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(REGULASIEKOERANT No. 258)

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[No. 663.]

GOVERNMENT NOTICES.

DEPARTMENT OF EDUCATION, ARTS AND SCIENCE.

No. R. 1904.] [6 December 1963.
HIGHER EDUCATION ACT, 1923 (ACT No. 30 OF
1923): REGULATIONS.

The Minister of Education, Arts and Science has, under and by virtue of the powers vested in him by section *nineteen* of the Higher Education Act, 1923 (Act No. 30 of 1923), made the following regulations in substitution of the regulations published under Government Notice No. 671 of 27th March, 1953, as amended by Government Notices Nos. 954 of 8th May, 1953, No. 2804 of 18th December, 1953, No. 638 of 2nd April, 1954, No. 1446 of 16th July, 1954, No. 1538 of 30th July, 1954, No. 2060 of 14th October, 1955, No. 2202 of 4th November, 1955, No. 1352 of 24th August, 1962, and No. 2048 of 14th December, 1962.

REGULATIONS PRESCRIBED BY THE MINISTER OF EDUCATION, ARTS AND SCIENCE IN RESPECT OF INSTITUTIONS DECLARED BY THE MINISTER IN TERMS OF SECTION ONE OF THE HIGHER EDUCATION ACT, 1923 (ACT No. 30 OF 1923), TO BE PLACES OF HIGHER EDUCATION.

PART I.

GENERAL.

DEFINITIONS.

1. Unless inconsistent with the context in these regulations:—

“Act” means the Higher Education Act, 1923 (Act No. 30 of 1923), as amended from time to time;

“college holidays” means a period intervening between two consecutive college terms;

“college term” means a college term as determined by the council;

“council” means the governing authority of any declared institution;

“cycle”, a period of three years reckoned from the 1st January, 1962, and each succeeding period of three years.

“day of rest” —

(a) A Sunday or public holiday in the case of an employee who normally does not work on such a day, or

(b) such other day as he is normally relieved from duty in lieu thereof in the case of an employee who normally works on a Sunday or public holiday.

GOEWERMENSKENNISGEWINGS.

DEPARTEMENT VAN ONDERWYS, KUNS EN WETENSKAP.

No. R. 1904.] [6 Desember 1963.
HOGER ONDERWIJS WET, 1923 (WET No. 30 VAN
1923).—REGULASIES.

Die Minister van Onderwys, Kuns en Wetenskap het, kragtens die bevoegdheid hom by artikel *negentien* van die Hoger Onderwijs Wet, 1923 (Wet No. 30 van 1923), verleen, onderstaande regulasies uitgevaardig ter vervang van die regulasies, afgekondig by Goewermentskennisgewing No. 671 van 27 Maart 1953, soos gewysig by Goewermentskennisgewings No. 954 van 8 Mei 1953, No. 2804 van 18 Desember 1953, No. 638 van 2 April 1954, No. 1446 van 16 Julie 1954, No. 1538 van 30 Julie 1954, No. 2060 van 14 Oktober 1955, No. 2202 van 4 November 1955, No. 1352 van 24 Augustus 1962 en No. 2048 van 14 Desember 1962.

REGULASIES VOORGESKRYF DEUR DIE MINISTER VAN ONDERWYS, KUNS EN WETENSKAP, TEN OPSIGTE VAN INRIGTINGS WAT DEUR DIE MINISTER KRAGTENS ARTIKEL EEN VAN DIE HOGER ONDERWIJS WET, 1923 (WET No. 30 VAN 1923), TOT INSTELLINGS VIR HOËR ONDERWYS VERKLAAR IS.

DEEL I.

ALGEMEEN.

WOORDBEPALING.

1. Tensy dit strydig met die sinsverband in hierdie regulasies is, beteken—

„Departement”, die Departement van Onderwys, Kuns en Wetenskap;

„inrigting”, ’n inrigting wat deur die Minister kragtens artikel een van die Wet as instellings vir hoër onderwys verklaar is;

„kollegekwartaal”, ’n kollegekwartaal wat deur die raad bepaal word;

„kollegevakansie”, ’n tydperk wat tussen twee opeenvolgende kollegekwartale val;

„lening”, ’n lening wat deur die Staatspresident behoudens die bepaling van die Wet toegeken is;

„Minister”, die Minister van Onderwys, Kuns en Wetenskap;

„permanente werknemer”, ’n werknemer wat ’n betrekking op die vaste diensstaat beklee behalwe in ’n tydelike hoedanigheid of onder kontrak vir ’n vasgestelde tydperk;

„personeellid”, sowel permanente as tydelike werknemers in voltydse diens, uitgesonderd nie-Blanke werknemers wat nie onderwyspersoneel is nie;

- "Department" means the Department of Education, Arts and Science;
- "employee" means a person employed full-time in a permanent or in a temporary capacity or on contract for a fixed period and includes the principal, director or officer in charge of an institution, as well as non-Europeans;
- "fixed establishment" means posts approved by the Minister in terms of regulation No. 1 of Part V of these regulations;
- "incremental period", a period of twelve calendar months or another approved period which must lapse in regard to any employee before his salary may be increased in accordance with the scale applicable to him.
- "institution" means an institution declared by the Minister in terms of section one of the Act to be a place of higher education;
- "leave" means leave of absence from duty to an employee;
- "loan" means a loan granted by the State President subject to the provisions of the Act;
- "Minister" means the Minister of Education, Arts and Science;
- "permanent employee" means an employee occupying a post on the fixed establishment otherwise than in a temporary capacity or under contract for a fixed period;
- "principal" means the principal, director or other employee in charge of an institution;
- "salary", the salary or wage normally payable to an employee when he is in the service of the institution, and include allowances which do not form part of salary or wage, due regard being had to regulations pertaining to and directions issued by the Secretary with the approval of the Minister in connection with such allowances;
- "salary increment", the approved amount by which a salary may be increased according to the appropriate scale.
- "Secretary" means the Secretary for Education, Arts and Science;
- "secretary of the council" means the person appointed by the council to perform the secretarial duties of the council;
- "staff member" includes both permanent and temporary employees in full-time employment, but excludes non-Europeans other than teaching personnel.
- "Sunday",—
- also a public holiday mentioned in the Second Schedule to the Public Holidays Act, 1952 (Act No. 5 of 1952), in the case of an employee who does not normally work on such a day; or
 - such other day as he is normally relieved from duty in lieu thereof, in the case of an employee who normally works on a Sunday or on a first-mentioned public holiday.

EXCEPTIONS.

2. If on representations of a council the circumstances of a case in the opinion of the Minister justify a departure from the provisions of these regulations, that case may be dealt with by him as he may deem fit.

DELEGATION OF POWERS.

3. The Minister may delegate any of the powers vested in him by these regulations to the Secretary or any other officer of the Department of Education, Arts and Science, and similarly the Secretary may delegate any of the powers vested in him by these regulations to another officer of the Department.

INTERPRETATION OF REGULATIONS.

4. All questions regarding the interpretation and effect of these regulations shall be referred to the Secretary for decision.

„prinsipaal”, die prinsipaal, direkteur of ander werknemer in beheer van 'n inrigting;

„raad”, die liggaam in beheer van enige verklaarde inrigting;

„rusdag”,—

- 'n Sondag of openbare feesdag in die geval van 'n werknemer wat nie gewoonlik op sodanige dag werk nie; of
 - 'n ander dag wat hy gewoonlik in plaas daarvan van diens vrygestel is in die geval van 'n werknemer wat gewoonlik werk op 'n Sondag of 'n openbare feesdag;
- „salaris”, die salaris of loon wat gewoonlik aan 'n werknemer betaalbaar is wanneer hy in diens van die inrigting is, en dit sluit in toelaes wat nie by salaris of loon inbegrepe is nie, met inagneming van regulasies met betrekking tot en opdragte deur die Sekretaris met die goedkeuring van die Minister uitgereik in verband met sulke toelaes;
- „salarisverhoging”, die goedgekeurde bedrag waarmee 'n salaris volgens die toepaslike skaal verhoog kan word;
- „salarisverhogingstydperk”, 'n tydperk van 12 kalendermaande of 'n ander goedgekeurde tydperk wat met betrekking tot enige werknemer moet verstryk voordat sy salaris volgens die skaal wat op hom van toepassing is, verhoog kan word.
- „Sekretaris”, die Sekretaris van Onderwys, Kuns en Wetenskap;
- „sekreteris van die raad”, die persoon wat deur die raad aangestel is om die sekretariële pligte van die raad uit te voer;
- „Sondag”—
- ook 'n openbare feesdag genoem in die Tweede Bylae by die Wet op Openbare Feesdae, 1952 (Wet No. 5 van 1952), in die geval van 'n werknemer wat nie gewoonlik op sodanige dag werk nie; of
 - 'n ander dag wat hy gewoonlik in plaas daarvan van diens vrygestel is, in die geval van 'n werknemer wat gewoonlik werk op 'n Sondag of op eersgenoemde openbare feesdag;
- „tydkring”, 'n tydperk van drie jaar gereken vanaf 1 Januarie 1962 en elke daaropvolgende tydperk van drie jaar.
- „vaste diensstaat”, die betrekkings goedgekeur deur die Minister kragtens regulasie 1 van Deel V van hierdie regulasies;
- „verlof”, verlof aan 'n werknemer om van diens afwesig te wees;
- „werknemer”, 'n persoon wat voltyds in 'n permanente of tydelike hoedanigheid aangestel is of onder kontrak vir 'n vasgestelde tydperk in diens is, en dit sluit in die prinsipaal, direkteur of beamppte in beheer van 'n inrigting, sowel as nie-Blankes;
- „Wet”, die Hoger Onderwys Wet, 1923 (Wet No. 30 van 1923), soos van tyd tot tyd gewysig.

UITSONDERINGS.

2. As daar, as gevolg van verstoë deur 'n raad, na die mening van die Minister omstandighede is wat 'n uitsondering op die bepalings van hierdie regulasies regverdig, kan hy so 'n geval na goeëdunke behandel.

DELEGASIE VAN BEVOEGDHEDE.

3. Die Minister kan enige van die bevoegdhede wat aan hom by hierdie regulasies verleen word, aan die Sekretaris of enige ander beamppte van die Departement van Onderwys, Kuns en Wetenskap deleger, en insgelyks kan die Sekretaris enige van die bevoegdhede wat aan hom by hierdie regulasies verleen word, aan 'n ander beamppte van die Departement deleger.

VERTOLKING VAN REGULASIES.

4. Alle sake betreffende die uitleg en krag van hierdie regulasies moet na die Sekretaris vir beslissing verwys word.

FURNISHING OF INFORMATION BY A COUNCIL.

5. The Secretary may at any time call upon a council to furnish such information as he considers necessary.

RETENTION OF EXISTING RIGHTS.

6. These regulations shall not deprive any employee of any rights and privileges in respect of leave, pension and age of retirement previously enjoyed by him but such employee may elect to be governed by these regulations in respect of such rights and privileges as from the date of coming into operation thereof; such election to be made within six months from the aforementioned date.

DIVISION OF CALENDAR YEAR INTO COLLEGE TERMS.

7. There shall be four college terms in each calendar year, and the dates of commencement and termination of such terms shall be determined by the council.

PART II.

SCHEME OF GOVERNMENT.

1. The scheme of government, approval of which is necessary prior to the declaration, shall be deemed to include all provisions of the Act and of these regulations, provided that the Minister may, by virtue of the powers vested in him by section *nineteen* of the Act, make regulations applicable to a particular institution and included in its scheme of government, and such regulations shall be of effect notwithstanding anything contained in these regulations.

2. The scheme shall be of effect from the date of publication in the *Gazette* of the declaration or from such later date as may be prescribed in the Minister's declaration of approval.

PART III.

COUNCILS.

1. (a) The scheme shall prescribe the constitution of the council, in which shall be vested the government and executive control of the institution, and shall indicate the authority responsible for the exercise of the functions of the council during any period not exceeding three months prior to the first meeting of the council. The authority aforesaid shall, not more than two months after his approval of the scheme, inform the Minister of the names of persons appointed to be members of the council other than those to be appointed by the Minister.

(b) The council may, subject to the approval of the Minister, elect honorary members of council, who shall not be entitled to vote in meetings of council and shall hold office for three years or for such other period as may be determined by the council.

2. (a) Each appointed member of the council (unless otherwise provided) shall hold office for a period of three years beginning on the first day of January in the year of appointment.

(b) The council may grant leave of absence to any one of its members, but where such absence exceeds a period of six months, it shall request the body appointing such member to elect an alternate in his place during his leave of absence, who shall have the same powers and shall be subject to the same conditions of appointment as the original member.

3. Three months before the expiration of the period of office of any member of the council notice shall be given by the secretary of the council to the person or body entitled to appoint his successor. If the secretary of the council does not receive due advice of the appointment of a successor before the date when the office becomes vacant, the council shall at its next meeting report the vacancy to the Minister and may make a recommendation. The Minister may then appoint a person to fill the vacancy.

VERSTREKKING VAN INLIGTING DEUR 'N RAAD.

5. Die Sekretaris kan te eniger tyd eis dat 'n raad aan hom inligting verstrek wat hy nodig ag.

BEHOUD VAN BESTAANDE REGTE.

6. Ingevolge hierdie regulasies word geen werknemer van enige regte en voorregte ten opsigte van verlof, pensioen en uitdienstredingsouderdom wat voorheen deur hom geniet is, ontnem nie, maar so 'n werknemer kan kies om onder hierdie regulasies te val wat betref sodanige regte en voorregte vanaf die datum waarop hulle in werking tree en sodanige keuse word uitgeoefen binne 'n tydperk van ses maande vanaf vermeldde datum.

VERDELING VAN KALENDERJAAR IN KOLLEGEKWARTALE.

7. Daar is vier kollegekwartale in elke kalenderjaar en die aanvangsdatum en die sluiting van sulke kwartale word deur die raad vasgestel.

DEEL II.

SKEMA VAN BESTUUR.

1. Daar word geag dat die skema van bestuur, waarvoor goedkeuring vóór die afkondiging nodig is, al die bepalinge van die Wet en van hierdie regulasies insluit: Met dien verstande dat die Minister kragtens die bevoegdheid aan hom verleen by artikel *negentien* van die Wet, regulasies wat alleen van toepassing is op 'n besondere inrigting en wat deel uitmaak van sy skema van bestuur, kan uitvaardig en sodanige regulasies is dan geldig ondanks enigiets wat hierdie regulasies mag bevat.

2. Die skema tree in werking vanaf die datum waarop die verklaring in die *Staatskoerant* gepubliseer word of vanaf sodanige latere datum wat in die verklaring van goedkeuring van die Minister bepaal word.

DEEL III.

RADE.

1. (a) In die skema moet die konstitusie van die raad wat belas is met die bestuur en uitvoerende gesag van die inrigting, bepaal word en moet die gesag vasgestel word wat verantwoordelik is vir die uitoefening van die pligte van die raad gedurende enige tydperk van hoogstens drie maande voor die eerste vergadering van die raad. Bogenoemde gesag moet hoogstens twee maande nadat hy die skema goedgekeur het, die Minister in kennis stel van die name van persone wat tot lede van die raad benoem is, afgesien van dié wat deur die Minister aangestel sal word.

(b) Die raad kan, onderworpe aan die goedkeuring van die Minister, ere-lede van die raad kies; hulle is nie geregtig om in vergaderings van die raad te stem nie en beklee hul amp vir drie jaar of sodanige tydperk as wat die raad mag voorskryf.

2. (a) Elke aangestelde lid van die raad, tensy daar anders bepaal word, beklee sy amp vir 'n tydperk van drie jaar, vanaf die eerste dag van Januarie in die jaar van sy aanstelling.

(b) Die raad kan aan enige van sy lede verlof toestaan om afwesig te wees, maar wanneer so 'n tydperk van afwesigheid meer as ses maande is, versoek die raad die liggaam wat so 'n lid aanstel om vir die tydperk van sy afwesigheid 'n plaasvervanger te kies wat dieselfde magte het en onderworpe is aan dieselfde voorwaardes van aanstelling as die oorspronklike lid.

