynberg—

the Divisional Inspector, Department of Labour, Cape Town (P.O. Box 872);

- (g) in die landdrosdistrikte Calitzdorp, George, Knysna, Mosselbaai, Oudtshoorn, Riversdal en Unionsdale—
die Afdelingsinspekteur, Departement van Arbeid, George (Posbus 253);
- (h) in die Provinsie Oranje-Vrystaat, met uitsondering van die landdrosdistrikte Heilbron, Parys, Sasolburg en Vredefort—
die Afdelingsinspekteur, Departement van Arbeid, Bloemfontein (Posbus 522);
- (i) in die landdrosdistrikte Barkly-Wes, Britstown, De Aar, Gordonia, Hay, Herbert, Hopetown, Kenhardt, Kimberley, Kuruman, Mafeking, Philipstown, Postmasburg, Prieska, Taung, Vryburg en Warrenton—
die Afdelingsinspekteur, Departement van Arbeid, Kimberley.

(5) Enigiemand wat versuim om 'n plig of verpligting uit te voer wat hom by regulasie 4 (4) opgelê word of wat enigeen van die bepalings daarvan oortree, is aan 'n misdryf skuldig en is by skuldigbevinding strafbaar met 'n boete van hoogstens eenhonderd rand of met gevangenisstraf vir 'n tydperk van hoogstens ses maande.

2. ONDERSOEKE DEUR DIE RAAD.

(1) 'n Subpoena om voor die raad of 'n lid daarvan of 'n amptenaar wat ooreenkomstig artikel tien van die Wet aangewys is, te verskyn in verband met 'n ondersoek deur die raad moet in die vorm van aanhangsel W.A. 1 wees.

(2) 'n Subpoena kan aan die gedagvaarde persoon bestel word—
(a) deur 'n afskrif daarvan aan hom af te lewer; of

(b) deur 'n afskrif daarvan by sy woon- of besigheids- of werkplek te laat by 'n persoon wat blykbaar minstens ses- tien jaar oud is en blykbaar daar woon of in diens is; of

(c) deur dit per geregistreerde pos te stuur in 'n koevert waarop sy naam en adres geskryf is, wat sy woon- of besigheids- of werkplek of sy posbusnommer kan wees.

(3) 'n Subpoena kan bestel word deur enigiemand wat daartoe gemagtig is deur die lid van die raad of die amptenaar wat dit geteken het.

(4) Wanneer 'n getuie, wat nie in die voltydse diens van die Staat is nie, gedagvaar word om voor die raad of 'n lid daarvan of 'n amptenaar wat kragtens artikel tien van die Wet aangewys is, by 'n ondersoek in subregulasie (1) bedoel, te verskyn—

(a) kan die Sekretaris van Arbeid na goeddunke 'n spoorweg- order, bevel of ander opdrag uitreik wat die getuie in staat sal stel om op die plek, waarheen hy gedagvaar is, teenwoordig te wees, en sulke bedrae geld as wat hy mag vasstel, voorskiet vir die toelae of bedrae wat aan die getuie ooreenkomstig hierdie subregulasie betaalbaar is. By die uitreiking van so 'n spoorwegorder, bevel of ander opdrag moet die fasiliteit wat verskaf moet word, van die tipe of klas wees wat die getuie, na die mening van die Sekretaris van Arbeid, met inagneming van die omstandig- hede, vermoedelik gewoonlik sou gebruik as hy vir eie rekening reis. Wanneer 'n getuie nie kragtens 'n spoor- wegorder, bevel of opdrag wat aan hom uitgereik is, reis nie of 'n ander soort of klas fasiliteit gebruik as dié wat daarin genoem is, of nalaat om gebruik daarvan te maak, ten opsigte van die reis of 'n deel daarvan, moet daar aan hom ten opsigte van reiskoste vir daardie reis of enige deel daarvan, die bedrag terugbetaal word wat oor- eenkomstig sodanige spoorwegorder, bevel of opdrag ten laste van Staatsfondse kom;

(b) en 'n openbare vervoermiddel nie vir die reis of 'n deel daarvan beskikbaar is nie, is die getuie daartoe geregtig om enige ander vervoermiddel te gebruik, met inbegrip van sy eie, en moet daar aan hom vir die reis of 'n deel daarvan 'n toelae ter bestryding van die koste van sodanige vervoer betaal word teen 7 sent per myl in die geval van 'n motorkar van minder as 16 pk. en 8 sent per myl in die geval van 'n motorkar van 16 pk. en meer;

(c) kan hy, as hy, deur gehoor te gee aan die subpoena, geldelike verlies gely het, 'n bedrag van R4 per dag of die bedrag van die werklike verlies, naamlik die kleinste bedrag of, as hy ander koste moes aangaan, uitgesonderd reiskoste, betaal word teen 'n daaglikse skaal van R2.50, R1.25 en 75 sent onderskeidelik in die geval van 'n Blanke, 'n Gekleurde en 'n Naturel, of die werklike koste, naamlik die kleinste bedrag;

(d) vir die toepassing van hierdie regulasie het die uitdruk- kings „Blanke”, „Gekleurde” en „Naturel” dieselfde betekenis as die wat daaraan geheg word in die Wet op Nywerheidsversoening, 1956.

(5) As 'n getuie na die mening van die Sekretaris van Arbeid oor 'n roete gereis het wat meer tyd in beslag geneem het of groter koste meegebring het as wat nodig was, kan hy na goed- dunke die eis om vervoer- en ander koste of toelae verminder tot 'n bedrag wat hy in die omstandighede redelik ag.

(g) in the Magisterial Districts of Calitzdorp, George, Knysna, Mossel Bay, Oudtshoorn, Riversdale and Unionsdale—
the Divisional Inspector, Department of Labour, George (P.O. Box 253);

(h) in the Province of the Orange Free State, excluding the Magisterial Districts of Heilbron, Parys, Sasolburg and Vredefort—
the Divisional Inspector, Department of Labour, Bloemfontein (P.O. Box 522);

(i) in the Magisterial Districts of Barkly West, Britstown, De Aar, Gordonia, Hay, Herbert, Hopetown, Kenhardt, Kim- berley, Kuruman, Mafeking, Philipstown, Postmasburg, Prieska, Taung, Vryburg and Warrenton—
the Divisional Inspector, Department of Labour, Kim- berley.