3. Drie maande voordat die ampstermyn van enige lid van die raad verstryk, moet die sekretaris van die raad die persoon of liggaam wat by magte is om sy opvolger te benoem, daarvan in kennis te stel. As die sekretaris van die raad nie betyds in kennis gestel word van die benoeming van 'n opvolger, voor die datum waarop die amp vakant word nie, stel die raad by sy volgende vergadering die Minister in kennis van die vakature en kan hy 'n aanbeveling maak. Die Minister kan dan 'n persoon benoem om die vakature te vul.

4. An appointed member of council may resign his office by letter addressed to the secretary of the council; he shall be deemed to have resigned his office if he be absent from three consecutive ordinary meetings of council without leave obtained, or if he become insolvent, or be convicted of a serious criminal offence, or become incapacitated from fulfilling the duties of his office by mental or bodily infirmity or disease.

5. Within fourteen days of the receipt of advice of the occurrence of a vacancy in the council the secretary of the council shall notify the vacancy to the person or body responsible for the appointment who shall appoint a successor to hold office during the unexpired portion of the period for which his predecessor was appointed. If a successor is not appointed within three months of this notification the Minister may on the recommendation of the council, appoint a person to fill the vacancy.

6. The secretary of the council shall report to the Minister all changes in the membership of the council.

7. The council shall submit for the approval of the Minister—

- (i) standing orders prescribing the procedure in council meetings, the method of appointment and powers of committees, and the financial arrangements of the institution;
- (ii) the constitution of the board of studies and the powers and functions delegated thereto;
- (iii) the names of persons proposed to be appointed as honorary or assessor members of council under section six (2) of the Act;
- (iv) conditions for any certificates or diplomas to be awarded by the institution;
- (v) any scheme for joint control by the council with another body of a portion of the work of the institution;
- (vi) the name of the auditor or auditors who will sign the annual financial statements;
- (vii) such other matters as are specifically indicated in these regulations as requiring the Minister's approval.

8. The council shall submit for the information of the Minister a copy of the records of its proceedings at meetings.

PART IV.

BOARDS OF STUDIES.

1. The board of studies shall consist of the principal, who shall be chairman, such members of the teaching staff as shall be decided by the council, and two persons who are not members of the full-time teaching staff and are appointed by the council from among the members of the council.

2. The powers and functions of the board shall be decided by the council with the approval of the Minister.

3. The board of studies shall elect annually not more than two of its members to the council who shall hold office for a period of one year.

PART V.

APPROVAL OF DEPARTMENTS, POSTS, APPOINTMENT OF STAFF MEMBERS, SALARY SCALES, ETC.

CREATION OF DEPARTMENTS, POSTS ON FIXED ESTABLISHMENT, APPOINTMENT AND PROMOTION OF STAFF.

1. (a) The creation by the council of any department in the college shall be subject to the approval of the Minister.

(b) The creation by the council of a post on the fixed establishment of an institution and the salary scale and allowances attaching to such post shall be subject to the approval of the Minister.

4. 'n Aangestelde lid van die raad kan sy amp neerlê deur die sekretaris van die raad skriftelik daarvan in kennis te stel; daar word geag dat hy sy amp neergelê het as hy sonder verlof van drie agtereenvolgende gewone raadsvergaderings afwesig is, of as hy insolvent word, of van 'n ernstige misdryf skuldig bevind word, of weens verstandelike of liggaamlike swakheid of siekte ongeskik word om sy ampspilte te vervul.

5. Binne veertien dae nadat hy kennis ontvang het dat 'n vakature in die raad ontstaan het, stel die sekretaris van die raad die persoon of liggaam wat vir die benoeming verantwoordelik is, daarvan in kennis, en die persoon of liggaam benoem dan 'n opvolger om die amp vir die onverstreke dienstermyn van sy voorganger te beklee. As 'n opvolger nie binne drie maande nadat kennis gegee is, benoem word nie, kan die Minister, op aanbeveling van die raad, 'n persoon benoem om die vakature te vul.

6. Die sekretaris van die raad stel die Minister in kennis van alle veranderinge in die lidmaatskap van die raad.

7. Die raad lê aan die Minister vir goedkeuring voor—

- (i) reëls waarin die prosedure op vergaderings van die raad, die wyse van aanstelling en bevoegdhede van komitees, en die finansiële reëlings van die inrigting voorgeskryf word;
- (ii) die samestelling van die studieraad en die bevoegdhede en werksaamhede wat aan die studieraad gedelegeer word;
- (iii) die name van persone wat voorgestel is om as ere- of assessorlede van die raad ingevolge artikel ses (2) van die Wet benoem te word;
- (iv) voorwaardes vir die toekenning deur die inrigting van sertifikate of diplomas;
- (v) enige skema vir die gesamentlike beheer deur die raad en 'n ander liggaam van 'n gedeelte van die werksaamhede van die inrigting;
- (vi) die name van die ouditeur of ouditeurs wat die jaarlikse finansiële state sal sertifiseer;
- (vii) sodanige ander sake wat volgens die regulasies spesifiek die Minister se goedkeuring vereis.

8. Die raad moet, vir die inligting van die Minister, 'n afskrif van die notule van sy vergaderings voorlê.

DEEL IV.

STUDIERADE.

1. 'n Studieraad bestaan uit die prinsipaal, wat as voorsitter optree, sodanige lede van die onderwyspersoneel as wat die raad mag bepaal, en twee persone wat nie lede van die voltijdse onderwyspersoneel is nie en wat deur die raad uit sy lede benoem word.

2. Die bevoegdhede en werksaamhede van die studieraad word deur die raad, met die goedkeuring van die Minister, bepaal.

3. Die studieraad kies jaarliks hoogstens twee van sy eie lede om vir 'n tydperk van een jaar in die raad te dien.

DEEL V.

GOEDKEURING VAN DEPARTEMENTE, BETREKINGS, AANSTELLING VAN PERSONEEL, SALARISSKALE, ENS.

INSTELLING VAN DEPARTEMENTE, SKEPPING VAN BETREKINGS OP DIE VASTE DIENSSTAAT, AANSTELLING EN BEVORDERING VAN PERSONEEL.

1. (a) Die instelling deur die raad van enige departement in die inrigting is aan die goedkeuring van die Minister onderworpe.

(b) Die skepping deur die raad van 'n betrekking op die vaste diensstaat van 'n inrigting en die salarisskaal en toelaes aan so 'n betrekking verbonde, is aan die goedkeuring van die Minister onderworpe.

(c) The appointment or promotion of non-European employees other than teaching personnel shall be subject to the approval of the council, and of other staff members to that of the Secretary. The council may delegate its powers in this connection to the principal.

STATUS OF PRINCIPAL.

2. The principal shall be the chief administrative and executive officer of the institution and he shall *ex officio* be a member of the council.

FUNCTIONS OF PRINCIPAL.

3. The principal of an institution shall be responsible to the council, *inter alia*, for the administration, supervision and organisation of the institution, control and discipline of other staff members, and the execution of such instructions or rules as may be prescribed by the council.

QUALIFICATIONS FOR APPOINTMENT TO ADMINISTRATIVE, CLERICAL AND TEACHING POSTS.

4. (a) The Secretary may from time to time prescribe the qualifications for the appointment of persons to administrative, clerical and teaching posts on the fixed establishment of an institution.

(b) No person shall be appointed in a permanent capacity unless he has passed in both official languages at an examination of a standard prescribed in paragraph (d) below. The Secretary may approve the permanent appointment of a person who has not so qualified but such person shall not have his salary increased beyond that drawn by him at the expiry of a period of three years from the date of his first appointment unless and until he pass such examination or examinations.

(c) An appointment may be made in a temporary capacity or on contract of a person who is not qualified in both official languages if the Secretary is satisfied, after the vacancy has been advertised in the press, by the institution concerned, that no suitably qualified person is available for appointment thereto.

(d) The language qualifications for the administrative, clerical and teaching staff shall be—

(i) *posts for which matriculation and higher qualifications are required:* One official language to be of the National Senior Certificate "A" (or recognised equivalent) or higher standard, and the second official language of the National Senior Certificate "B" (or recognised equivalent) or higher standard;

(ii) *posts for which qualifications lower than matriculation but not lower than Junior Certificate are accepted:* One official language to be of the National Junior Certificate "A" (or recognised equivalent) or higher standard and the second official language of the National Junior Certificate "B" (or recognised equivalent) or higher standard.

FILLING OF VACANCIES.

5. (a) The following procedure shall be followed in the filling of vacancies at all institutions:—

(i) *Posts of senior lecturer, grade I and higher, and administrative posts of equivalent grading.*—All posts falling in the above-mentioned category shall be advertised simultaneously among all institutions by means of a circular minute, and in the press if necessary.

(ii) *Posts of grading lower than that described in subparagraph (i) above.*—In the event of an institution being unable to recruit suitable bilingual candidates it may, at its discretion, advertise the relative vacancies in the press as well as among other recognised institutions.

(c) Die aanstelling of bevordering van nie-Blanke werknemers, uitgesonderd onderwyspersoneel, is aan die goedkeuring van die raad onderworpe, en dié van ander personeel aan die goedkeuring van die Sekretaris. Die raad kan sy bevoegdhede in hierdie opsig aan die prinsipaal oordra.

STATUS VAN PRINSIPAAL.

2. Die prinsipaal is die administratiewe en uitvoerende hoofbeampte van die inrigting en is amptshalwe lid van die raad.

PLIGTE VAN PRINSIPAAL.

3. Die prinsipaal van 'n inrigting is verantwoordelik aan die raad, onder andere, vir toesig oor en administrasie en organisasie van die inrigting, beheer oor en tug van ander personeel en die uitvoering van sodanige voorskrifte of reëls as wat die raad mag voorskryf.

KWALIFIKASIES VIR AANSTELLING IN ADMINISTRATIEWE, KLERKLIKE EN ONDERWYSBETREKKINGS.

4. (a) Die Sekretaris kan van tyd tot tyd die kwalifikasies vir die aanstelling van persone in administratiewe, klerklike en onderwysbetrekkings op die vaste diensstaat van 'n inrigting voorskryf.

(b) 'n Persoon word nie in 'n permanente hoedanigheid aangestel nie, tensy hy in albei die amptelike landstale in 'n eksamen van 'n standaard soos in paragraaf (d) hieronder voorgeskryf, geslaag het. Die Sekretaris kan die permanente aanstelling van 'n persoon goedkeur wat nie sodanig gekwalifiseer is nie, maar so 'n persoon se salaris word nie verhoog bo die salaris wat deur hom na verstryking van 'n tydperk van drie jaar vanaf die datum van sy eerste aanstelling ontvang word nie, tensy en totdat hy in so 'n eksamen of eksamens geslaag het.

(c) 'n Persoon wat nie in albei die amptelike landstale gekwalifiseer is nie kan, nadat die vakature deur die betrokke inrigting in die pers geadverteer is, in 'n tydelike hoedanigheid of onder kontrak aangestel word as die Sekretaris tevrede is dat geen behoorlik gekwalifiseerde persoon vir aanstelling in die betrekking beskikbaar is nie.

(d) Die taalkwalifikasies vir die administratiewe, klerklike en onderwyspersoneel is soos volg:—

(i) *Betrekkings ten opsigte waarvan matrikulasie of hoër kwalifikasies verlang word:* Een amptelike landstaal moet met die Nasionale Senior Sertifikaat „A” (of erkende gelykwaardige) of hoër standaard gelykstaande wees en die tweede amptelike landstaal met die Nasionale Senior Sertifikaat „B” (of erkende gelykwaardige) of hoër standaard;

(ii) *Betrekkings ten opsigte waarvan kwalifikasies laer as matrikulasie maar nie laer as Junior Sertifikaat nie aanvaar word:* Een amptelike landstaal moet met die Nasionale Junior Sertifikaat „A” (of erkende gelykwaardige) of hoër standaard gelykstaande wees en die tweede amptelike landstaal met die Nasionale Junior Sertifikaat „B” (of erkende gelykwaardige) of hoër standaard.

VULLING VAN VAKATURES.

5. (a) Die volgende prosedure word gevolg in verband met die vulling van vakatures in alle inrigtings:—

(i) *Betrekkings van senior lektor graad I en hoër, en administratiewe betrekkings van gelykstaande gradering.*—Alle betrekking wat onder bogenoemde kategorie ressorteer, word gelyktydig by alle inrigtings deur middel van 'n omsendbrief, en in die pers indien nodig, geadverteer.

(ii) *betrekkings van 'n graad laer as die in sub-paragraaf (i) hierbo omskryf.*—In geval 'n inrigting nie daarin slaag om bevoegde tweetalige kandidate te werf nie, kan hy na goëddunke die betrokke vakatures sowel in die pers as by ander erkende inrigtings adverteer.

(b) Copies of the relative circular minute and/or advertisement, together with a schedule containing full particulars in respect of each applicant, must be submitted to the Secretary in support of a recommendation for the appointment of a candidate to any particular post.

ADVERTISING OF VACANCIES OUTSIDE THE REPUBLIC OF SOUTH AFRICA.

6. The advertising of vacancies outside the Republic of South Africa shall be subject to the prior approval of the Secretary.

PRODUCTION OF MEDICAL AND OTHER CERTIFICATES BY STAFF MEMBERS.

7. A candidate for permanent appointment to the fixed establishment of an institution shall produce medical and birth certificates to the satisfaction of the council.

PROBATIONARY APPOINTMENT.

8. The appointment of a permanent employee may be made subject to such period of probationary service as may be determined by the council and it may extend such period.

TERMINATION OF PROBATIONARY SERVICE.

9. The council may terminate the services of a permanent employee at any time during his period of probationary service after having given him at least one calendar month's notice in writing of such termination.

TERMINATION OF SERVICE BY STAFF MEMBER.

10. (a) A staff member may terminate his appointment by notifying the council, through the principal, of his intention to do so.

(b) For the purposes of paragraph (a) hereof, the notice in the case of a permanent employee who is a principal, vice-principal or member of the teaching staff, shall take effect at the end of June or December as the case may be and shall be given not later than the end of the preceding calendar quarter or the corresponding college term, whichever may be the later date. In the case of any other permanent employee, the notice shall be given not later than the end of a calendar month to take effect at the end of the following calendar month; provided that in each case the council may accept shorter notice.

(c) An employee who has been classified for leave purposes under Group A or B of regulation 7 of Part VI and who has completed less than a college quarter service and who resigns his post within thirty days after the commencement of the succeeding college term, shall not be entitled to salary for the intervening college holiday unless he has performed duty for the full holiday period or unless leave of absence for that portion of the college holiday during which he did not perform duties, was granted in accordance with Part VI.

TERMINATION OF SERVICES OF TEMPORARY EMPLOYEES.

11. Unless his contract of employment provides otherwise, the services of an employee, whose conditions of employment in a temporary capacity have been made subject to the provisions of the regulations, may be terminated by the giving of 24 hours notice from either side; such notice may be given at any time during or at the end of a calendar month.

TERMINATION BY THE COUNCIL OF A STAFF MEMBER'S SERVICE AND SUSPENSION FROM DUTY.

12. (a) Subject to the provisions of paragraph (d) hereof, a council may, notwithstanding the absence of any cause for discharge under paragraph (b) of regulation No. 14 of this Part, terminate a permanent employee's appointment in the case of a principal, vice-principal or member of the teaching staff, by giving him notice of such termination to take effect at the end of June or December as the case may be and such notice shall be given not later

(b) Afskrifte van die betrokke omsendbriewe en/of advertensies, tesame met 'n skedule waarin volledige besonderhede ten opsigte van elke applikant aangedui word, word ter skraging van 'n aanbeveling vir die aanstelling van 'n kandidaat in enige besondere betrekking, aan die Sekretaris gestuur.

ADVERTENSIE VAN VAKANTE BETREKKINGS BUITE DIE REPUBLIEK VAN SUID-AFRIKA.

6. Die advertensie van vakatures buite die Republiek van Suid-Afrika is onderworpe aan die goedkeuring van die Sekretaris vooraf.

INDIENING VAN GENEESKUNDIGE EN ANDER SERTIFIKATE DEUR PERSONEELLEDE.

7. 'n Kandidaat vir 'n permanente aanstelling op die vaste diensstaat van 'n inrigting dien mediese en geboortefertifikate tot bevrediging van die raad in.

PROEFDIENS.

8. Die aanstelling van 'n permanente werknemer kan onderworpe gemaak word aan sodanige proefdiens tydperk as die raad mag vasstel, en die raad kan sodanige tydperk verleng.

BEÏNDIGING VAN PROEFDIENS.

9. Die raad kan die diens van 'n permanente werknemer te eniger tyd gedurende sy tydperk van proefdiens beëindig nadat hy ten minste een kalendermaand vooraf skriftelik van so 'n beëindiging in kennis gestel is.

BEÏNDIGING VAN DIENS DEUR 'N LID VAN DIE PERSONEEL.

10. (a) 'n Lid van die personeel kan sy aanstelling beëindig deur aan die raad deur middel van die prinsipaal van sy voorneme daarvan kennis te gee.

(b) Vir die toepassing van paragraaf (a) hiervan is die kennisgewing in die geval van 'n permanente werknemer wat 'n prinsipaal, vise-prinsipaal, of lid van die onderwyspersoneel is, van krag vanaf die einde van Junie of Desember, na gelang van die geval, en dit moet ingedien word voor of aan die einde van die voorafgaande kalenderkwartaal of die ooreenstemmende kollegekwartaal, watter datum ookal die laaste mag wees. In die geval van enige ander permanente werknemer, word kennis gegee voor of aan die einde van 'n kalendermaand sodat dit van krag kan word aan die einde van die volgende kalendermaand; met dien verstande dat die raad in elke geval korter kennisgewing kan aanvaar.

(c) 'n Werknemer wat vir verlofdoeleindes onder Groep A of B van regulasie 7 van Deel VI ingedeel is en wat minder as 'n kollegekwartaal diens voltooi het en wat uit sy betrekking bedank binne 30 dae na die aanvang van die daaropvolgende kollegekwartaal, is nie op salaris vir die vakansie tydperk wat tussenin val geregtig nie tensy hy of diens verrig het vir die volle tydperk van gemelde kollegevakansie of verlof van afwesigheid ooreenkomstig Deel VI toegestaan was vir dié gedeelte van die kollegevakansie wat hy nie diens verrig het nie.

BEÏNDIGING VAN DIENS VAN TYDELIKE WERKNEMERS.

11. Tensy daar in sy dienskontrak anders bepaal word, kan die diens van 'n werknemer wie se indiensnemingsvoorwaardes in 'n tydelike hoedanigheid onderworpe gemaak is aan die bepalings van hierdie regulasies, beëindig word deur 24 uur kennisgewing aan die kant van die raad of van die werknemer. So 'n kennisgewing kan te eniger tyd gedurende of aan die einde van 'n kalendermaand gegee word.

BEÏNDIGING DEUR RAAD VAN DIENS VAN PERSONEELLID EN SKORSING VAN DIENS.

12. (a) Behoudens die bepalings van paragraaf (d) hiervan, kan 'n raad ondanks die ontbreking van enige oorsaak vir ontslag onder paragraaf (b) van regulasie 14 van hierdie Deel vermeld, die aanstelling van 'n permanente werknemer in die geval van 'n prinsipaal, vise-prinsipaal of lid van die onderwyspersoneel beëindig deur aan hom kennis te gee van die beëindiging van sy diens met ingang van die einde van Junie of Desember, na gelang van die geval, en sodanige kennisgewing moet geskied voor o

than the end of the preceding calendar quarter or the corresponding college term, whichever may be the later date, and in the case of any other permanent employee, by giving him three calendar months notice, in writing, of the termination of his services.

(b) The termination of the services of a staff member on any ground of discharge laid down in regulation 14 (b) (iii) of this Part is subject to giving notice as prescribed by paragraph (a).

(c) Notwithstanding anything to the contrary in these regulations, a council may, subject to confirmation by the Secretary, suspend from duty a permanent employee against whom it is intended to prefer a charge of misconduct in terms of paragraph (a) of regulation No. 2 of Part VII, if it considers such suspension necessary in the interests of the institution, but such permanent employee shall be entitled to receive his full salary and emoluments for such period of suspension, until the charge is delivered to him. After delivery of the charge the provisions of paragraph (e) of regulation No. 2 of Part VII will apply.

(d) (i) A permanent employee, other than a person on probation, whose services are to be terminated may, within fourteen days of receipt of notice of such termination or dismissal, appeal to the Minister.

(ii) The Minister may in his discretion cause the matter to be investigated.

(iii) The Minister's decision on the appeal shall be final.

13. An employee who absents himself from his official duties without approved leave for a period exceeding one month, shall be deemed to have been discharged from the service on account of misconduct with effect from the date immediately succeeding his last day of attendance at his place of duty: Provided that if such employee assumes other employment he shall be deemed to have been discharged as aforesaid notwithstanding that the said period has not expired: Provided further that if such employee reports for duty at any time after the expiry of the said period he may, subject to the Secretary's approval, be reinstated in his former or any other post or appointment on such conditions as the Secretary may determine, and in such event the period of his absence from official duty shall be deemed to have been absence on vacation leave without salary or leave on such other conditions as the Secretary may determine.

RETIRING AGE AND DISCHARGE OF STAFF MEMBERS.

14. (a) (1) Subject to the provisions of regulation 6, Part I, of these regulations and of sub-paragraph (2) hereof, the age of retirement of a staff member who—

(a) in the case of a male attains the age of sixty years prior to the first day of January, 1956, or in the case of a female attains the age of fifty-five years prior to that date, shall be the thirty-first day of December, 1955;

(b) is appointed with effect from a date prior to the first day of January, 1956, and who attains the age of sixty years on or after the said date shall be the date on which he attains—

(i) the age of sixty-one years if he attains that age prior to the first day of January, 1961;

(ii) the age of sixty-three years if he does not attain the age of sixty-one years prior to the first day of January, 1961, but attains the age of sixty-three years prior to the first day of January, 1966;

(iii) the age of sixty-five years if he does not attain the age of sixty-three years prior to the first day of January, 1966;

(c) is appointed with effect from a date after the thirty-first day of December, 1955, shall be the date on which he attains the age of sixty-five years.

aan die einde van die voorafgaande kalenderkwartaal of die ooreenstemmende kollegekwartaal, watter datum ookal die laaste mag wees, en in die geval van enige ander permanente werknemer, deur aan hom skriftelik drie kalendermaande kennis te gee van die beëindiging van sy diens.

(b) Die beëindiging van die diens van 'n personeellid op enige grond vir ontslag in regulasie 14 (b) (iii) van hierdie Deel vermeld is onderworpe aan die gee van kennis soos in paragraaf (a) voorgeskryf.

(c) Ondanks andersluidende bepalings in hierdie regulasies vervat, kan die raad, onderworpe aan die bekragtiging van die Sekretaris, 'n permanente werknemer teen wie die raad voornemens is om 'n klag van wangedrag ingevolge paragraaf (a) van regulasie 2 van Deel VII in te bring, van diens skors indien so 'n skorsing in belang van die inrigting geag word, maar so 'n permanente werknemer is op sy volle salaris en ander besoldiging geregtig vir die tydperk van skorsing tot tyd en wyl die kennisgewing van die klag aan hom oorhandig is. Na oorhandiging van die kennisgewing van die klag geld die bepalings van paragraaf (e) van regulasie 2 van Deel VII.

(d) (i) 'n Permanente werknemer wat nie op proef is nie, en wie se dienste beëindig staan te word, kan binne veertien dae na ontvangs van die kennisgewing van so 'n beëindiging of ontslag, by die Minister appél aanteken.

(ii) Die Minister kan na goeëdunke die saak laat ondersoek.

(iii) Die Minister se beslissing oor die appél is finaal.

13. 'n Werknemer wat, sonder goedgekeurde verlof vir 'n tydperk van meer as 'n maand van sy ampspligte wegbly, word geag weens wangedrag uit die diens ontslaan te gewees het met ingang van die datum wat onmiddellik volg op die laaste dag waarop hy op sy plek van diens teenwoordig was: Met dien verstande dat indien so 'n werknemer ander werk aanvaar, hy geag word ontslaan te wees soos voormeld, nieteenstaande dat bedoelde tydperk nog nie verstryk het nie: Met dien verstande voorts dat indien so 'n werknemer hom te eniger tyd na die verstryking van bedoelde tydperk vir diens aanmeld, hy, onderworpe aan die goedkeuring van die Sekretaris in sy vorige of 'n ander pos of betrekking herstel kan word op die voorwaardes wat die Sekretaris bepaal, en in so 'n geval word die tydperk van sy afwesigheid van sy ampspligte geag afwesigheid met vakansieverlof sonder salaris of verlof op die ander voorwaardes wat die Sekretaris bepaal, te wees.

OUERDOM VAN UITDIENSTREDING EN ONTSLAG VAN PERSONEELLEDE.

14. (a) (1) Behoudens die bepalings van regulasie 6 Deel I, van hierdie regulasies en van subparagraaf (2) hiervan, is die ouderdom van uitdienstreding van 'n personeellid wat—

(a) in die geval van 'n man die leeftyd van sestig jaar voor die eerste dag van Januarie 1956 bereik of in die geval van 'n vrou die leeftyd van vyf-en-veertig jaar voor daardie datum bereik, die een-en-dertigste dag van Desember 1955;

(b) met ingang van 'n datum voor die eerste dag van Januarie 1956 aangestel is en wat op of na genoemde datum die leeftyd van sestig jaar bereik, die datum waarop hy—

(i) die leeftyd van een-en-sestig jaar bereik as hy laasgenoemde leeftyd voor die eerste dag van Januarie 1961 bereik;

(ii) die leeftyd van drie-en-sestig jaar bereik as hy nie voor die eerste dag van Januarie 1961 die leeftyd van een-en-sestig jaar bereik nie maar die leeftyd van drie-en-sestig jaar voor die eerste dag van Januarie 1966 bereik;

(iii) die leeftyd van vyf-en-sestig jaar bereik as hy nie voor die eerste dag van Januarie 1966 die leeftyd van drie-en-sestig jaar bereik nie;

(c) met ingang van 'n datum na die een-en-dertigste dag van Desember 1955 aangestel word, die datum waarop hy die leeftyd van vyf-en-sestig jaar bereik.

(2) A staff member who is appointed prior to the first day of January, 1956, and who on or after the said date in the case of a male attains the age of sixty years or in the case of a female the age of fifty-five years, shall have the right at any time to give written notification to the council of his wish to be retired and if he gives such notification he shall—

- (a) if such notification is given at least three months prior to the date on which he attains the said age, be retired on attaining that age; or
- (b) if such notification is not given at least three months prior to the date on which he attains the said age, be retired on the first day of the fourth month following the month in which such notification is received by the council.

(3) A council may, subject to the approval of the Secretary, retain the services of a staff member beyond the prescribed age of retirement for a further period not exceeding one year at a time.

(b) The service of every staff member is liable to be terminated—

- (i) on account of attaining the retiring age or, in the case of a female, on her marriage: Provided that a female employee shall after her marriage not be retained in service unless the approval of the Secretary is obtained.
- (ii) on account of continued ill-health;
- (iii) owing to abolition of his office or any reduction in or reorganisation or readjustment of departments or offices of the institution;
- (iv) on account of inefficiency;
- (v) on account of such misconduct as in these regulations described.

(c) The powers of discharge under this regulation shall, subject to the provisions of paragraph (d) of regulation No. 12 of this Part be exercisable by the Council.

COMMENCING SALARY AND OTHER REMUNERATION.

15. (a) No appointment may be made at a higher rate of remuneration than the minimum of the approved scale for a particular post, except with the approval of the Secretary.

(b) In addition to his approved annual salary an employee shall not be paid any allowance, gratuity, bonus, honorarium or other similar benefit, without the approval of the Secretary: Provided that this provision shall not apply to subsistence, travelling or other allowances payable in accordance with any general authority.

(c) No staff member shall perform or engage himself to perform work inside or outside the institution for which he will receive remuneration in addition to his normal emoluments without the permission of the council.

(d) A council may, subject to the approval of the Secretary, pay additional remuneration to a staff member who for a period over three months' duration shall have been required to act as head of an institution, and in so acting discharge duties that impose substantial additional responsibilities upon him; such additional remuneration shall not be payable in respect of the first three months. No such additional remuneration shall, however be paid where a staff member acts in the place of another staff member on leave: Provided that the amount of the additional remuneration shall not exceed the amount representing the difference between the salary actually drawn by the acting staff member and the minimum salary of the post in which he acts, or such other amount as the Secretary on the recommendation of a council may approve.

(2) 'n Personeellid wat voor die eerste dag van Januarie 1956 aangestel is en wat op of na genoemde datum in die geval van 'n man die leeftyd van sestig jaar of in die geval van 'n vrou die leeftyd van vyf-en-vyftig jaar bereik, het die reg om te eniger tyd die raad skriftelik kennis te gee van sy wens om met pensioen afgedank te word en as hy aldus kennis gee word hy—

- (a) as sodanige kennis minstens drie maande voor die datum waarop hy genoemde leeftyd bereik, gegee word, afgedank met pensioen wanneer hy daardie leeftyd bereik; of
- (b) as sodanige kennis nie minstens drie maande voor die datum waarop hy genoemde leeftyd bereik, gegee word nie, afgedank met pensioen op die eerste dag van die vierde maand na die maand waarin genoemde kennisgewing deur die raad ontvang word.

(3) 'n Raad mag, onderworpe aan die goedkeuring van die Sekretaris, die dienste van 'n personeellid na bereiking van die voorgeskrewe uitdienstredingsouderdom vir 'n verdere tydperk, hoogstens 'n jaar per keer, behou.

(b) Die diens van elke personeellid kan beëindig word—

- (i) wanneer hy die ouderdomsgrens bereik of, in die geval van 'n vrou, as sy in die huwelik tree: Met dien verstande dat 'n vroulike werknemer na haar huwelik nie in diens gehou moet word nie tensy die goedkeuring van die Sekretaris verkry is.
- (ii) op grond van voortdurende swak gesondheid;
- (iii) as gevolg van die afskaffing van sy betrekking of enige vermindering van of reorganisasie of herindelung van departemente of kantore van die inrigting;
- (iv) op grond van onbekwaamheid;
- (v) op grond van wangedrag soos in hierdie regulasies omskryf.

(c) Behoudens die bepalings van paragraaf (d) van regulasie 12 van hierdie Deel word die magte van ontslag ingevolge hierdie regulasie deur die raad uitgevoer.

AANVANGSALARIS EN ANDER BESOLDIGING.

15. (a) Geen aanstelling kan teen 'n hoër besoldiging as die minimum van die goedgekeurde skaal van 'n besondere betrekking gemaak word nie, behalwe met die goedkeuring van die Sekretaris.

(b) Benewens die goedgekeurde jaarlikse salaris van 'n werknemer, mag daar nie 'n toelae gratifikasie, bonus honorarium of ander soortgelyke voordeel sonder die goedkeuring van die Sekretaris aan hom betaal word nie: Met dien verstande dat hierdie bepaling nie op verblyf-, reis- of ander toelae wat ooreenkomstig 'n algemene magtiging betaalbaar is, van toepassing is nie.

(c) 'n Personeellid kan nie werk waarvoor hy vergoeding bo en behalwe sy normale besoldiging ontvang, binne of buite die inrigting aanneem of verrig sonder die toestemming van die raad nie.

(d) 'n Raad kan, behoudens die goedkeuring van die Sekretaris, addisionele besoldiging aan 'n personeellid betaal van wie daar vir 'n tydperk van meer as drie maande vereis is om as hoof van 'n inrigting waar te neem en wat, terwyl hy aldus waarneem, pligte vervul wat hom belas met aansienlike addisionele verantwoordelikheid; sodanige addisionele besoldiging is nie vir die eerste drie maande betaalbaar nie. Geen sodanige addisionele besoldiging word egter betaal n ie in gevalle waar 'n personeellid waarneem in die plek van 'n ander personeellid wat met verlof is: Met dien verstande dat die addisionele besoldiging nie meer as die bedrag wat die verskil uitmaak tussen die salaris wat die waarnemende personeellid trek en die minimum salaris van die betrekking waarin hy waarneem, of 'n ander bedrag wat die Sekretaris op aanbeveling van 'n raad mag goedkeur, moet bedra nie.