(5) Any person who fails to carry out any duty or obligation placed upon him by regulation 4 (4) or who contravenes any of the provisions thereof, shall be guilty of an offence and liable on conviction to a fine not exceeding one hundred rand or imprisonment for a period not exceeding six months.

2. ENQUIRIES BY THE BOARD.

(1) A subpoena to appear before the board or a member thereof or an officer designated in terms of section ten of the Act in connection with any investigation by the board shall be in the form of Annexure W.A. 1.

(2) Any such subpoena may be served on the person sub- poenaed—

(a) by delivering a copy thereof to him; or

(b) by leaving a copy thereof at his place of abode or business or employment with some person apparently not less than sixteen years of age and apparently residing or employed there; or

(c) by dispatching it by registered post in an envelope on which are written his name and his address, which may be his place of abode or business or employment or his post office box number.

(3) The service of any such subpoena may be effected by any person authorised thereto by the member of the board or the officer who has signed it.

(4) Whenever a witness who is not in the full-time employment of the State is subpoenaed to appear before the board or a member thereof or an officer designated in terms of section ten of the Act at an investigation referred to in sub-regulation (1)—

(a) the Secretary for Labour may, in his discretion, issue such rail-warrant, order or other instruction as will enable the witness to attend at the place subpoenaed and advance such sums towards the allowances or amounts payable to such witness in terms of this sub-regulation as he may decide. In issuing any such rail-warrant, order or other instruction the facility to be furnished shall be of the type or class which, in the opinion of the Secretary for Labour, the witness, having regard to the circumstances, would ordinarily be expected to use if he were travelling on his own account. Whenever any witness does not travel in accordance with any railwarrant, order or instruction issued to him or uses any type or class of facility other than that specified therein or fails to take advantage thereof, in respect of the journey or any portion thereof, he shall be refunded in respect of travelling expenses for that journey or portion thereof the amount chargeable against public funds in accordance with such rail-warrant, order or instruc- tion;

(b) and a public conveyance is not available for the journey or a portion thereof, the witness shall be entitled to use any other means of transport, including his own, and be paid an allowance towards the cost of such transport at the rate of 7 cents per mile in the case of a motor car of under 16 horse-power and 8 cents per mile in the case of a motor car of 16 horse-power and over, for such journey or portion thereof;

(c) he may, if by reason of his obedience to the subpoena he has suffered any pecuniary loss, be paid an amount of R4 per day or the actual loss, whichever is the lesser, or been put to any other expenses, other than travelling expenses, be paid at a daily rate of R2.50, R1.25 and 75 cents in the case of a White person, a Coloured person and a Native, respectively, or the actual expenses, whichever is the lesser;

(d) for the purposes of this regulation, the expressions "White person", "Coloured person" and "Native" bear the same meaning as those assigned to them in the Industrial Conciliation Act, 1956.

(5) If in the opinion of the Secretary for Labour a witness has travelled by a route occupying longer time or involving greater cost than was necessary, he may, in his discretion reduce the claim for transport and other expenses or allowances to an amount which he considers reasonable in the circumstances.

(6) 'n Assessor wat kragtens artikel drie (8) (a) van die Wet aangestel is en wat nie in die diens van die Staat is nie, is geregtig op ondergenoemde beloning en toelaes in verband met die vervulling van sy pligte ingevolge die Wet—

- (a) 'n bedrag van R6 per dag of deel daarvan wat deurbring is in verband met die vervulling van sy pligte kragtens die Wet of in verband met sy reis na of van die plek waar sy dienste vereis word;
- (b) betaling van die werklike verlies aan beloning ingeval die assessor 'n werknemer is; met dien verstande dat die bedrag wat ingevolge hierdie paragraaf betaalbaar is, plus dié ingevolge paragraaf (a) verskuldig, in geen geval die som van R12 per dag te bowe mag gaan nie;
- (c) 'n verblyftoelaes op die basis wat van tyd tot tyd betaalbaar is aan staatsampnare met 'n salaris van mer as R3,720 per jaar;
- (d) 'n spoorwegorder, bevel of ander opdrag en/of reistoelaes ooreenkomstig die bepalings van subregulasies (4) (a), (4) (b) en (5).

(7) Wanneer die raad ingevolge artikel nege (3) of artikel vyftien (3) (b) van die Wet toelaat dat mondelinge vertoë tot hom gerig word, moet die plek, datum en tyd van die verhoor, deur die voorsitter van die raad bepaal word indien die ondersoek deur die raad ingestel word, of deur 'n lid, indien die ondersoek ingevolge artikel vier (4) van die Wet ingestel word.

(8) 'n Verhoor in subregulasie (7) bedoel kan bygewoon word deur—

- (a) 'n ampsdraer of 'n beampte van 'n vakvereniging of 'n werkgewersorganisasie of enigiemand wat deur die sekretaris van 'n vakvereniging of werkgewersorganisasie aangestel is; of
- (b) enige ander persoon wat belang het by die ondersoek of, na goeddunke van die voorsitter van die raad of 'n lid van die raad wat as voorsitter by die verhoor optree, enige ander persoon wat daartoe deur die belanghebbende persoon gemagtig is.

(9) Wanneer 'n geskil aangaande prosedure of getuienis ontstaan, moet die geskil deur die voorsitter van die raad besleg word indien die ondersoek deur die raad ingestel word, of deur 'n lid indien die ondersoek ingevolge artikel vier (4) van die Wet ingestel word.