PAYMENT OF SALARY INCREMENTS.

16. (a) (i) Subject to the provisions of sub-regulation (ii), the salary of an employee shall be increased by one salary increment within the limits of the scale applicable to him, after completion of each incremental period and with effect from the first day of the month (hereinafter called an incremental month) during which an increment may be granted to such an employee.

(ii) If the principal issues a certificate in which it is declared that the conduct of an employee under his supervision as to industry, discipline, punctuality or sobriety was not uniformly satisfactory during an incremental period or that he did not perform his work uniformly satisfactorily during such incremental period, the salary of such employee shall not be increased in terms of sub-regulation (i). Provided that the council may approve that the salary of an employee be increased in terms of the provisions of sub-regulation (i) notwithstanding that a certificate mentioned in this sub-regulation has been issued.

(iii) If on account of the issue of a certificate mentioned in sub-regulation (ii), the salary of an employee is not increased in terms of the provisions of sub-regulation (i) or of the proviso to sub-regulation (ii) the Council shall notify such employee in writing of the reasons therefor and also that at the expiry of a continuous period to be indicated and which shall be not longer than an incremental period, a salary increment may be granted by the Council on condition that a certificate is issued by the principal in which it is declared that the employee's work performance and his conduct in regard to the qualities mentioned in sub-regulation (ii) were satisfactory during such period.

(iv) (1) If the period mentioned in sub-regulation (iii) is shorter than an incremental period, the Council shall grant the employee one salary increment with effect from the first day of the month following the date on which such period expired: Provided that such salary increment may be granted only if the principal issues a certificate in which it is declared that the employee's work performance and his conduct in regard to the qualities mentioned in sub-regulation (ii) were satisfactory during such period.

(2) If an employee has been granted a salary increment in terms of paragraph (1) the Council shall grant him a further salary increment after the expiry of an incremental period reckoned from the date on which his salary would have been increased in terms of sub-regulation (i) had such increase not been withheld in terms of sub-regulation (ii): Provided that such salary increment may be granted only if the principal issues a certificate in which it is declared that the employee's work performance and his conduct in regard to the qualities mentioned in sub-regulation (ii) continued to be satisfactory from the date of the granting of the salary increment mentioned in paragraph (1) to the date preceding that on which a salary increment may be granted in terms of this paragraph: Provided further that the provisions of this paragraph shall not apply to an employee if his salary is already equal to the maximum notch of the appropriate scale.

(v) If an employee is not granted a salary increment in terms of paragraph (1) of sub-regulation (iv)—

(1) such employee shall again be notified in writing by the council of the reasons therefor as well as that at the expiry of a continuous period which must be indicated and which must be equal to the difference between the period mentioned in paragraph (1) of sub-regulation (iii) and an incremental period, a salary increment may be granted by the Council on condition that the principal issues a certificate in which it is declared that the employee's work performance and his conduct in regard to the qualities mentioned in sub-regulation (ii) were satisfactory during the continuous period mentioned;

BETALING VAN SALARISVERHOOGINGS.

16. (a) (i) Behoudens die bepalinge van subregulasie (ii) word die salaris van 'n werknemer verhoog met een salarisverhoging binne die perke van die skaal wat op hom van toepassing is, na die voltooiing van elke salarisverhogingstydperk en wel met ingang van die eerste dag van die maand (hieronder 'n verhogingsmaand genoem) waarin aan sodanige werknemer 'n verhoging toegestaan kan word.

(ii) Indien 'n prinsipaal 'n sertifikaat uitreik waarin verklaar word dat die gedrag van 'n werknemer onder sy toesig met betrekking tot ywer, dissipline, presiesheid op tyd of matigheid gedurende 'n salarisverhogingstydperk nie deurgaans bevredigend was nie, of dat hy sy werk gedurende sodanige salarisverhogingstydperk nie deurgaans op 'n bevredigende wyse verrig het nie, word die salaris van sodanige werknemer nie kragtens die bepalinge van subregulasie (i) verhoog nie: Met dien verstande dat die raad kan goedkeur dat die salaris van 'n werknemer kragtens die bepalinge van subregulasie (i) verhoog word nieteenstaande dat 'n sertifikaat soos in hierdie subregulasie bedoel, uitgereik is.

(iii) Indien, vanweë die uiereiking van 'n sertifikaat in subregulasie (ii) genoem, die salaris van 'n werknemer nie kragtens die bepalinge van subregulasie (i) of van die voorbehoudsbepaling van subregulasie (ii) verhoog word nie, word so 'n werknemer deur die raad skriftelik verwittig van die redes daarvoor asook dat by verstryking van 'n aaneenlopende tydperk wat aangedui word en wat nie langer as 'n salarisverhogingstydperk is nie, 'n salarisverhoging deur die raad toegeken kan word op voorwaarde dat 'n sertifikaat deur die prinsipaal uitgereik word waarin verklaar word dat die werknemer se werkverrigting en gedrag met betrekking tot die eienskappe in subregulasie (ii) genoem, gedurende sodanige tydperk bevredigend was.

(iv) (1) Indien die tydperk, in subregulasie (iii) genoem, korter is as 'n salarisverhogingstydperk word een salarisverhoging deur die raad aan die werknemer toegeken met ingang van die eerste dag van die maand wat volg op die datum waarop genoemde tydperk verstryk: Met dien verstande dat so 'n salarisverhoging slegs toegeken kan word as die prinsipaal 'n sertifikaat uitreik waarin verklaar word dat die werknemer se werkverrigting en gedrag met betrekking tot die eienskappe in subregulasie (ii) genoem, gedurende daardie tydperk bevredigend was.

(2) Indien 'n salarisverhoging kragtens paragraaf (1) aan 'n werknemer toegeken is, word 'n verdere salarisverhoging deur die raad aan hom toegeken na verstryking van 'n salarisverhogingstydperk gereken vanaf die datum waarop sy salaris kragtens subregulasie (i) verhoog sou gewees het indien daardie verhoging nie ingevolge die bepalinge van subregulasie (ii) weerhou was nie: Met dien verstande dat so 'n salarisverhoging slegs toegeken kan word as die prinsipaal 'n sertifikaat uitreik waarin verklaar word dat die werknemer se werkverrigting en gedrag met betrekking tot die eienskappe in subregulasie (ii) genoem steeds bevredigend was vanaf die datum van toekenning van die salarisverhoging in paragraaf (1) genoem, tot die datum wat dié voorafgaan waarop 'n salarisverhoging kragtens hierdie paragraaf toegeken kan word: Met dien verstande voorts dat die bepaling van hierdie paragraaf nie op 'n werknemer van toepassing is nie indien sy salaris reeds gelyk is aan die maksimum kerf van die toepaslike skaal.

(v) Indien 'n salarisverhoging kragtens paragraaf (1) van subregulasie (iv) nie aan 'n werknemer toegeken word nie—

(1) word hy weer eens deur die raad skriftelik verwittig van die redes daarvoor asook dat by verstryking van 'n aaneenlopende tydperk wat aangedui moet word en wat gelykstaande moet wees aan die verskil tussen die tydperk in paragraaf (1) van subregulasie (iii) genoem en 'n salarisverhogingstydperk, 'n salarisverhoging deur die raad toegeken kan word op voorwaarde dat 'n sertifikaat deur die prinsipaal uitgereik word waarin verklaar word dat die werknemer se werkverrigting en gedrag met betrekking tot die eienskappe in subregulasie (ii) genoem bevredigend was gedurende genoemde aaneenlopende tydperk; en

(2) the council shall grant the employee two salary increments after the expiry of an incremental period reckoned from the date on which his salary would have been increased in terms of sub-regulation (i) if such increase had not been withheld in terms of the provisions of sub-regulation (ii): Provided that such salary increments may be granted only if the principal issues a certificate in which it is declared that the employee's work performance and his conduct in regard to the qualities mentioned in sub-regulation (ii) were satisfactory during the continuous period mentioned in paragraph (1): Provided further that only one salary increment may be granted to such employee if his salary is already equal to the penultimate notch of the appropriate scale.

(vi) If the period mentioned in sub-regulation (iii) is equal to an incremental period, the Council shall grant such employee two salary increments after the expiry of such period: Provided that such salary increments may be granted only if the principal issues a certificate in which it is declared that the employee's work performance and his conduct in regard to the qualities mentioned in sub-regulation (ii) were satisfactory during such period: Provided further that such employee may be granted one salary increment only if his salary is already equal to the penultimate notch of the appropriate scale.

(vii) If an employee is not granted a salary increment in terms of paragraph (2) of sub-regulation (iv), paragraph (2) of sub-regulation (v) or sub-regulation (vi), the provisions of sub-regulations (ii), (iii), (iv), (v) and (vi) shall *mutatis mutandis* become operative afresh.

(viii) Subject to the provisions of this regulation, the salary of an employee to whom a salary increment has been granted in terms of paragraph (2) of sub-regulation (iv), paragraph (2) of sub-regulation (v), or sub-regulation (vi) shall, at the expiry of each further incremental period, be increased by one salary increment within the limits of the scale applicable to him.

(b) A staff member shall not be entitled to claim the payment of a salary increment according to scale as of right, and such increment may be withheld at any time if the staff member or employee fails to perform his duties to the satisfaction of the Council.

TRAVELLING AND SUBSISTENCE ALLOWANCE.

17. (a) A staff member who is required to travel on duty, or a staff member appointed by a council, may be paid such transport and subsistence allowances as may be approved by the council.

(b) When a staff member is authorised by the council to make use of his privately owned motor transport for institution purposes or service he shall be paid allowances at such rates as may be approved by the council.

EVALUATION OF QUALIFICATIONS.

18. Academic, professional and technical qualifications shall be recognised for appointment and salary purposes on the basis determined by the Secretary from time to time.

HOURS OF ATTENDANCE.

19. Hours of attendance shall be prescribed from time to time by the council.

PART VI.

LEAVE OF ABSENCE.

Applicability of Leave Regulations.

1. (a) The regulations of this Part are applicable to all employees in the service of an institution.

(2) word twee salarisverhogings deur die raad aan hom toegeken na verstryking van 'n salarisverhogings-tydperk gereken vanaf die datum waarop sy salaris kragtens subregulasie (i) verhoog sou gewees het indien sodanige verhoging nie kragtens die bepaling van subregulasie (ii) weerhou was nie: Met dien verstande dat sodanige salarisverhogings slegs toegeken kan word indien die prinsipaal 'n sertifikaat uitreik waarin verklaar word dat die werknemer se werkverrigting en gedrag met betrekking tot die eienskappe in subregulasie (ii) genoem, bevredigend was gedurende die aaneenlopende tydperk in paragraaf (1) genoem: Met dien verstande voorts dat slegs een salarisverhoging aan sodanige werknemer toegeken kan word indien sy salaris reeds gelyk is aan die tweede-laaste kerf van die toepaslike skaal.

(vi) Indien die tydperk in subregulasie (iii) genoem gelyk is aan 'n salarisverhogingstydperk, word twee salarisverhogings deur die raad aan sodanige werknemer toegeken na verstryking van daardie tydperk: Met dien verstande dat sodanige salarisverhogings slegs toegeken kan word indien die prinsipaal 'n sertifikaat uitreik waarin verklaar word dat die werknemer se werkverrigting en gedrag met betrekking tot die eienskappe in subregulasie (ii) genoem gedurende sodanige tydperk bevredigend was: Met dien verstande voorts dat slegs een salarisverhoging aan sodanige werknemer toegeken kan word indien sy salaris reeds gelyk is aan die tweede-laaste kerf van die toepaslike skaal.

(vii) Indien 'n salarisverhoging nie kragtens paragraaf (2) van subregulasie (iv), paragraaf (2) van subregulasie (v) of subregulasie (vi) aan 'n werknemer toegeken word nie, tree die bepaling van subregulasies (ii), (iii), (iv), (v) en (vi) *mutatis mutandis* opnuut in werking.

(viii) Behoudens die bepaling van hierdie regulasie, word die salaris van 'n werknemer aan wie 'n salarisverhoging ingevolge paragraaf (2) van subregulasie (iv) paragraaf (2) van subregulasie (v) of subregulasie (vi) toegeken is, by die verstryking van elke verdere salarisverhogingstydperk verhoog met een salaris-salarisverhoging, binne die perke van die skaal wat op hom van toepassing is.

(b) 'n Personeellid kan nie die betaling van 'n salarisverhoging volgens skaal as 'n reg eis nie, en so 'n verhoging kan te eniger tyd teruggehou word as die personeellid versuim om sy pligte tot bevrediging van die raad uit te voer.

REIS-EN-VERBLYFTOELAES.

17 (a) Aan 'n personeellid wat in diens moet reis of 'n personeellid wat deur die raad aangestel is, kan daar sodanige reis-en-verblyftoelae betaal word as wat die raad mag goedkeur.

(b) Wanneer 'n personeellid deur die raad gemagtig word om van sy private motorvervoer vir die doeleindes of diens van die inrigting gebruik te maak, word aan hom toelae betaal teen sodanige tariewe as wat deur die raad goedgekeur mag word.

WAARDEBEPALING VAN KWALIFIKASIES.

18. Akademiese, professionele of tegniese kwalifikasies word vir doeleindes van aanstelling en salaris erken op die grondslag soos deur die Sekretaris van tyd tot tyd bepaal word.

DIENSURE.

19. Diensure word van tyd tot tyd deur die raad bepaal.

DEEL VI.

AFWESIGHEIDSVERLOF.

Toepaslikheid van verlofregulasies.

1. (a) Die regulasies van hierdie Deel is van toepassing op alle werknemers in diens van 'n inrigting.

(b) Leave under these regulations shall not be granted to part-time employees but only such leave as may be approved by the Secretary.

(c) These regulations shall apply to employees whose conditions of service have been determined in accordance with the provisions of industrial or similar agreements only in so far as these regulations specifically provide that they are applicable to such employees.

By whom Leave may be Granted.

2. (a) A council may at its discretion grant leave of absence from duty to an employee, within the limits prescribed in the regulations in this Part: Provided that a council may delegate authority to a principal to grant leave to its employees.

(b) If the circumstances of a case justify a departure from the provisions of this Part, the council may grant leave on such terms as the Secretary may approve.

(c) Leave granted to an employee may be withdrawn by the council, if in its opinion the exigencies of the institution so require.

(d) Except in the case where an employee is prevented, by his sudden illness, from remaining on or reporting for duty, he may not leave or stay away from work until he has applied in writing for leave and has been advised by the council that the leave application has been approved.

(e) Leave in terms of these regulations, excluding non-accumulative leave provided for in Groups A and B of regulation 7 of this Part, is granted only after the employee has applied in writing therefor on the form approved by the council.

(f) The form of the medical certificate, which is to serve in support of an application for sick leave, shall also be approved by the council.

Leave of Absence a Privilege.

3. (a) Leave of absence provided for in these regulations is a privilege and is granted only with due regard to exigencies of the institution.

(b) Leave cannot be claimed as of right, and when an employee leaves the service of a council for any reason whatsoever, he cannot claim payment in respect of the cash value of leave standing to his credit.

Lapse of Leave on Retirement.

4. (a) Immediately an employee gives notice of resignation or a female employee gives notice of her contemplation of marriage, any leave with salary granted shall lapse with effect from the date of such notice, or, if the notice is undated, from the date the notification is received by the principal, and any leave applied for or absence from duty thereafter shall be regarded as vacation leave without salary; Provided that the council may depart from this regulation in the case of an employee who resigns to join the service of another approved institution approved by the Department: Provided further that the provisions of this sub-regulation shall—

(1) apply only in respect of absences during an employee's last 30 days of service; and

(2) not apply to—

(i) sick leave;

(ii) special leave granted in terms of paragraph (ii), (iii) or (iv) of sub-regulation (a) of regulation 24; and

(iii) vacation leave granted in terms of sub-regulation (e) (i) of regulation 21.

(b) Aan deeltydse werknemers mag geen verlof kragtens hierdie regulasies toegestaan word nie, behalwe dié verlof wat deur die Sekretaris goedgekeur word.

(c) Hierdie regulasies is van toepassing op werknemers wie se diensvoorwaardes vasgestel is in ooreenstemming met die bepalings van nywerheids- of dergelike ooreenkomste enkel vir sover as wat daar in die regulasies uitdruklik bepaal word dat hulle op genoemde werknemers van toepassing is.

Deur wie verlof toegestaan mag word.

2. (a) 'n Raad kan na goeëduke aan 'n werknemer afwesigheidsverlof toestaan binne die perke wat in die regulasies in hierdie Deel voorgeskryf is: Met dien verstande dat 'n raad aan 'n prinsipaal die bevoegdheid kan deleger om verlof aan sy werknemers toe te staan.

(b) As die omstandighede van 'n geval 'n afwyking van die bepalings van hierdie Deel regverdig, kan die raad verlof toestaan op voorwaardes wat die Sekretaris goedkeur.

(c) 'n Raad kan verlof wat aan 'n werknemer toegestaan is, intrek as die behoeftes van die inrigting dit na sy mening vereis.

(d) Behalwe in die geval waar 'n werknemer weens sy skielike siekte verhoed word om op sy werk aan te bly of hom vir diens aan te meld, mag hy nie sy werk verlaat of van diens wegby voordat hy skriftelik om verlof aansoek gedoen het en hy deur die raad in kennis gestel is dat die verlofaansoek goedgekeur is nie.

(e) Verlof ingevolge hierdie regulasies, uitgesonderd nie-oplopende verlof waarvoor in groepe A en B van regulasie 7 van hierdie Deel voorsiening gemaak word, word toegestaan slegs nadat die werknemer skriftelik in die vorm wat die raad goedgekeur het, daarom aansoek gedoen het.

(f) Die vorm van die geneeskundige sertifikaat wat ter staving van 'n aansoek om siekteverlof moet dien, moet ook deur die raad goedgekeur word.

Afwesigheidsverlof 'n vergunning.

3. (a) Afwesigheidsverlof waarvoor in hierdie regulasies voorsiening gemaak word, is 'n vergunning en word toegestaan slegs met inagneming van die behoeftes van die inrigting.

(b) Verlof kan nie as 'n reg geëis word nie en wanneer 'n werknemer die diens van 'n raad verlaat, om watter rede ook al, kan hy nie eis dat die geldwaarde van ongebruikte verlof aan hom uitbetaal word nie.

Verval van verlof by uitdienstreding.

4. (a) Sodra 'n werknemer kennis gee van bedanking of sodra 'n vroulike werknemer kennis gee van haar voorneme om in die huwelik te tree, verval enige toegestane verlof met salaris met ingang van die datum van sodanige kennisgewing, of, indien die kennisgewing nie gedateer is nie, vanaf die datum van die ontvangs daarvan deur die prinsipaal, en enige verlof aangevra of afwesigheid van diens na daardie datum word geag vakansieverlof sonder salaris te wees: Met dien verstande dat die raad van die regulasie kan afwyk in die geval van 'n werknemer wat bedank om in die diens van 'n ander, deur die Departement goedgekeurde inrigting te tree: Met dien verstande voorts dat die bepalings van hierdie subregulasie—

(1) slegs van toepassing is ten opsigte van afwesigheid gedurende die laaste 30 dae van 'n werknemer se diens; en

(2) nie van toepassing is nie op—

(i) siekteverlof;

(ii) spesiale verlof wat kragtens paragraaf (ii), (iii) of (iv) van subregulasie (a) van regulasie 24 toegestaan word; en

(iii) vakansieverlof wat kragtens subregulasie (e) (i) van regulasie 21 toegestaan word.

(b) When an employee leaves the service, any leave of absence granted to him shall lapse on the day preceding that on which such retirement becomes effective or on the date determined in terms of sub-regulation (a) if that sub-regulation is applicable to him.

(c) The period of service of an employee may not be extended in order to enable him to utilise leave which may have been granted to him.

Payment of Allowances during Leave.

5. The continuance or cessation of payment of allowances or emoluments additional to salary shall be governed by any directions issued by the Secretary in connection with the grant of such allowances or emoluments.

Classification of Leave.

6. (a) Leave shall be classified as follows:—

- (i) Vacation leave (accumulative) with full salary.
- (ii) Non-accumulative leave with full salary.
- (iii) Vacation leave without salary.
- (iv) Sick leave with full salary.
- (v) Sick leave with half salary.
- (vi) Sick leave without salary.
- (vii) Special sick leave with full or reduced salary.
- (viii) Special leave with full salary.
- (ix) Special (study) leave without salary.

(b) Except as provided for in paragraph (a) (iii) of regulation No. 24 of this Part, all unauthorised absences from duty shall, apart from any disciplinary steps which may be taken against an employee, be regarded as being vacation leave without salary, unless the council decides otherwise.

Leave Groups.

7. (a) Unless otherwise indicated the council may grant leave with full salary to employees on a basis not exceeding the following:—

Group A:—

Principal, head of division, vice-principal and other teaching personnel:—

Vacation leave (accumulative), per annum..... 14 days
Non-accumulative vacation leave (during college holidays) with full salary.

Sick leave in each cycle with—

full salary..... 90 days
half salary..... 90 days

Provided that a person employed in a temporary capacity may be granted accumulative and sick leave of one half of the periods prescribed above:

Provided further that the vacation leave privileges in respect of an employee in accordance with regulations which were applicable to him immediately before the 24th August, 1962, shall not be reduced.

Group B:—

European staff members except those classified in Group A, and also Indian clerical and stores personnel.

	<i>Permanent Employee.</i>	<i>Temporary Employee.</i>
Vacation leave (accumulative), per annum.....	10 days	6 days
Non-accumulative vacation leave	For such periods during the college holidays as the council may approve, but not exceeding 70 days per annum in the case of administrative, clerical and stores personnel.	
Sick leave in each cycle with—		
full salary.....	90 days	50 days
half salary.....	90 days	50 days

(b) As 'n werknemer uit diens tree, verval enige toegestane afwesigheidsverlof op die dag wat die datum onmiddellik voorafgaan waarop sodanige uitdienstreding van krag word of op die datum wat kragtens subregulasie (a) bepaal word, indien gemelde subregulasie op hom van toepassing is.

(c) 'n Werknemer se dienstydperk mag nie verleng word ten einde hom in staat te stel om gebruik te maak van verlof wat aan hom toegestaan mag gewees het nie.

Betaling van toelaes gedurende verlof.

5. Die voortsetting of staking van die betaling van toelaes of besoldiging bo en behalwe salaris word beheer deur voorskrifte uitgereik deur die Sekretaris in verband met die bestaan van sodanige toelaes of besoldiging.

Indeling van verlof.

6. (a) Verlof word soos volg geklassifiseer:—

- (i) Vakansieverlof (oplopend) met volle salaris;
- (ii) nie-oplopende verlof met volle salaris;
- (iii) vakansieverlof sonder salaris;
- (iv) siekteverlof met volle salaris;
- (v) siekteverlof met halwe salaris;
- (vi) siekteverlof sonder salaris;
- (vii) spesiale siekteverlof met volle of verminderde salaris;
- (viii) spesiale verlof met volle salaris;
- (ix) spesiale (studie-) verlof sonder salaris.

(b) Behalwe soos in paragraaf (a) (iii) van regulasie 24 van hierdie Deel bepaal, word alle ongemagtigde afwesighede van diens, ongeag enige ander tugmaatreëls wat teen 'n werknemer geneem mag word, geag vakansieverlof sonder salaris te wees, tensy die raad anders besluit.

Verlofgroepe.

7. (a) Tensy anders aangedui, word verlof met volle salaris deur die raad aan werknemers toegestaan op 'n grondslag wat nie ruimer as die volgende is nie:—

Groep A:—

• Prinsipaal, hoof van afdeling, vise-prinsipaal en ander onderwyspersoneel:—

Vakansieverlof (oplopend), per jaar..... 14 dae.

Nie-oplopende vakansieverlof met volle salaris (gedurende kollegevakansies).

Siekteverlof in elke tydkring met—

volle salaris..... 90 dae.
halwe salaris..... 90 dae.

Met dien verstande dat oplopende en siekteverlof vir een helfte van die tydperke hierbo voorgeskryf, toegestaan kan word aan 'n persoon wat in 'n tydelike hoedanigheid aangestel is.

Met dien verstande voorts dat die vakansieverlofvoorregte ten opsigte van 'n werknemer ingevolge regulasies wat onmiddellik voor 24 Augustus 1962 op hom van toepassing was, nie verminder word nie.

Met dien verstande voorts dat die vakansieverlofvoorregte ten opsigte van 'n werknemer ingevolge regulasies wat onmiddellik voor 24 Augustus 1962 op hom van toepassing was, nie verminder word nie.

Groep B:—

Blanke personeellede uitgesonderd dié wat in Groep A ingedeel is asook Indiër-klerklike en -voorraadepersoneel.

	<i>Permanente werknemer.</i>	<i>Tydlike werknemer.</i>
Vakansieverlof (oplopend), per jaar	10 dae	6 dae
Nie-oplopende vakansieverlof.....	Vir sulke tydperke gedurende kollegevakansies as wat die raad mag goedkeur, maar hoogstens 70 dae per jaar in die geval van administratiewe, klerklike en magasynpersoneel.	
Siekteverlof in elke tydkring met—		
volle salaris.....	90 dae	50 dae
halwe salaris.....	90 dae	50 dae

Group C:—

Non-European staff members who are not classified under Group A or B, but excluding staff members whose conditions of service have been determined in accordance with the provisions of industrial and similar agreements, who have completed—

- | | |
|---|----------|
| (i) twenty years' or longer service— | |
| Vacation leave (accumulative), per annum..... | 30 days |
| Sick leave in each cycle with— | |
| full salary..... | 80 days |
| half salary..... | 80 days |
| (ii) fifteen years' or longer, but less than 20 years' service— | |
| Vacation leave (accumulative) per annum..... | 26 days. |
| Sick leave in each cycle with— | |
| full salary..... | 60 days |
| half salary..... | 60 days |
| (iii) ten years' or longer, but less than 15 years' service— | |
| Vacation leave (accumulative), per annum..... | 22 days |
| Sick leave in each cycle with— | |
| full salary..... | 40 days |
| half salary..... | 40 days |
| (iv) five years' or longer, but less than 10 years' service— | |
| Vacation leave (accumulative), per annum..... | 18 days |
| Sick leave in each cycle with— | |
| full salary..... | 30 days |
| half salary..... | 30 days |
| (v) less than five years' service— | |
| Vacation leave (accumulative), per annum..... | 14 days |
| Sick leave in each cycle with— | |
| full salary..... | 15 days |
| half salary..... | 15 days |

(b) When a staff member who is in full-time employment in the service of—

- (i) the South African Railways;
- (ii) the State Diggings;
- (iii) a provincial education department;
- (iv) a recognised university or university college within the Republic;
- (v) an educational institution established or recognised as a state-aided school or institution under laws administered by the Department;
- (vi) a provincial administration and who was appointed under a provincial ordinance; or
- (vii) a Government Department,

is appointed without a break in service to a teaching post on the fixed establishment of an institution, such appointment shall for leave purposes be regarded as a transfer: Provided that if leave would only have been available for utilisation after a fixed period of service and such period of service has not been completed at the date on which these regulations become applicable to him, the leave credit may be reckoned in proportion to that portion of the said period of service which he has completed on the latter date and the relative leave of absence may be granted immediately.

(c) Where an employee, who has retired from a permanent post or who has relinquished a permanent post for any reason whatsoever, is re-appointed, with or without a break in service, in a temporary capacity, such re-appointment shall be regarded as a new appointment for all purposes of these regulations; previous permanent service shall not count as service for leave purposes and accumulated leave shall lapse when the permanent appointment terminates.

(d) An employee serving under contract shall, unless his service contract provides otherwise, be granted leave in accordance with these regulations, and his grouping for leave purposes shall be determined in the same manner as that of a comparable permanent employee in the service of the institution.

Accrual of Non-Accumulative Leave.

8. Non-accumulative leave shall accrue from the commencement and for the duration of the first college holidays after appointment of the employee concerned, and thereafter for the duration of each succeeding college holiday: Provided that if a person is transferred or appointed as a principal, vice-principal, or on the teaching personnel of an institution without a break in service from

Groep C:—

Nie-Blanke personeellede wat nie onder Groep A of B ingedeel is nie, uitgesonderd personeellede wie se diensvoorwaardes vasgestel is in ooreenstemming met die bepalings van nywerheids- en dergelyke ooreenkomste, wat—

- | | |
|--|--------|
| (i) 20 jaar of langer diens voltooi het— | |
| Vakansieverlof (oplopend), per jaar..... | 30 dae |
| Siekteverlof in elke tydkring met— | |
| volle salaris..... | 80 dae |
| halwe salaris..... | 80 dae |
| (ii) 15 jaar of langer, maar minder as 20 jaar diens voltooi het— | |
| Vakansieverlof (oplopend), per jaar..... | 26 dae |
| Siekteverlof in elke tydkring met— | |
| volle salaris..... | 60 dae |
| halwe salaris..... | 60 dae |
| (iii) 10 jaar of langer, maar minder as 15 jaar diens voltooi het— | |
| Vakansieverlof (oplopend), per jaar..... | 22 dae |
| Siekteverlof in elke tydkring met— | |
| volle salaris..... | 40 dae |
| halwe salaris..... | 40 dae |
| (iv) vyf jaar of langer, maar minder as 10 jaar diens voltooi het— | |
| Vakansieverlof (oplopend), per jaar..... | 18 dae |
| Siekteverlof in elke tydkring met— | |
| volle salaris..... | 30 dae |
| halwe salaris..... | 30 dae |
| (v) minder as vyf jaar diens voltooi het— | |
| Vakansieverlof (oplopend), per jaar..... | 14 dae |
| Siekteverlof in elke tydkring met— | |
| volle salaris..... | 15 dae |
| halwe salaris..... | 15 dae |

(b) Wanneer 'n personeellid wat voltyds in diens is van—

- (i) die Suid-Afrikaanse Spoorweë;
- (ii) die Staatsdelwerye;
- (iii) 'n provinsiale onderwysdepartement;
- (iv) 'n erkende universiteit of universiteitskollege binne die Republiek;
- (v) 'n onderwysinrigting wat ingestel is of as 'n Staats-ondersteunde skool of inrigting erken is kragtens wette geadminestreer deur die Departement;
- (vi) 'n provinsiale administrasie en wat kragtens 'n provinsiale ordonnansie aangestel is; of
- (vii) 'n staatsdepartement;

sonder 'n onderbreking van diens aangestel word in 'n onderwysbetrekking op die vaste diensstaat van 'n inrigting, word sodanige aanstelling vir verlofdoeleindes geag 'n oorplasing te wees: Met dien verstande dat as verlof eers na voltooiing van 'n vasgestelde dienstydpark vir benutting beskikbaar sou geword het, en sodanige dienstydpark op die datum waarop hierdie regulasies op hom van toepassing word, nog nie voltooi is nie die verlof kredeit na verhouding van die gedeelte van bedoelde dienstydpark wat hy op laasgenoemde datum voltooi het, bereken kan word en kan die betrokke afwesigheidsverlof onmiddellik toegestaan word.

(c) As 'n werknemer wat afgetree het uit 'n permanente pos of wat 'n permanente betrekking neergelê het om watter rede ook al, met of sonder onderbreking van diens heraanstelling word in 'n tydelike hoedanigheid, word so 'n heraanstelling vir alle doeleindes van hierdie regulasies as 'n nuwe aanstelling beskou, vorige permanente diens tel nie as diens vir verlofdoeleindes nie en verlof wat opge-loop het, verval by beëindiging van die permanente aanstelling.

(d) Aan 'n werknemer wat onder kontrak dien, word, tensy sy dienskontrak anders bepaal, verlof toegestaan ooreenkomstig hierdie regulasies, en sy groepering vir verlofdoeleindes word bepaal net soos dié van 'n vergelykbare permanente werknemer in diens van die inrigting.