3. VRYSTELLINGS.

'n Aansoek om vrystelling van die bepalings van 'n vasstelling ingevolge artikel negentien (1) van die Wet moet in tweevoud in die vorm van aanhangsel W.A. 2 gedoen en by die inspekteur by regulasie bepaal, ingedien word.

4. REGISTRASIE VAN WERKGEWERS.

(1) Elke werkgewer wat besigheid dryf binne die gebied van enige inspekteur by regulasie bepaal moet die inligting wat ingevolge paragrafe (a) en (b) van artikel agt-en-twintig (1) van die Wet verstrek moet word, onderskeidelik in die vorm van aanhangsels W.A. 3 en W.A. 4 voorleë.

(2) 'n Registrasiesertifikaat wat aan 'n werkgewer ingevolge artikel agt-en-twintig (2) van die Wet uitgereik word, moet in die vorm van aanhangsel W.A. 5 wees.

(3) 'n Werkgewer aan wie 'n registrasiesertifikaat kragtens artikel agt-en-twintig (2) van die Wet uitgereik is, moet, indien die sertifikaat nie ingetrek is nie, op aansoek en na aanbieding aan die inspekteur by regulasie bepaal, van belastingseëls ter waarde van vyftig sent, deur die inspekteur van 'n gesertifiseerde afskrif daarvan voorsien word. Die belastingseëls moet op die gewaarmerkte afskrif geplak en deur voormelde inspekteur gerojear word.

(4) Die werkgewer moet die registrasiesertifikaat op die perseel waar hy handel dryf, bewaar en dit op versoek van 'n inspekteur aan hom voorleë; met dien verstande dat indien 'n werkgewer op meer as een perseel binne die gebied van 'n inspekteur by regulasie bepaal, handel dryf, of binne die gebied van meer as een sodanige inspekteur, die sertifikaat of sertifikate op enigiens van die persele waar hy aldus handel dryf, bewaar mag word; met dien verstande voorts dat hy die inspekteur by regulasie bepaal in wie se gebied hy handel dryf, skriftelik en te alle tye in kennis moet stel van die adres van die perseel waar die registrasiesertifikaat aldus bewaar word. 'n Werkgewer wat afstand doen van sy besigheid of dit oordra, moet die sertifikaat binne een maand na sodanige afstanddoening of oordrag vir kansellering terugstuur aan die inspekteur by regulasie bepaal. In die geval van 'n verandering in die naam of adres van 'n besigheid moet die werkgewer die sertifikaat terugstuur aan die inspekteur wat die nodige verandering daarop moet aanbring of 'n nuwe sertifikaat moet uitreik.

5. AANTEKENINGS WAT GEHOU EN KENNISGEWINGS-WAT OPGEPLAK MOET WORD.

(1) (a) Elke werkgewer vir wie die bepalings van 'n vasstelling kragtens die Wet bindend is met betrekking tot beloning wat betaal moet word, tyd wat gewerk of afrekkings van beloning wat gemaak mag word, moet kragtens artikel nege-en-twintig (1) van die Wet te alle tye ten opsigte van alle persone by hom in diens aantekeninge in die vorm van aanhangsel W.A. 6 hou.

(6) An assessor appointed in terms of section three (8) (a) of the Act and who is not in the employment of the State, shall be entitled to the following remuneration and allowances in connection with the performance of his duties under the Act:—

- (a) A fee of R6 per day or part thereof spent in connection with the performance of his duties under the Act or on travelling to or from the place at which his services are required;
- (b) payment of the actual loss of remuneration in the case where the assessor is an employee; provided that the amount payable in terms of this paragraph plus that due under paragraph (a) shall in no case exceed the sum of R12 per day;
- (c) a subsistence allowance on the basis payable from time to time to public servants whose salaries exceed R3,720 per annum;
- (d) a rail-warrant, order or other instruction and/or travelling allowance in accordance with the provisions of sub-regulations (4) (a), (4) (b) and (5).

(7) Whenever, in terms of section nine (3) or section fifteen (3) (b) of the Act, the board permits oral representations to be made, the place, date and time of hearing shall be determined by the chairman of the board, if the investigation is being carried out by the board, or by a member, if the investigation is being carried out in terms of section four (4) of the Act.

(8) Any hearing, referred to in sub-regulation (7) may be attended by—

- (a) an office-bearer or an official of a trade union or an employers' organisation or any person appointed by the secretary of a trade union or employer's organisation; or
- (b) any other person interested in the investigation or, at the discretion of the chairman of the board or a member of the board presiding at the hearing, by any other person authorised thereto by such interested person.

(9) Whenever any question of procedure or evidence arises such question shall be decided by the chairman of the board, if the investigation is being carried out by the board, or by a member, if the investigation is being carried out in terms of section four (4) of the Act.

3. EXEMPTIONS.

An application for exemption from the provisions of a determination in terms of section nineteen (1) of the Act shall be made in duplicate in the form of Annexure W.A. 2 and shall be lodged with the inspector defined by regulation.

4. REGISTRATION OF EMPLOYERS.

(1) The information required to be furnished in terms of paragraphs (a) and (b) of section twenty-eight (1) of the Act by every employer carrying on business within the area of any inspector defined by regulation shall be in the form of Annexure W.A. 3 and W.A. 4, respectively.

(2) A certificate of registration issued to an employer in terms of section twenty-eight (2) of the Act shall be in the form of Annexure W.A. 5.

(3) Any employer to whom a certificate of registration has been issued under section twenty-eight (2) of the Act shall, if such certificate has not been cancelled, on application and on tender of revenue stamps to the value of fifty cents to the inspector defined by regulation, be furnished by that inspector with a certified copy thereof. The revenue stamps shall be affixed to the certified copy and cancelled by the said inspector.

(4) The employer shall keep the certificate of registration on the premises where he carries on business and produce it on demand to an inspector; provided that where an employer carries on business at more than one address in the area of an inspector defined by regulation, or within the area of more than one such inspector, the certificate or certificates may be kept at any one of the addresses at which he so carries on business; provided further that he shall in writing and at all times keep the inspector defined by regulation in whose area he carries on business informed of the address of the premises where the certificate of registration is being retained. An employer who abandons or transfers his business shall return the certificate within one month from the date of such abandonment or transfer to the inspector defined by regulation for cancellation. In the event of a change in the name or address of a business the employer shall return the certificate to the inspector who shall make the necessary alteration thereto or issue a new certificate.

5. RECORDS TO BE KEPT AND NOTICES TO BE POSTED.

(1) (a) Every employer upon whom the provisions of any determination are binding under the Act, which relates to remuneration to be paid, time to be worked or deductions which may be made from remuneration, shall in terms of section twenty-nine (1) of the Act, at all times keep a record in respect of all persons employed by him in the form of Annexure W.A. 6.

(b) Elke sodanige werkgever moet, benewens die aantekeninge bedoel in paragraaf (a), ten opsigte van elke stukwerker in sy diens, aantekeninge hou met vermelding van—

- (i) die identifikasienommer (as hy een het) en die naam van die stukwerker;
- (ii) 'n beskrywing van die klas en hoeveelheid werk verrig deur elke stukwerker en die stukwerkskaal betaalbaar ten opsigte van elke onderdeel van sodanige werk.

(2) Elke prinsipaal of aannemer vir wie 'n vasstelling kragtens die Wet bindend is met betrekking tot die skale waarteen, die grondslag waarop of die beginsels waarvolgens betaling deur hom gemaak moet word aan enige persoon vir werk wat aan dié persoon deur die prinsipaal of aannemer op kontrak uitgegee word, moet te alle tye, benewens die aantekeninge wat hy ooreenkomstig artikel *nege-en-twintig* (2) van die Wet moet hou aangaande betalings wat gemaak moet word, ook aantekeninge hou met vermelding van—

- (a) die naam, adres, ras en geslag van die persoon aan wie die werk uitgegee is;
- (b) 'n beskrywing van die klas en hoeveelheid werk uitgegee en die kontrakskaal betaalbaar ten opsigte van elke onderdeel van die werk; en
- (c) die datums waarop die werk uitgegee en terugontvang is en waarop betalings gemaak is.

(3) Iedereen aan wie werk op kontrak uitgegee is deur 'n prinsipaal of aannemer in subregulasie (2) bedoel moet, benewens die aantekeninge wat hy kragtens artikel *nege-en-twintig* (2) van die Wet moet hou aangaande betalings ontvang deur hom van die prinsipaal of aannemer van wie hy sodanige werk ontvang het, aantekeninge hou met vermelding van—

- (a) die naam en adres van die prinsipaal of aannemer;
- (b) 'n beskrywing van die klas en hoeveelheid werk ontvang en die kontrakskaal betaalbaar ten opsigte van elke onderdeel van die werk; en
- (c) die datums waarop die werk ontvang en teruggestuur of voltooi is en waarop betaling gemaak is.

(4) Die aantekeninge in hierdie regulasie bedoel moet met pen en ink geskryf of in tikskrif met leesbare letters en op materiaal van duursame aard gemaak word.

(5) Die kennisgewings wat deur 'n werkgever kragtens artikel *derdig* van die Wet opgeplak moet word, moet in die vorm van ahangsels W.A. 7, W.A. 8, W.A. 9 en W.A. 10 wees.

AANHANGSEL W.A. 1. [Regulasie 2 (1).]

LOONWET, 1957.

SUBPOENA.

(uitgereik ingevolge die bepalinge van die Loonwet, 1957.)

Aan _____ } Naam en adres van
_____ } getuie.

Hierby word van u vereis om persoonlik voor (a) _____

te _____ (plek)

op _____ om _____ uur m., en op enige daaropvolgende (datum)

dag waartoe die verrigtinge of ondersoek verdaag kan word, te verskyn om getuie te lê betreffende (b) _____ en om die verskillende boeke, dokumente en/of dinge genoem in onderstaande lys, saam te bring en voor te lê aan _____

(a) _____

Lys van boeke, dokumente of dinge wat voorgelê moet word:—

1. _____
2. _____
3. _____

Uitgereik onder my hand te _____

hierdie _____ dag van _____ 19 _____

(c) Lid van Loonraad/Amptenaar
daartoe gelas ingevolge artikel
10 (4).

- (a) Noem die betrokke liggaam of persoon.
- (b) Spesifiseer in watter verband die getuie getuie moet aflê.
- (c) Skrap wat nie van toepassing is nie.

(b) Every such employer shall in addition to the records referred to in paragraph (a), keep, in respect of each piece-worker employed by him, a record showing—

- (i) the identification number (if any) and name of such piece-worker;
- (ii) a description of the class and quantity of the work performed by each pieceworker and the piecework rate due in respect of each item of such work.

(2) Every principal or contractor upon whom any determination is binding under the Act which regulates the rates at which, the basis of, or the principles upon which, payment shall be made by him to any person to whom any work is given out on contract by that principal or contractor for that work, shall at all times keep, in addition to the record of payments made, which he is required to keep in terms of section *twenty-nine* (2) of the Act, a record showing—

- (a) the name, address, race and sex of the person to whom the work has been given out;
- (b) a description of the class and quantity of the work given out and the contract rate due in respect of each item of such work; and
- (c) the dates upon which the work was given out and the dates upon which it was received back and upon which payments were made.

(3) Every person to whom work has been given out on contract by a principal or contractor referred to in sub-regulation (2) shall, in addition to the record of payments received by him from the principal or contractor from whom he received such work, which he is required to keep in terms of section *twenty-nine* (2) of the Act, keep a record showing—

- (a) the name and address of the principal or contractor;
- (b) a description of the class and quantity of work received and the contract rate due in respect of each item of such work; and
- (c) the dates upon which the work was received and returned or completed and upon which payments were made.

(4) The records referred to in this regulation shall be kept in ink in writing or typescript in legible characters and on material of durable nature.