Toeval van nie-oplopende verlof.

8. Nie-oplopende* verlof val toe vanaf die aanvang en vir die duur van die eerste kollegevakansie na aanstelling van die betrokke werknemer, en daarna vir die duur van elke daaropvolgende kollegevakansie: Met dien verstande dat as 'n persoon sonder onderbreking in sy diens vanaf die staatsdiens of van 'n provinsiale of spoorweg-administrasie, of die Administrasie van Suidwes-Afrika, of

the public service or from a Provincial or Railway Administration, or The Administration of South West Africa, or from an institution under the control of the Department of Education, Arts and Science, and if such transfer or appointment is effected from a date falling within a period of college holidays, non-accumulative leave may be granted to such person from the date of his transfer or appointment and shall be for the unexpired portion of the said college holidays.

Certain Employees to Remain on Duty during College Holidays and Leave Credits therefor.

9. (a) The council may require an employee to remain on duty during any college holidays.

(b) If an employee who ordinarily is entitled to non-accumulative leave during college holidays, is required in terms of paragraph (a) hereof to remain on duty for the whole or portion of any college holidays, he may be credited with a period of accumulative leave equivalent to one half of the number of days during which he so remained on duty: Provided that such credit shall not exceed twenty-five days in any calendar year: Provided further that no credit shall be given in respect of part-time duties performed.

Leave Erroneously Granted.

10. In the event of an employee being granted leave in excess of that provided for in these regulations, such overgrant shall be deducted from vacation leave which subsequently accrues to him, provided the over-grant was made in good faith.

Days of Rest.

11. (1) A day of rest shall not be regarded as leave and shall not be recorded as such in the leave register: Provided that—

- (a) a day of rest, or two or more consecutive days of rest, falling within a period of leave, shall be regarded as leave falling under the same heading of sub-regulation (a) of regulation 6 as the leave which precedes and succeeds such day or days of rest;
- (b) a day of rest, or two or more consecutive days of rest, falling between a period of vacation or non-accumulative leave and a period of sick leave (or vice versa) shall be regarded as vacation leave unless the employee concerned produces evidence that he was actually ill on such day or days of rest;
- (c) if an employee who is called upon to report for duty on a day of rest fails to do so, such day of rest shall be regarded as vacation leave without pay, unless he is prevented from reporting for duty by circumstances which are acceptable to the council.

(2) An employee shall not be paid salary in respect of a day of rest unless he is entitled to such payment for the day in terms of his conditions of service.

Vacation Leave in Terms of the Repealed Regulations or in respect of Employees Transferred from Provincial or Other Service.

12. (a) The promulgation of these regulations and the repeal of the regulations which were in force immediately prior to such promulgation shall in no way affect the of an employee who was in the service immediately prior to the coming into force of these regulations, and accumulated vacation leave shall remain to the credit of such employee.

(b) If an employee has been employed at an institution prior to the introduction of these regulations, and if the leave privileges in respect of such period of service were not governed by any Act, Ordinance regulation or conditions of service recognized by the Secretary, such employee may be credited with such leave in respect of such service continuity of the accumulative vacation leave privileges as the Secretary may approve.

van 'n inrigting onder die beheer van die Departement van Onderwys, Kuns en Wetenskap as prinsipaal, vise-prinsipaal of op die onderwyspersoneel oorgeplaas of aangestel word, en as so 'n oorpasing of aanstelling in werking tree vanaf 'n datum wat binne 'n kollegevakansie-tydperk val, nie-oplopende verlof vanaf die datum van sy oorpasing of aanstelling, en wel vir die onverstreke deel van genoemde kollegevakansie aan so 'n persoon toegestaan kan word.

Sekere werknemers wat gedurende kollegevakansies diens moet doen en verlofkrediet daarvoor.

9. (a) Die raad kan vereis dat 'n werknemer op diens moet wees gedurende enige kollegevakansie.

(b) As daar van 'n werknemer wat gewoonlik gedurende kollegevakansies op nie-oplopende verlof geregtig is, ingevolge paragraaf (a) hiervan vereis word dat hy vir 'n volle kollegevakansie of gedeelte daarvan diens moet doen, kan aan hom krediet verleen word vir 'n tydperk van oplopende verlof gelykstaande met een helfte van die aantal dae wat hy op diens was: Met dien verstande dat so 'n verlofkrediet nie 25 dae in enige kalenderjaar oorskry nie: Met dien verstande voorts dat geen verlofkrediet ten opsigte van deeltydse diens verrig, gegee word nie.

Verlof verkeerdelik toegestaan.

10. As daar aan 'n werknemer meer verlof toegestaan is as waarvoor in hierdie regulasies voorsiening gemaak word, kan so 'n oortoenning afgetrek word van vakansieverlof wat later aan hom toeval, mits die oortoenning te goeder trou gedoen is.

Rusdae.

11. (1) 'n Rusdag word nie geag verlof te wees nie en word nie in die verlofregister as sodanig aangeteken nie: Met dien verstande dat—

- (a) 'n rusdag of twee of meer opeenvolgende rusdae, wat binne 'n tydperk van verlof val, geag word verlof te wees wat onder dieselfde hoof van sub-regulasie (a) van regulasie 6 val as die verlof wat sodanige rusdag of rusdae voorafgaan en daarop volg;
- (b) 'n rusdag, of twee of meer opeenvolgende rusdae, wat tussen 'n tydperk van vakansie- of nie-oplopende verlof en 'n tydperk van siekteverlof (of omgekeerd) val, geag word vakansieverlof te wees, tensy die werknemer bewys lewer dat hy werklik op sodanige rusdag of rusdae siek was;
- (c) as 'n werknemer aangesê word om hom op 'n rusdag vir diens aan te meld en hy in gebreke bly om dit te doen, sodanige rusdag geag word vakansieverlof sonder salaris te wees, tensy hy weens omstandighede wat vir die raad aanneemlik is, verhinder word om hom vir diens aan te meld.

(2) 'n Werknemer word nie salaris ten opsigte van 'n rusdag betaal nie tensy hy kragtens sy diensvoorwaardes op betaling vir die dag geregtig is.

Vakansieverlof kragtens die regulasies wat herroep is of ten opsigte van werknemers oorgeplaas van provinsiale of ander diens.

12. (a) Die uitvaardiging van hierdie regulasies en die intrekking van die regulasies wat onmiddellik voor sodanige uitvaardiging van krag was, raak in geen opsig die aaneenlopendheid van die oplopende vakansieverlof-voorregte van 'n werknemer wat onmiddellik voor die datum van inwerkingtreding van hierdie regulasies in die diens was nie, en opgelope vakansieverlof bly staan tot die krediet van sodanige werknemer.

(b) As 'n werknemer vóór die inwerkingtreding van hierdie regulasies by 'n inrigting werkzaam was en as die verlofvoorregte ten opsigte van sodanige dienstdynerk nie deur enige wet, ordonnansie, regulasies of diensvoorwaardes wat deur die Sekretaris erken word, beheer is nie, kan die werknemer met sodanige verlof ten opsigte van sodanige diens as wat die Sekretaris mag goedkeur, gekrediteer word.

(c) If an employee referred to in paragraph (a) hereof was eligible for leave in terms of the conditions or regulations applicable to him prior to the date on which he became eligible for leave in terms of these regulations, in respect of a definite period of service, he may be granted a proportional leave credit in respect of the completed portion of such definite period.

(d) In the application of the provisions of sub-regulation (b) of regulation 7 any portion of a day shall be regarded as one day when the accumulated vacation leave is placed to the credit of an employee on the date these regulations become applicable to him.

Leave Register.

13. (a) A leave register shall be kept by each institution, and the grant of leave in terms of these regulations, except the non-accumulative leave provided for in groups A and B of regulation 7 of this Part, shall be recorded in such register.

(b) A copy of each application for leave, with the approval endorsed thereon, shall be filed for record purposes at the institution concerned.

(c) An accrual of accumulative leave approved in terms of regulation 9 of this Part shall be recorded in the said register, and the approval shall be filed for record purposes in support of such credit entry.

General Provision: Vacation Leave.

14. (a) Accumulative vacation leave, excluding accumulative vacation leave placed to the credit of an employee in terms of sub-regulation (b) of regulation 9, shall accrue in respect of each completed month of service at the rate of one-twelfth of the provision applicable to an employee in terms of sub-regulation (a) of regulation 7.

(b) If an employee is transferred from one post to another and his transfer results in a change in his classification for leave purposes or if, for any reason other than his transfer, he passes from one vacation leave group to another—

(i) he shall retain the accumulative vacation leave credit which accrued during his service in the previous group or groups; and

(ii) the accumulative vacation leave of the new group shall become applicable to him from the first day of the month during which such transfer becomes effective;

unless the provisions of sub-regulation (c) of regulation 7 are applicable to him.

(c) Subject to the provisions of sub-regulations (d) and (e) of this regulation, a council may at any time require an employee to take the leave due to him.

(d) An employee admitted to the leave privileges of groups B or C of regulation 7 of this Part, shall not be granted more than 184 days' accumulative leave in the course of any continuous period of service of 18 months: Provided that the council may authorise a reasonable extension of such leave to an employee who is prevented from resuming duty owing to causes beyond his control, if such employee has sufficient leave to his credit: Provided further that if such employee has not sufficient leave to his credit to cover the extension desired, any period of leave granted in excess of the leave credit shall be deemed vacation leave without salary.

(e) (i) Accumulative leave for less than one full college term shall not be taken by an employee who has been admitted to the leave privileges of group A of regulation 7 of this Part, until such period has accrued and is available: Provided that in exceptional circumstances the council may authorise an employee to take such accumulative leave as may have accrued to him or a portion thereof at any time.

(ii) The commencement and termination of a period of accumulative leave granted to an employee classified under group A shall, unless otherwise authorised by the council, coincide with the commencement and termination,

(c) As 'n werknemer in paragraaf (a) hiervan vermeld, ten opsigte van 'n bepaalde dienstydperk vir verlof in aanmerking gekom het ooreenkomstig die voorwaardes of regulasies wat op hom van toepassing was vóór die datum waarop hy ooreenkomstig hierdie regulasies vir verlof in aanmerking gekom het, kan daar aan hom 'n eweredige verlofkrediet ten opsigte van die voltooide gedeelte van so 'n bepaalde tydperk toegestaan word.

(d) By die toepassing van die bepalings van subregulasie (b) van regulasie 7, word enige gedeelte van 'n dag as een dag gereken wanneer die opgelope vakansieverlof tot 'n werknemer se krediet geplaas word op die datum waarop hierdie regulasies op hom van toepassing word.

Verlofregister.

13. (a) Elke inrigting hou 'n verlofregister aan en verlof wat ooreenkomstig hierdie regulasies toegestaan word, uitgesonderd nie-oplopende verlof waarvoor daar in-groepe A en B van regulasie 7 van hierdie Deel voorsiening gemaak word, word in daardie register aangeteken.

(b) 'n Afskrif, van elke aansoek om verlof, met die goedkeuring daarop aangeteken, word vir registrasiedoeleindes by die betrokke inrigting gebêre.

(c) Oplopende verlof wat met goedkeuring kragtens regulasie 9 van hierdie Deel toeval, word ook in genoemde register aangeteken en die goedkeuring word te staving van so 'n kredietinskrywing vir registrasiedoeleindes gebêre.

Algemene bepalings: Vakansieverlof.

14. (a) Oplopende vakansieverlof, uitgesonderd oplopende vakansieverlof wat kragtens subregulasie (b) van regulasie 9 tot 'n werknemer se krediet geplaas word, was aan ten opsigte van elke voltooide maand van diens en wel teen een-twaalfde van die voorsiening wat kragtens subregulasie (a) van regulasie 7 op 'n werknemer van toepassing is.

(b) As 'n werknemer van een betrekking na 'n ander betrekking oorgeplaas word en sy oorplasing 'n verandering van sy groepering vir verlofdoeleindes meebring, of as hy om enige ander rede as sy oorplasing van die een na die ander vakansieverlofgroep oorgaan—

(i) behou hy die oplopende vakansieverlofkrediet wat gedurende sy dienstydperk in die vorige groep of groepe aangewas het; en

(ii) word die nuwe groep se oplopende vakansieverlof op hom van toepassing vanaf die eerste dag van die maand waarin sodanige oorplasing van krag word, tensy die bepalings van subregulasie (c) van regulasie 7 op hom van toepassing is.

(c) Behoudens die bepalings van subregulasies (d) en (e) van hierdie regulasie, kan die raad te eniger tyd eis dat 'n werknemer verlof wat hom toegeval het, neem.

(d) Aan 'n werknemer wat tot die verlofvoorregte van groepe B of C van regulasie 7 van hierdie Deel toegelaat word, mag nie meer as 184 dae oplopende verlof in die loop van 'n ononderbroke dienstydperk van 18 maande toegestaan word nie: Met dien verstande dat die raad 'n redelike verlenging van sodanige verlof aan 'n werknemer wat weens oorsake buite sy beheer belet word om sy diens te hervat, kan toestaan as so 'n werknemer genoeg verlof tot sy beskikking het: Met dien verstande voorts dat as so 'n werknemer nie voldoende verlof tot sy beskikking het vir die verlangde verlenging van sy verlof nie, die tydperk van verlof verleen bo en behalwe die verlofkrediet as vakansieverlof sonder salaris beskou word.

(e) (i) 'n Werknemer wat tot die verlofvoorregte van groep A van regulasie 7 van hierdie Deel toegelaat is, kan nie oplopende verlof vir minder as 'n volle kollegekwartaal neem voordat so 'n tydperk toegeval het en beskikbaar is nie: Met dien verstande dat die raad in buitengewone omstandighede so 'n werknemer kan toelaat om sodanige oplopende verlof as wat hom toegeval het of 'n deel daarvan te eniger tyd te neem.

(ii) Die aanvang en beëindiging van 'n tydperk van oplopende verlof-wat toegestaan word aan 'n werknemer wat onder groep A geklassifiseer word, moet, tensy die raad andersins magtig, met onderskeidelik die aanvang en

respectively, of a college term, and the total continuous period of accumulative leave shall not at any time extend over more than two college terms: Provided that the council may authorise a reasonable extension of such leave to an employee who is prevented from resuming duty owing to causes beyond his control, if he has sufficient leave to his credit: Provided further that if an employee has not sufficient leave to his credit to cover the extension desired, any period of leave granted in excess of the leave credit shall be deemed vacation leave without salary.

Leave for Study Purposes.

15. (a) Notwithstanding anything to the contrary contained in these regulations, an employee may be granted vacation leave for a period not exceeding 12 months or, in the case of a member of the teaching staff, four school terms, for study purposes approved by the council.

(b) Leave without salary for the purpose of such further study as the Secretary may approve may be granted for a period not exceeding 12 months.

Transfers during College Holidays.

16. An employee who is in full-time employment in the service of—

- (a) the South African Railways;
- (b) the State Diggings;
- (c) a provincial education department;
- (d) a recognised university or university college within the Republic;
- (e) an educational institution established or recognised as a state-aided school or institution under laws administered by the Department;
- (f) a provincial administration and who was appointed in terms of a provincial ordinance; or
- (g) a Government Department; and

who is appointed or transferred without a break in service to the teaching staff of an institution and such appointment or transfer takes place during the college holidays, may be paid from the date of his appointment or transfer and for the unexpired portion of such college holidays.

Sick Leave for Confinement.

17. Absence from duty for the purpose of confinement in the case of a female employee may not be covered by the grant of sick leave with or without salary. Vacation leave without salary for a continuous period not exceeding six months may, however, be granted. A female employee may elect to take any accumulative leave standing to her credit in lieu of leave without salary, for the purpose indicated. Vacation leave without salary granted in terms of this regulation shall be subject to the provisions of regulation 27 of this Part.

Special Leave with Full Salary.

18. Special leave with full salary may be granted to an employee when, as a member of the teaching staff, he attends any class of instruction or vacation course for teachers approved by the council.

Vacation and Sick Leave without Salary. College Holidays Part thereof.