(5) The notices required to be posted by an employer in terms of section *thirty* of the Act shall be in the form of Annexure W.A. 7, W.A. 8, W.A. 9 and W.A. 10.

ANNEXURE W.A. 1. [Regulation 2 (1).]

WAGE ACT, 1957.

SUBPOENA.

(Issued under the provisions of the Wage Act, 1957.)

To _____ } Name of witness and
_____ } address.

You are hereby required to appear in person before (a) _____

at _____ (place)

on _____ at the hour of _____ m., (date)

and on any subsequent day to which the proceedings or investigation may be postponed, to give evidence respecting (b) _____

and to bring with you and then produce to _____ (a) the several books, documents and/or things specified in the list hereunder:—

List of books, documents, or things to be produced:—

1. _____
2. _____
3. _____

Given under my hand at _____

this _____ day of _____ 19 _____

(c) Member of Wage Board/Officer directed
in terms of section 10 (4).

- (a) State body or person concerned.
- (b) Specify in what connection witness is required to give evidence.
- (c) Delete whichever is inapplicable.

AANHANGSEL W.A. 2.
(Regulasie 3.)

LOONWET, 1957.

IN TWEEVOLD.

AANSOEK OM VRYSTELLING VAN LOONVASSTELLING
No. _____Die Afdelingsinspekteur,
Departement van Arbeid,
Posbus/Privaatsak _____

Waarde Heer,

AANSOEK OM VRYSTELLING.

1. Aansoek word hierby gedoen kragtens artikel *negentien* (1) van die Loonwet, 1957, om vrystelling van klousule(s) _____ van Loonvasstelling No. _____ vir die _____

(onderneming, nywerheid, bedryf of beroep) ten opsigte van die volgende *werknemer(s)/klasse werknemers _____

2. Die vrystelling word verlang vir die tydperk _____ 19 _____ tot _____ 19 _____ in die volgende mate _____

3. Die naam van die werkgever is _____

en sy adres is _____

4. Die redes vir die vrystelling is soos volg:— _____

Die uwe,

Handtekening van applikant. _____

Ampstitel van ondertekenaar. _____

Adres van applikant:— _____

Plek _____

Datum _____ 19 _____

OPMERKINGS.— (i) *Skrap wat nie van toepassing is nie.
(ii) Paragraaf 2: Hier moet die basis aangedui word waarop vrystelling verlang word en die voorwaardes wat die applikant van voorneme is om na te kom ten opsigte van die betrokke werknemer of werknemers.AANHANGSEL W.A. 3.
[Regulasie 4 (1).]

LOONWET, 1957.

VERKLARING KRAGTENS ARTIKEL *AGT-EN-TWINTIG* (1) (a).

L.W.—Die inligting wat op dié vorm verskaf moet word, moet slegs betrekking hê op die bedrywighede van die besigheid binne die gebied van die inspekteur by regulasie bepaal, aan wie die vorm gerig word [sien regulasie 1 (4)].

Die Afdelingsinspekteur,
Departement van Arbeid,
Posbus/Privaatsak _____

Waarde Heer,

Ooreenkomstig artikel *agt-en-twintig* (1) (a) van die Loonwet, 1957, verstrek ek hierby aan u ondervermelde besonderhede in verband met hierdie besigheid:—

1. Naam waaronder besigheid gedryf word _____

2. Adres van hoofkantoor in die Republiek _____

3. Adres(se) waar besigheid gedryf word (a) _____

4. Aard van besigheid _____

5. Die vasstelling(s) van toepassing op hierdie besigheid is _____

ANNEXURE W.A. 2.
(Regulation 3.)

WAGE ACT, 1957.

IN DUPLICATE.

APPLICATION FOR EXEMPTION FROM WAGE DETERMINATION No. _____

The Divisional Inspector,
Department of Labour,
P.O. Box/Private Bag _____

Dear Sir,

APPLICATION FOR EXEMPTION.

1. Application is hereby made in terms of section *nineteen* (1) of the Wage Act, 1957, for exemption from clause(s) _____ of Wage Determination No. _____, for the _____

(undertaking, industry, trade or occupation) in respect of the following *employee(s)/classes of employees _____

2. The exemption is desired for the period _____ 19 _____ to _____ 19 _____, to the following extent _____

3. The name of the employer is _____

and his address is _____

4. The reasons for the exemption are as follows _____

Yours faithfully,

Signature of Applicant. _____

Designation of Signatory. _____

Address of applicant— _____

Place _____

Date _____

NOTES.— (i) *Delete which is not applicable.

(ii) In paragraph 2 should be indicated the basis upon which exemption is desired and the conditions which it is proposed to observe in respect of the relative employee or employees.

ANNEXURE W.A. 3.
[Regulation 4 (1).]

WAGE ACT, 1957.

STATEMENT IN TERMS OF SECTION *TWENTY-EIGHT* (1) (a).

NOTE.—The information to be submitted on this form is to be limited only to the activities of the business within the area of the inspector defined by regulation, to whom the form is addressed [vide Regulation 1 (4)].

The Divisional Inspector,
Department of Labour,
P.O. Box/Private Bag _____

Dear Sir,

In accordance with section *twenty-eight* (1) (a) of the Wage Act, 1957, I hereby furnish the following particulars in connection with this business:—

1. Name under which business is carried on _____

2. Address of Head Office in the Republic _____

3. Address(es) at which business is carried on (a) _____

4. Nature of business _____

5. The determination(s) applicable to this business is _____

6. Beskrywing van bestuur met vermelding van name en adresse (a):—

(a) Beskrywing.	Naam voluit.	Adres voluit.
Eienaar.....	_____	_____
Vennote.....	_____	_____
Direkteure (in die geval van 'n maatskappy)	_____	_____
Bestuurders.....	_____	_____
Sekretaris.....	_____	_____

7. Onderstaande inligting word verstrek aangaande die adresse waar besigheid gedryf word en die persone in diens by elke adres:—

Adresse.	Blankes.		Ge-kleurdes.		Asiate.		Naturelle.	
	M.	V.	M.	V.	M.	V.	M.	V.

Die uwe,

Handtekening van werkgewer of persoon deur hom gemagtig.

- (i) Skrap opskrifte by (a) wat nie van toepassing is nie.
(ii) Indien ruimte onvoldoende is, heg aanvullende verklaring aan.

AANHANGSEL W.A. 4.
[Regulasie 4 (1).]

LOONWET, 1957.

VERKLARING KRAGTENS ARTIKEL AGT-EN-TWINTIG (1) (b).
(Verandering in besonderhede.)

Die Afdelingsinspekteur,
Departement van Arbeid,
Posbus/Privaatsak _____

Waarde Heer,

Ooreenkomstig artikel agt-en-twintig (1) (b) van die Loonwet, 1957, moet ek u in kennis stel van ondervermelde veranderings in die besonderhede vervat in die verklarings wat ek vroeër ingevolge artikel agt-en-twintig (1) (a) aan u verstrek het en ten opsigte waarvan registrasiesertifikaat No. _____ aan my uitgereik is.

1. Naam waaronder besigheid gedryf word _____
2. Adres van hoofkantoor in die Republiek (a) _____
3. Adres(se) waar besigheid gedryf word (a) _____
4. Aard van besigheid (a) _____
5. Die vasstelling (a) van toepassing op hierdie besigheid is (a) _____

6. Description, names and addresses of management (a):—

(a) Description.	Full Name.	Full Address.
Proprietor.....	_____	_____
Partners.....	_____	_____
Directors (in case of company)	_____	_____
Managers.....	_____	_____
Secretary.....	_____	_____

7. The following information is furnished regarding the addresses at which business is carried on and the persons employed at each address:—

Addresses.	European.		Coloured.		Asiatic.		Native.	
	M.	F.	M.	F.	M.	F.	M.	F.

Yours faithfully,

Signature of Employer or Person authorised by him.

- (i) Delete irrelevant headings at (a).
(ii) If space is insufficient, attach supplementary statement.

ANNEXURE W.A. 4.
[Regulation 4 (1).]

WAGE ACT, 1957.

STATEMENT IN TERMS OF SECTION TWENTY-EIGHT (1) (b)
(Change in particulars).

The Divisional Inspector,
Department of Labour,
P.O. Box/Private Bag _____

Dear Sir,

In accordance with section twenty-eight (1) (b) of the Wage Act, 1957, I have to advise you of the following changes in the particulars contained in the statement(s) I previously furnished to you under section twenty-eight (1) (a) and in respect of which certificate of registration No. _____ was issued to me.

1. Name under which business is carried on _____
2. Address of head office in the Republic (a) _____
3. Address(es) at which business is carried on (a) _____
4. Nature of business (a) _____
5. The determination(s) applicable to this business is (a) _____

6. Beskrywing van bestuur met vermelding van name en adresse:—

(a) Beskrywing.	Naam voluit.	Adres voluit.
Eienaar.....		
Vennote.....		
Direkteure (in die geval van 'n maatskappy)		
Bestuurders.....		
Sekretaris.....		

(a) Ander veranderings. (Vermeld volle besonderhede in die geval van sekwestrasie, likwidasie, oordrag of afstanddoening of verkryging of aanvang van ander besigheid.)

Die uwe,

Handtekening van werkgewer of persoon deur hom gemagtig.

(i) Skrap opskrifte by (a) wat nie van toepassing is nie. Indien ruimte onvoldoende is, heg aanvullende verklaring aan.

(ii) Die nommer van die registrasiesertifikaat aan die werkgewer uitgereik, moet in die aanhef van die vorm genoem word.

AANHANGSEL W.A. 5.
[Regulasie 4 (2).]

LOONWET, 1957.

**SERTIFIKAAT VAN REGISTRASIE VAN WERKGEWER
KRAGTENS ARTIKEL AGT-EN-TWINTIG (2).**

Ek sertifiseer hierby kragtens artikel agt-en-twintig (2) van die Loonwet, 1957, dat

(naam en adres van werkgewer—indien werkgewer takkantore het, vermeld adres van hoofkantoor)
wat besigheid dryf onder die titel

geregistreer is as 'n werkgewer in die

(onderneming, nywerheid, bedryf of beroep)

in die

(gebied of gebiede)

Afdelingsinspekteur, Departement van Arbeid.

Nommer van sertifikaat.....

Plek.....

Datum.....

L.W.—In die geval van sekwestrasie, likwidasie, afstanddoening van besigheid, oordrag, aanvang van addisionele besigheid of verandering in die soort besigheid of in adres, eiendomsreg of bestuur, moet die Afdelingsinspekteur, Departement van Arbeid, ingevolge artikel agt-en-twintig (1) (b) van die Wet binne veertien dae in kennis gestel word van die verandering.

6. Description, names and addresses of management:—

(a) Description.	Full Name.	Full Address.
Proprietor.....		
Partners.....		
Directors (in case of company)		
Managers.....		
Secretary.....		

(a) Other changes. (In the event of sequestration, winding up, transfer or abandonment or acquisition or commencement of any other business, give full particulars.)

Yours faithfully,

Signature of Employer or Person authorised by him.

(i) Delete irrelevant headings at (a). If space insufficient, attach supplementary statement.

(ii) The number of the registration certificate issued to the employer must be indicated in the preamble to this form.

ANNEXURE W.A. 5.
[Regulation 4 (2).]

WAGE ACT, 1957.

**CERTIFICATE OF REGISTRATION OF EMPLOYER IN TERMS
OF SECTION TWENTY-EIGHT (2).**

I hereby certify in terms of section twenty-eight (2) of the Wage Act, 1957, that

(name and address of employer—if employer has branches, insert head office address)

carrying on business under the style of

has been registered as an employer in the

(undertaking, industry, trade or occupation)

in the

(area or areas)

Divisional Inspector, Department of Labour.

Number of Certificate.....

Place.....

Date.....