19. When an employee, who ordinarily does not perform duties during college holidays, is absent on leave up to and including the last day of a college term and proceeds on leave as from the first day of the next college term, the period of the college holiday intervening shall not rank as leave unless such college holidays are preceded and succeeded by sick or vacation leave without salary. In such a case the college holidays will be recorded as vacation or sick leave without salary as the case may be.

beëindiging van 'n kollegekwartaal saamval, en die totale ononderbroke tydperk van oplopende verlof strek nie oor meer as twee kollegekwartale nie: Met dien verstande dat die raad 'n redelike verlenging van sodanige verlof aan 'n werknemer wat weens oorsake buite sy beheer nie sy dienste kan hervat nie, kan toestaan as hy genoeg verlof tot sy beskikking het: Met dien verstande voorts dat as 'n werknemer nie voldoende verlof tot sy beskikking het vir die verlangde verlenging van sy verlof nie, die tydperk van verlof verleen bo en behalwe die verlofkrediet as vakansie-verlof sonder salaris beskou word.

Verlof vir Studiedoeleindes.

15. (a) Ondanks andersluidende bepalings van hierdie regulasies, kan aan 'n werknemer vakansieverlof vir 'n tydperk van hoogstens 12 maande of, in die geval van 'n lid van die doserende personeel vier skoolkwartale, vir studiedoeleindes wat die raad goedkeur, toegestaan word.

(b) Verlof sonder salaris vir die doel van verdere studies wat die Sekretaris goedkeur, kan vir 'n tydperk van hoogstens 12 maande toegestaan word.

Oorplasing gedurende kollegevakansies.

16. 'n Werknemer wat voltyds in diens is van—

- (a) die Suid-Afrikaanse Spoorweë;
- (b) die Staatsdelwerye;
- (c) 'n provinsiale onderwysdepartement;
- (d) 'n erkende universiteit of universiteitskollege binne die Republiek;
- (e) 'n onderwysinrigting wat ingestel of as 'n staats-ondersteunde skool of inrigting erken is ingevolge wette geadministreer deur die Departement;
- (f) 'n provinsiale administrasie en ingevolge 'n provinsiale ordonnansie aangestel is; of
- (g) 'n staatsdepartement,

en sonder 'n onderbreking van diens aangestel word in of oorgeplaas word na die doserende personeel van 'n inrigting en waar sodanige aanstelling of oorplasing gedurende 'n kollegevakansie plaasvind, kan betaal word vanaf die datum van sy aanstelling of oorplasing en vir die onverstreke gedeelte van genoemde kollegevakansie.

Siekteverlof vir bevalling.

17. Afwesigheid vir die doel van 'n bevalling in die geval van 'n vroulike werknemer, kan nie gedek word deur die toekenning van siekteverlof met of sonder salaris nie. Vakansieverlof sonder salaris vir 'n aaneenlopende tydperk van hoogstens ses maande kan egter toegestaan word. 'n Vroulike werknemer kan kies om enige oplopende verlof wat tot haar beskikking is vir gemelde doel te neem in plaas van verlof sonder salaris. Vakansieverlof sonder salaris wat ooreenkomstig hierdie regulasie toegestaan word, is onderworpe aan die bepalings van regulasie 27 van hierdie Deel.

Spesiale verlof met volle salaris.

18. Spesiale verlof met volle salaris kan aan 'n werknemer toegestaan word wanneer hy as lid van die doserende personeel enige onderwysklas of vakansiekursus vir onderwysers deur die raad goedgekeur, bywoon.

Vakansie- en siekteverlof sonder salaris—kollegevakansies—deel daarvan.

19. Wanneer 'n werknemer wat gewoonlik nie gedurende kollegevakansies diens verrig nie, tot en met die laaste dag van 'n kollegekwartaal met verlof afwesig is en met ingang van die eerste dag van die volgende kollegekwartaal met verlof gaan, word die tussenkomende kollegevakansie nie as verlof beskou nie, behalwe waar sodanige kollegevakansie voorafgegaan en gevolg word deur siekte- of vakansieverlof sonder salaris. In so 'n geval word die kollegevakansie as vakansie- of siekteverlof sonder salaris na gelang van die geval, aangeteken.

Recording of Accumulative Vacation Leave.

20. The accumulative vacation leave standing to the credit of an employee on the 1st January of each year shall be recorded in the leave register, and in recording such credit any portion of a day shall be regarded as one day.

General Provisions: Sick Leave.

21. (a) Sick leave accrues to an employee on the first day of a cycle and with effect from that day the full provision of the relative cycle may be granted to him if the other provisions of these regulations are complied with: Provided that no employee may be granted sick leave with full or half salary until he has completed thirty days' service and then only in respect of absences subsequent to the completion of such service.

(b) If an employee, during a cycle and without a break in service—

- (i) passes to a group in which the sick leave provision is less favourable than that formerly applicable to him, he shall, for the duration of the relative cycle, retain the sick leave provision formerly applicable to him; or
- (ii) passes to a group in which the sick leave provision is more favourable than previously, he shall immediately acquire the sick leave provision of the new group less any paid sick leave already used by him during the relative cycle.

(c) Unused sick leave prescribed for a particular cycle shall lapse at the end of that cycle and may not be carried forward to the next cycle.

(d) If an employee, who has been granted the maximum amount of sick leave provided for in these regulations, is not yet able, for health reasons, to resume his duties, the council—

- (i) on the submission to it of a satisfactory certificate by a registered medical practitioner; and
- (ii) if it is satisfied that the employee at that particular time is not permanently unfit to resume his normal duties; and
- (iii) if the employee has no vacation leave to his credit, may, at its discretion, grant the employee further sick leave with half salary not exceeding 92 days in any one cycle. This grant may be made in respect of separate periods of absence and in respect of different kinds of illnesses.

(e) (i) An employee may, on application, in writing, be granted any vacation leave which he may have to his credit in lieu of sick leave with half salary or without salary, provided such application is submitted not later than thirty days after he has resumed duty.

(ii) Once the vacation leave referred to has been granted to an employee and he has received salary in respect thereof, such leave may not be reconverted into sick leave with half salary or without salary.

(f) (i) In the event of an employee, to whom vacation leave has been granted, becoming ill after he has left his duties to proceed on vacation leave, that portion of vacation leave during which he was indisposed, may be converted into sick leave if—

- (a) the employee submits to the council a certificate by a registered medical practitioner [or a registered dentist if sub-regulation (f) of regulation 22 is applicable to him] which complies with the requirements prescribed in regulation 22; and
- (b) the necessary sick leave is available in terms of the regulations.

(ii) Vacation leave without salary may not be converted into sick leave.

Aanteken van oplopende vakansieverlof.

20. Die oplopende vakansieverlof wat 'n werknemer op 1 Januarie van elke jaar tot sy krediet het, word in die verloffregister aangeteken, en by die aantekening van sodanige krediet word enige gedeelte van 'n dag as een dag gereken.

Algemene bepalinge: Siekteverlof.

21. (a) Siekteverlof val toe aan 'n werknemer op die eerste dag van 'n tydkring, en met ingang van daardie dag kan die volle voorsiening vir die betrokke tydkring aan hom toegestaan word, mits aan die ander bepalinge van hierdie regulasie voldoen word: Met dien verstande dat aan geen werknemer siekteverlof met volle of halwe salaris toegestaan mag word voordat hy 30 dae diens voltooi het nie en dan slegs ten opsigte van afwesighede na die voltooiing van sodanige diens.

(b) As 'n werknemer gedurende 'n tydkring sonder onderbreking van diens—

- (i) oorgaan na 'n groep waarin die siekteverlofvergunning minder gunstig is as dié wat voorheen op hom van toepassing was, behou hy vir die duur van die betrokke tydkring die siekteverlofvergunning wat voorheen op hom van toepassing was; of
- (ii) oorgaan na 'n groep waar die siekteverlofvergunning gunstiger is as voorheen, verwerf hy onmiddellik die siekteverlofvergunning van die nuwe groep min enige betaalde siekteverlof wat hy reeds gedurende die betrokke tydkring gebruik het.

(c) Ongebruikte siekteverlof wat vir 'n bepaalde tydkring voorgeskryf is, verval aan die einde van die betrokke tydkring en kan nie na die volgende tydkring oorgedra word nie.

(d) As aan 'n werknemer die maksimum hoeveelheid siekteverlof waarvoor in hierdie regulasies voorsiening gemaak is, toegestaan is, en hy weens gesondheidsredes nog nie in staat is om sy pligte te hervat nie, kan die raad—

- (i) by die voorlegging aan hom van 'n bevredigende sertifikaat van 'n geregistreerde geneesheer; en
- (ii) as hy oortuig is dat die werknemer op die betrokke tydstop nie permanent ongeskik is vir die hervatting van sy normale pligte nie; en
- (iii) as die werknemer geen vakansieverlof tot sy krediet het nie,

na goedgekeurde verdere siekteverlof met halwe salaris aan laasgenoemde toeken vir hoogstens 92 dae in enige besonderse tydkring. Hierdie toekenning kan gedoen word ten opsigte van afsonderlike tydperke van afwesigheid en ten opsigte van ongesteldhede van verskillende aard.

(e) (i) Aan 'n werknemer kan, op sy skriftelike aansoek, enige vakansieverlof wat hy tot sy krediet het, toegestaan word in plaas van siekteverlof met halwe salaris of siekteverlof sonder salaris, mits sodanige aansoek nie later nie as 30 dae nadat hy diens hervat het, ingedien word.

(ii) As bedoelde vakansieverlof aan 'n werknemer toegestaan is en hy ten opsigte daarvan salaris ontvang het, mag dit nie weer in siekteverlof met halwe of sonder salaris omgesit word nie.

(f) (i) As 'n werknemer aan wie vakansieverlof toegestaan is, siek word nadat hy reeds sy diens verlaat het om met vakansieverlof te gaan, kan daardie gedeelte van bedoelde vakansieverlof waartydens hy siek was in siekteverlof omgeskep word as—

- (a) die werknemer by die raad 'n sertifikaat van 'n geregistreerde geneesheer [of 'n geregistreerde tandarts as subregulasie (f) van regulasie 22 op hom van toepassing is] indien wat aan die vereistes voorgeskryf in regulasie 22 voldoen; en
- (b) die nodige siekteverlof kragtens regulasies beskikbaar is.

(ii) Vakansieverlof sonder salaris mag nie in siekteverlof omgeskep word nie.

Granting of Sick Leave.

22. (a) Sick leave shall be granted only in respect of the absence from duty of an employee owing to an illness, indisposition or injury not due to his misconduct or failure to take reasonable precautions.

(b) Sick leave may be granted in respect of nervous complaints, insomnia, debility and similar ill-defined illnesses or indispositions only if the council is satisfied that the applicant's state of health—

(i) incapacitates him for duty; and

(ii) does not arise from his failure to take vacation leave.

(c) The council may at any time require an employee to submit to an examination by a registered medical practitioner or medical board. The expenditure connected with such examination shall be paid by the council.

(d) (i) If an employee is absent from duty for a continuous period of more than three days owing to illness, he may be granted sick leave only if he furnishes the council with a certificate by a registered medical practitioner [or a registered dentist if sub-regulation (f) is applicable to him] which clearly describes the nature of the illness, which states that he is not capable of performing his official duties, and in which is indicated the period necessary for his recuperation.

(ii) The council may, at his discretion, require the submission of a similar certificate in respect of periods of three days or less.

(iii) If the council is satisfied that the absence of the employee is bona fide due to illness and that there are good reasons for the non-production of a medical certificate it may waive the submission of a medical certificate by the employee in respect of sick leave for a continuous period not exceeding 14 days. Such exemption shall be endorsed on the leave application.

(e) Sick leave in respect of which a certificate mentioned in paragraph (d) hereof is not submitted, may be granted only for an aggregate of 10 days during any calendar year and further absences shall be covered by the granting of vacation leave or, if the employee has no vacation leave to his credit, of vacation leave without salary. The provisions of this sub-regulation are not applicable to periods of absence in respect of which exemption in terms of paragraph (d) (ii) has been granted and neither are such periods taken into consideration in the determination of the 10 days.

(f) If an employee's absence is attributable to a dental abscess, a fracture of the jaw, acute Vincent infection of the mouth or complications following dental extractions, such as osteomyelitis, osteitis and secondary haemorrhage, a certificate as defined in sub-regulation (d) hereof and issued by a registered dentist may be accepted for the purpose of that paragraph. Notwithstanding the provisions of this paragraph, the council may require that a certificate by a registered medical practitioner be submitted before sick leave is granted by it.

(g) Notwithstanding the submission of a certificate as defined in sub-regulations (d) and (f) hereof, the council may, at its discretion, refuse to grant sick leave with salary in respect of any absence from duty to which the certificate relates, and in such case the absence shall be regarded as unauthorised and the provisions of paragraph (b) of regulation 6 of this Part shall apply.

(h) Nothing in these regulations contained shall preclude the termination of the service of an employee on the grounds of ill-health before any period of sick leave allowable has been granted.

Special Sick Leave.

23. An employee who sustains an injury or contracts an illness in the course of the performance of his office duties may be granted special sick leave with full salary for the period he is incapacitated for his normal work: Pro-

Toestaan van siekteverlof.

22. (a) Siekteverlof word alleen toegestaan in verband met 'n werknemer se afwesigheid van diens weens siekte, ongesteldheid of letsel wat nie toe te skryf is aan sy wangedrag of gebrek aan behoorlike voorsorg van sy kant nie.

(b) In verband met senuwee-aandoenings, slaaploosheid, swakte of dergelike minder goed omskrewre siektes of ongesteldheid word siekteverlof slegs toegestaan as die raad oortuig is dat die applikant se gesondheidstoestand—

(i) hom ongeskik maak vir sy werk; en

(ii) nie voortvloei uit sy versuim om van vakansieverlof gebruik te maak nie.

(c) Die raad kan te eniger tyd eis dat 'n werknemer hom onderwerp aan 'n ondersoek deur 'n geneeskundige praktisyn of geneeskundige raad. Die onkoste van so 'n ondersoek word deur die raad betaal.

(d) (i) As 'n werknemer weens siekte van diens afwesig is vir 'n aaneenlopende tydperk van langer as drie dae, kan siekteverlof aan hom toegeken word slegs as hy 'n sertifikaat van 'n geregistreerde geneesheer [of 'n geregistreerde tandarts as subregulasie (f) op hom van toepassing is] wat duidelik die aard van die siekte omskryf, wat verklaar dat hy nie in staat is om sy ampspligte waar te neem en wat aantoon watter tydperk nodig is vir sy herstel, by die raad indien.

(ii) Die raad kan na goeddunke eis dat 'n dergelike sertifikaat ook ten opsigte van tydperke van drie dae of minder ingedien word.

(iii) Indien die raad daarvan oortuig is dat die werknemer se afwesigheid *bona fide* te wyte is aan siekte en dat daar goeie redes bestaan waarom 'n geneeskundige sertifikaat nie ingedien word nie, kan hy die werknemer van die indiening van die sertifikaat vrystel ten opsigte van 'n aaneenlopende tydperk van siekteverlof van nie langer as 14 dae nie. Sodanige vrystelling moet op die verlofaansoek geëndosseer word.

(e) Siekteverlof ten opsigte waarvan 'n sertifikaat, soos in paragraaf (d) hiervan omskryf word, nie ingedien word nie, mag slegs toegestaan word vir altesaam 10 dae gedurende enige kalenderjaar; enige verdere afwesighede moet gedek word deur die toestaan van vakansieverlof of as die werknemer geen vakansieverlof tot sy krediet het nie, van vakansieverlof sonder salaris. Die bepalings van hierdie subregulasie is nie van toepassing op tydperke van afwesigheid ten opsigte waarvan vrystelling kragtens paragraaf (d) (iii) hiervan verleen is nie en sodanige tydperke word ook nie ingereken by die vasstelling van die 10 dae nie.