NOTE.—In the event of sequestration, winding up, abandonment of business, transfer, commencement of additional business or change in the class of business, address, ownership or management, such change must be notified to the Divisional Inspector, Department of Labour, within fourteen days in terms of section twenty-eight (1) (b) of the Act.

AANTEKENINGS WAT DEUR WERKGEWER GEHOU MOET WORD

Week geëindig 19

(Indien slegs een skof per dag gewerk word, noem die gewone aanvangs- en sluitingsuur van die werk, n.....vm, tot.....nm,

nm.) tot

L. W.—Hierbenewens moet die aantekening genoem in regulasie 5 (1) (b) gehou word. Hierdie aantekening moet vir 'n tydperk van drie jaar bewaar word nadat die opgetekende gebeurtenisse plaasgevind het en moet te eniger tyd binne daardie tydperk vir inspeksie ter insae lê. [sien artikel *nege-en-twintig* (3) van die Loonwet, 1957].

RECORDS TO BE KEPT BY EMPLOYER.

I. State shifts worked in establishment:—

Shift (a) _____ m. to _____ m. Shift (b) _____ m. Shift (c) _____ m. to _____ m. p.m.)

(If only one shift per day worked, state the ordinary hours of commencing and ceasing work, viz. _____ a.m. to _____ p.m.)

II. Particulars in respect of persons employed:—

1. Identity Number of Worker (if any).	
2. Name in Full.	
3. Occupation.	
4. Race (European, Coloured, Asiatic or Native).	
5. Specify Age if under 21, otherwise state adult.	
6. Sex.	
Sun.	7. Ordinary Time Worked (in Hours or Fractions thereof). State (a), (b) or (c) after the number of Hours on Each Day according to the Shifts Worked—vide paragraph I. (Insert Day of Week.)
Mon.	
Tues.	
Wed.	
Thurs.	
Fri.	
Sat.	
	8. Total of Ordinary Time for Week, i.e. excluding Overtime.
	9. State whether on Time Work, Piecework or Incentive Bonus Work.
	10. If Time Worker State Ordinary Rate of Wages per Hour, per Day, per Week or per Month.
	11. If Pieceworker or Incentive Bonus Worker State Legal Minimum Amount Payable per Week.
R c	12. Amount Due for Ordinary Time Worked.
Sun.	13. Overtime Worked (in Hours or Fractions thereof). (Insert Day of Week.)
Mon.	
Tues.	
Wed.	
Thurs.	
Fri.	
Sat.	
	14. Total of Overtime for Week (Hours).
R c	15. Amount Due for Overtime Worked.
R c	16. Amount of Cost of Living Allowance Due.
R c	17. Amount Due in Respect of Any Other Allowances (Specify Kind of Allowances).
R c	18. Authorised Deductions.
R c	19. Total Amount Due.
	20. REMARKS— (a) If Short-time Worked Specify Reason as either "Absence of Employee" or "Short Time Required by Employer". (b) If not Working Shifts (a), (b) or (c), state Hours Worked in Each Case. (c) If in Receipt of Other Benefits, e.g. Lodging or Food, State Nature and Value thereof.

NOTE.—In addition the record prescribed in regulation 5 (1) (b) must be kept.

These records shall be retained for a period of three years subsequent to the occurrence of the events recorded and must be available for inspection at any time within that period [see section twenty-nine (3) of the Wage Act, 1957].

AANHANGSEL W.A. 7.
[Regulasie 5 (5).]

LOONWET, 1957.

KENNISGEWING INGEVOLGE ARTIKEL DERTIG (1) (a).

Die aandag word gevestig op onderstaande opsomming van artikels van die Loonwet, 1957:—

- 20 (1) Iedereen, hetsy 'n werkgever of 'n werknemer, wat 'n vasstelling of vrystellingsertifikaat oortree, is skuldig aan 'n misdryf.
- en
- 24 (1) (Maksimum boete R200 of een jaar gevangenisstraf of beide, tensy, in die geval van 'n werkgever, onderbetaling R200 oorskry, wanneer die boete verhoog kan word.)
- 22 (1) As 'n werknemer volgens 'n vasstelling of vrystellingsertifikaat onderbetaal is, kan die Hof na goeie dinge gelas dat die onderbetaalde bedrag of aan die werknemers betaal of in die Gekonsolideerde Inkomstefonds gestort word. Die werknemer is alleen geregtig op die volle onderbetaalde bedrag as hy nie ingestem het om laer lone aan te neem as dié wat voorgeskryf is nie of, indien hy daartoe ingestem het, hy nie van sy regte ingevolge die betrokke vasstelling of vrystellingsertifikaat bewus was nie. Onder ander omstandighede kan die Hof 'n kleiner bedrag toeken.
- 24 (2) Geen werkgever mag van 'n werknemer vereis of hom toelaat om aan hom enige betaalde beloning ingevolge 'n vasstelling, vrystellingsertifikaat of hofbevel, terug te betaal nie. (Maksimum boete R200 of een jaar gevangenisstraf of beide.)
- 24 (3) 'n Werkgever wat eis of toelaat dat 'n werknemer 'n kwitansie uitreik of andersins voorgee dat hy meer ontvang het as wat hy werklik by wyse van beloning ontvang het, is skuldig aan 'n misdryf. (Maksimum boete R200 of een jaar gevangenisstraf of beide.)
- 25 'n Werkgever is skuldig aan 'n misdryf as hy 'n werknemer ontslaan of die diensvoorwaardes van 'n werknemer tot laasgenoemde se nadeel verander op grond daarvan dat so 'n werknemer getuie is afgelê het voor 'n gereghof of inligting verstrek het aan die loonraad, 'n inspekteur of ander persoon wat kragtens die Wet op sodanige inligting geregtig is. (Maksimum boete R600 of twee jaar gevangenisstraf of beide.)
- 27 'n Inspekteur mag sonder kennisgewing enige perseel binnegaan en enige persoon ondervra, die voorlegging van alle boeke of dokumente eis en uittreksels of afskrifte daarvan maak. Elke werkgever of persoon in sy diens moet die fasiliteite verskaf wat die inspekteur verlang ten einde sy ondersoek uit te voer. Die inspekteur kan 'n tolk of ander assistent met hom saamneem.
- Iedereen wat weier om vrae wat deur die inspekteur gestel word, te beantwoord of wat in gebreke bly om te voldoen aan die vereistes van die inspekteur of wat die inspekteur by die uitoefening van sy werksaamhede ingevolge die Wet hinder, is skuldig aan 'n misdryf. (Maksimum boete R200 of een jaar gevangenisstraf of beide.)
- 29 (6) Iedereen wat 'n valse inskrywing maak in aantekenings wat kragtens die Wet gehou moet word en bewus is dat dit vals is, is skuldig aan 'n misdryf.

AANHANGSEL W.A. 8.
[Regulasie 5 (5).]

LOONWET, 1957.

KENNISGEWING Kragtens ARTIKEL DERTIG (1) (b).

Vir algemene inligting word bekendgemaak dat die amptelike adres van die inspekteur by regulasie bepaal, soos volg is:—

Die Afdelingsinspekteur,
Departement van Arbeid,

(meld adres)

AANHANGSEL W.A. 9.
[Regulasie 5 (5).]

LOONWET, 1957.

KENNISGEWING Kragtens ARTIKEL DERTIG (1) (c).

Onderstaande is 'n afskrif van 'n vasstelling wat tans van toepassing op hierdie besigheid is (a):—

(Vasstelling volg hier.)

Onderstaande is/opsommings van/uittreksels uit die bepalings van die vasstelling wat tans van toepassing op hierdie besigheid is (a):—

(Voeg in opsommings of uittreksels wat ingevolge die betrokke vasstelling en ingevolge die Wet op die perseel opgeplak moet wees.)

(a) Skrap wat nie van toepassing is nie.

ANNEXURE W.A. 7.
[Regulation 5 (5).]

WAGE ACT, 1957.

NOTICE IN TERMS OF SECTION THIRTY (1) (a).

Attention is drawn to the following summaries of sections of the Wage Act, 1957:—

- 20 (1) It is an offence for any person, whether employer or employee, to contravene a determination or licence of exemption.
- and
- 24 (1) (Maximum penalty R200 or one year's imprisonment or both, unless, in the case of an employer, underpayment exceeds R200, when fine may be increased.)
- 22 (1) Where an employee has been underpaid in terms of any determination or licence of exemption, the court has a discretion whether to make an order directing that the amount underpaid be paid to the employee or into the Consolidated Revenue Fund. The employee is only entitled to the whole of the amount underpaid where he did not agree to accept lower wages than those prescribed, or if he did so agree, he was ignorant of his rights under the relative determination or licence of exemption. In other circumstances the court may award a lesser amount.
- 24 (2) No employer may require or permit any employee to repay to him any remuneration paid under any determination, licence of exemption or order of court. (Maximum penalty R200 or one year's imprisonment or both.)
- 24 (3) It is an offence for an employer to require or permit an employee to give a receipt for or otherwise represent that he has received more by way of remuneration than he actually received. (Maximum penalty R200 or one year's imprisonment or both.)
- 25 It is an offence for an employer to dismiss or alter the conditions of employment of any employee to the disadvantage of the latter, by reason of such employee having given evidence before a court of law or having given information to the wage board, an inspector or other person entitled to such information under the Act. (Maximum penalty R600 or two years' imprisonment or both.)
- 27 An inspector may without notice enter any premises and may question any person, require any books or documents to be produced and take extracts or make copies thereof. Any employer or person employed by him shall furnish facilities, as required by the inspector, for the conducting of his investigation. The inspector may take with him an interpreter or other assistant.
- Any person who refuses to answer questions put by the inspector or fails to comply with the inspector's requirements or hinders an inspector in the performance of his functions under the Act is guilty of an offence. (Maximum penalty R200 or one year's imprisonment or both.)
- 29 (6) Any person who makes any false entry in a record required to be kept under the Act, knowing the same to be false, is guilty of an offence.

ANNEXURE W.A. 8.
[Regulation 5 (5).]

WAGE ACT, 1957.

NOTICE IN TERMS OF SECTION THIRTY (1) (b).

It is notified for general information that the official address of the inspector defined by regulation is:—

The Divisional Inspector,
Department of Labour,

(insert address)

ANNEXURE W.A. 9.
[Regulation 5 (5).]

WAGE ACT, 1957.

NOTICE IN TERMS OF SECTION THIRTY (1) (c).

Appended is a copy of the determination at present applicable to this business (a):—

(Here follows determination).

Appended are summaries of/extracts from the provisions of the determination at present applicable to the business (a):—

(Insert summaries or extracts which in terms of the relative determination must be affixed upon the premises in terms of the Act.)

(a) Delete whichever is inapplicable.

AANHANGSEL W.A. 10.

[Regulasie 5 (5).]

LOONWET, 1957.

KENNISGEWING KRAGTENS ARTIKEL DERTIG (1) (b).

WANNEER EN WAAR LONE BETAAL WORD.

Betaling van beloning aan persone in diens by hierdie besigheid
geskied by _____ om _____
(Plek) (tyd)

op _____
(meld dag indien betaling weklíks geskied, meld iedere maand
datum, indien betaling maandelíks geskied).

(Handtekening van werkgewer of
persoon deur hom gemagtig.)

ANNEXURE W.A. 10.

[Regulation 5 (5).]

WAGE ACT, 1957.

NOTICE IN TERMS OF SECTION THIRTY (1) (b).

TIME AND PLACE OF PAYMENT OF REMUNERATION.

Payment of remuneration to persons employed in this business
will take place at _____ at _____
(place) (time)

on _____
(specify the day where payment is made weekly).

(specify the date each month where payment is made monthly).

(Signature of Employer or Person
authorised by him.)

INHOUD.

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