(f) As 'n werknemer se afwesigheid te wyte is aan 'n tandverswering, 'n kakebeenbreuk, akute Vincentbesmetting van die mond of komplikasies wat voortvloei uit die trek van tande, soos beenmurgonsteking, beenontsteking en sekondêre bloeding kan 'n sertifikaat soos in subregulasie (d) hiervan omskryf en wat uitgereik word deur 'n geregistreerde tandarts vir die toepassing van daardie paragraaf aanvaar word. Ondanks die bepalings van hierdie paragraaf kan die raad vereis dat 'n sertifikaat deur 'n geregistreerde geneesheer ingedien word alreer hy siekteverlof toestaan.

(g) Ondanks die indiening van 'n sertifikaat soos in subregulasies (d) en (f) hiervan omskryf, kan die raad na goeddunke weier om siekteverlof met salaris toe te staan ten opsigte van enige afwesigheid van diens waarop die sertifikaat betrekking het, en so 'n afwesigheid word as ongemagtig beskou en is aan die bepalings van paragraaf (b) van regulasie 6 van hierdie Deel onderworpe.

(h) Niks in hierdie regulasies belet die raad om die diens van 'n werknemer te beëindig weens swak gesondheid voordat 'n tydperk van toelaatbare siekteverlof toegestaan is nie.

Spesiale siekteverlof.

23. Aan 'n werknemer wat by die verrigting van sy ampspligte 'n besering of siekte opdoen, kan spesiale siekteverlof met volle salaris toegestaan word vir die tydperk wat hy nie in staat is om te werk nie: Met dien

vided that if such injury or disease is such that it entitles him to compensation in terms of the Workmen's Compensation Act, 1941, such leave may be granted to him for the aforementioned period at remuneration equal to the difference between full salary and the compensation payable to him in terms of that Act. Special sick leave in terms of this regulation shall not be granted if the council is of the opinion that the accident is attributable to the serious and wilful misconduct of the employee.

Special Leave with Full Salary.

24. (a) In addition to other leave which is allowable in terms of these regulations, special leave with full salary may be granted to an employee—

- (i) to write a university or other examination which is conducted within the Republic and which has been approved by the council;
- (ii) when he is absent from duty as a result of segregation or isolation on medical instructions where he was in contact with a person who has contracted, or is suspected of having contracted, an infectious or contagious disease. The granting of special leave under this paragraph is subject to the submission of a certificate by a registered medical practitioner indicating the period of and reason for isolation;
- (iii) when he is arrested or has to appear before court on a criminal charge and he is subsequently acquitted or the charge withdrawn;
- (iv) (a) when, as a member of the Citizen Force, he is required, in terms of the Defence Act, 1957, or any regulation made thereunder, to undergo continuous or non-continuous training, except when he is performing full-time service in lieu of peace-time training in terms of section twenty or undergoing continuous training in terms of section twenty-three of the Defence Act, 1957;
- (b) when, as a member of the Citizen Force as defined above, he voluntarily, or in pursuance of a special agreement between him and the Department of Defence relating to his training, and with the permission the council undertakes any continuous or non-continuous training or attends an instructional or qualifying course over and above any training to which he is liable in terms of the said Act, provided the Officer Commanding the respective Command or Air Force Group certifies that such training or course is necessary in the interest of the South African Defence Force;
- (c) when, as a member of a Commando, he is required in terms of the Defence Act, 1957, or any regulation made thereunder, to attend training exercises or other annual training in terms of section forty-four of the said Act, provided that the Officer Commanding the relative Command certifies that attendance at such training exercises or other annual training is in accordance with the provisions of the aforesaid regulation;
- (d) when, as a member of a Commando, he attends an instructional or qualifying course, provided that the Officer Commanding the relative Command certifies that attendance at such course is necessary in the interest of the South African Defence Force;
- (e) when, as a member of the Reserve of Officers, he is required to attend a refresher course or undergo refresher training in order to maintain his proficiency, provided that the relative Army, Air or Naval Chief of Staff certifies that such course or training is necessary in the interest of the South African Defence Force;

verstande dat in gevalle waar so 'n besering of siekte sodanig is dat dit hom geregtig maak tot skadeloosstelling kragtens die Ongevallewet, 1941, sodanige verlof vir voormelde tydperk aan hom toegestaan kan word teen 'n betaling gelyk aan die verskil tussen sy volle salaris en die skadeloosstelling wat aan hom kragtens genoemde Wet betaalbaar is. Spesiale siekteverlof kragtens hierdie regulasie word nie toegestaan as die raad van oordeel is dat die ongeval aan die ernstige en opsetlike wangedrag van die werknemer toe te skryf is nie.

Spesiale verlof met volle salaris.

24. (a) Benewens ander verlof wat ooreenkomstig hierdie regulasies toelaatbaar is, kan spesiale verlof met volle salaris aan 'n werknemer toegestaan word—

- (i) om 'n universiteits- of ander eksamen wat binne die Republiek afgeneem en deur die raad goedgekeur word, te skryf;
- (ii) wanneer hy van diens afwesig is as gevolg van afsondering of isolasie kragtens geneeskundige instruksies waar hy in aanraking was met 'n persoon wat 'n besmetlike of aansteeklike siekte opgedoen of vermoedelik opgedoen het. Die toestaan van spesiale verlof kragtens hierdie paragraaf is onderworpe aan die indiening van 'n sertifikaat van 'n geregistreerde geneesheer wat die tydperk van en rede vir afsondering aandui;
- (iii) wanneer hy gevange geneem is of voor die hof moet verskyn op 'n aanklag van misdaad en later vrygespreek of die aanklag teruggetrek word;
- (iv) (a) wanneer hy as lid van die Burgermag kragtens die Verdedigingswet, 1957, of enige regulasie daaronder uitgevaardig, onafgebroke of afgebroke opleiding moet ondergaan, behalwe as hy voltydse diens in plaas van vredestrydse opleiding kragtens artikel twintig of onafgebroke opleiding kragtens artikel drie-en-twintig van die Verdedigingswet, 1957, verrig;
- (b) wanneer hy as lid van die Burgermag soos hierbo omskryf met die toestemming van die raad vrywillig of as gevolg van enige spesiale ooreenkoms tussen hom en die Departement van Verdediging in verband met sy opleiding, bo en behalwe enige opleiding wat hy ooreenkomstig genoemde Wet moet ondergaan, enige onafgebroke of afgebroke opleiding onderneem of 'n instruksie- of kwalifiserende kursus bywoon, mits die Bevelvoerder van die betrokke Kommandement of Lugmaggroep sertifiseer dat sodanige opleiding of kursus nodig is in belang van die Suid-Afrikaanse Weermag;
- (c) wanneer hy as lid van 'n Kommando kragtens die Verdedigingswet, 1957, of enige regulasie daaronder uitgevaardig, opleidingsoefeninge of ander jaarlikse opleiding kragtens artikel vier-en-veertig van genoemde Wet moet bywoon, mits die Bevelvoerder van die betrokke Kommandement sertifiseer dat bywoning van sodanige opleidingsoefening of ander jaarlikse opleiding in ooreenstemming met die bepalinge van voormelde regulasies is;
- (d) wanneer hy as lid van 'n Kommando 'n instruksie- of kwalifiserende kursus bywoon, mits die Bevelvoerder van die betrokke Kommandement sertifiseer dat bywoning van sodanige kursus nodig is in belang van die Suid-Afrikaanse Weermag;
- (e) wanneer hy as lid van die Reserwe van Offisiere 'n herhalingsoefenkursus moet bywoon of herhalingsopleiding moet ondergaan ten einde sy bekwaamheid te behou, mits die Stafhoof van die betrokke Landmag, Lugmag of Vlootmag sertifiseer dat sodanige kursus of opleiding nodig is in belang van die Suid-Afrikaanse Weermag;

- (f) when, as a member of any section of the South African Defence Force (except a member of the Citizen Force who is performing full-time service in lieu of peacetime training in terms of section *twenty* or is undergoing continuous training in terms of section *twenty-three* of the Defence Act, 1957), including a member of the Commando who is attending a training exercise or annual training in terms of section *forty-four* of the Defence Act, 1957, he is called out in terms of the provisions of Chapter X of the said Act for service in the prevention or suppression of disorder or other emergency in the Republic; and
- (v) for the purpose of attending a teaching or vacation course: Provided that—
- (a) such course shall be recognised by the council; and
- (b) special leave granted shall be limited to the period necessary for absence from duty, exclusive of periods for which non-accumulative leave is granted.
- (b) Special leave granted in terms of paragraph (a) hereof may include any period actually and necessarily occupied in travelling for the purpose for which the leave is granted.
- (c) The provisions of paragraph (iv) of sub-regulation (a) are applicable to employees whose service conditions have been determined in accordance with the provisions of industrial and similar agreements.

Vacation Leave Without Salary.

25. If sound reasons exist the council may, at its discretion, but subject to the limits imposed by sub-regulation (c) of regulation 26, grant an employee who has no vacation leave with salary to his credit, vacation leave without salary, but not exceeding 184 days in the aggregate in any period of 18 calendar months.

Sick Leave Without Salary.

26. (a) If an employee has used all his paid sick leave provided for in these regulations, he may, notwithstanding the provisions of sub-regulation (c) of regulation 21 be granted sick leave without salary not exceeding 365 days in any particular cycle.

(b) The grant in terms of paragraph (a) may be made irrespective of whether the employee has been granted additional sick leave with half salary in terms of sub-regulation (d) of regulation 21.

(c) If an employee has been granted the sick leave without salary provided for in this regulation, he may not, during the particular cycle, be granted any further leave, of whatever nature, to cover his absence from duty owing to illness, except on the approval of the Secretary.

(d) (i) The granting to an employee of sick leave without salary in terms of sub-regulation (a) is subject to the submission by him to the council of a satisfactory medical certificate in respect of each absence which exceeds three days.

(ii) The provisions of sub-regulations (d) and (e) of regulation 22 are applicable in respect of absences which do not exceed three days.

Leave which Counts for Leave Purposes.

27. (a) All leave, of whatever nature, with full or part salary, and vacation and sick leave without salary not exceeding 15 days in the aggregate in a month, shall count for the purpose of leave accrual. If the leave without salary exceeds the number of days mentioned herein—

- (i) such excess shall not be regarded as service for the purposes of sub-regulation (a) of regulation 14; and

(f) wanneer hy as lid van enige afdeling van die Suid-Afrikaanse Weermag (behalwe 'n lid van die Burgermag wat voltydse diens in plaas van vredestrydse opleiding kragtens artikel *twintig* verrig of onafgebroke opleiding kragtens artikel *drie-en-twintig* van die Verdedigingswet, 1957, ondergaan) met inbegrip van 'n lid van die Kommando wat opleidingsoefeninge of jaarlikse opleiding kragtens artikel *vier-en-veertig* van die Verdedigingswet, 1957, ondergaan, kragtens die bepalings van Hoofstuk X van genoemde Wet opgeroep word vir diens in verband met die voorkoming of onderdrukking van onluste of ander nood in die Republiek; en

(v) met die doel om 'n onderwys- of vakansiekursus by te woon: Met dien verstande dat—

(a) die raad so 'n kursus erken; en

(b) spesiale verlof wat toegestaan word, beperk word tot die tydperk wat nodig is vir die afwesigheid van diens, uitgesonderd tydperke waarvoor nie-oplopende verlof toegestaan word.

(b) Spesiale verlof toegestaan ooreenkomstig paragraaf (a) hiervan kan insluit enige tydperk werklik en noodsaaklikerwys in beslag geneem deur reis vir die doeleindes waarvoor die verlof toegestaan word.

(c) Die bepalings van paragraaf (iv) van subregulasie (a) is van toepassing op werknemers wie se diensvoorwaardes in ooreenstemming met die bepalings van nywerheids- en dergelike ooreenkomste vasgestel is.

Vakansieverlof sonder salaris.

25. As gegronde redes daarvoor bestaan, kan die raad na goeë dunde, maar onderworpe aan die beperkings wat deur subregulasie (c) van regulasie 26 opgelê word, aan 'n werknemer wat geen vakansieverlof met salaris tot sy krediet het nie, vakansieverlof sonder salaris toestaan maar nie vir langer as altesaam 184 dae in enige tydperk van 18 kalendermaande nie.

Siekteverlof sonder salaris.

26. (a) Aan 'n werknemer wat sy betaalde siekteverlof waarvoor in hierdie regulasies voorsiening gemaak is, opgebruik het, kan ondanks die bepalings van subregulasie (c) van regulasie 21 siekteverlof sonder salaris toegestaan word vir hoogstens 365 dae in enige besondere tydkring.

(b) Die toekenning kragtens paragraaf (a) kan gedoen word ongeag of addisionele siekteverlof met halye salaris kragtens subregulasie (d) van regulasie 21 aan die werknemer toegestaan is.

(c) As die siekteverlof sonder salaris waarvoor in hierdie regulasie voorsiening gemaak word, aan 'n werknemer toegestaan is, mag geen verdere verlof, van watter aard ook al, gedurende die betrokke tydkring aan hom toegestaan word om sy afwesigheid van diens weens siekte te dek nie, behalwe op goedkeuring van die Sekretaris.

(d) (i) Die toekenning aan 'n werknemer van siekteverlof sonder salaris kragtens subregulasie (a) is onderworpe aan die voorlegging deur hom aan die Raad van 'n bevestigende geneeskundige sertifikaat ten opsigte van elke afwesigheid van langer as drie dae.

(ii) Ten opsigte van afwesighede wat nie drie dae oorskry nie, is die bepalings van subregulasies (d) en (e) van regulasie 22 van toepassing.

Verlof wat vir verlofdoeleindes tel.

27. (a) Alle verlof, van watter aard ook al, met volle of gedeeltelike salaris, en vakansie- en siekteverlof sonder salaris van altesaam 15 dae in 'n maand, tel vir die doel van verlofaanwas. As die verlof sonder salaris die hierin gemelde getal dae oorskry, word—

- (i) sodanige oorskryding nie as diens vir die doeleindes van subregulasie (a) van regulasie 14 gereken nie; en

- (ii) the provision in respect of sick leave with full salary and sick leave with half salary which is applicable to an employee in terms of sub-regulation (a) of regulation 7, shall be reduced by one thirty-sixth in respect of each such excess, which reduction shall be made from the provision of the cycle in which the excess occurs, or, if the available sick leave for the relative cycle has already been taken, from the provision of the next succeeding cycle.

Leave Counts for the Purpose of Salary Increments.

28. All leave, of whatever nature, whether with or without salary, shall count for the purpose of salary increments.

Cash Payment in respect of Accumulated Vacation Leave.

29. If the services of an employee are terminated for any reason described in paragraphs (b) (i), (ii), (iii) or (iv) of regulation 14 of Part V of these regulations, or if he dies while in the service of the council, the council may pay to him or to his dependants, subject to such conditions as the Secretary may prescribe, the cash value of any accumulated leave standing to his credit at the date of termination of employment or death, as the case may be.

Exceptional Cases.

30. In the event of circumstances arising which justify a departure from the provisions of this Part, the Secretary may grant leave to an employee or classes of employees on such conditions as the Minister may approve.

PART VII.

DISCIPLINE.

1. (a) Any employee who in the opinion of the council—
- (i) disobeys or disregards or makes wilful default in carrying out a lawful order of his superior, or who by word or conduct displays insubordination; or
 - (ii) is negligent or indolent in the discharge of his duty; or
 - (iii) does, or causes or permits to be done, or connives at, any act which is prejudicial to the administration, discipline or efficiency of the institution; or
 - (iv) undertakes, without the authority prescribed in paragraph (b) of regulation No. 15 of Part V of these regulations, any private agency or work in any matter connected with the exercise or performance of his official duties; or
 - (v) contravenes any regulation relating to the institution or any instructions of the council; or
 - (vi) takes any public part in political matters or publicly comments on the administration of the institution or the Department; or
 - (vii) conducts himself in a disgraceful, improper or unbecoming manner, or indulges in the excessive use of intoxicants or stupefying drugs; or
 - (viii) becomes insolvent or assigns his estate for the benefit of or compromises with his creditors, or has a decree of civil imprisonment made against him by any court of law unless he can show that his insolvency, assignment, composition or civil imprisonment has been occasioned by unavoidable misfortune; or
 - (ix) discloses or uses otherwise than for the discharge of his duties information acquired in the course thereof; provided that any employee of the institution may publish, with or without remuneration, papers or articles in any journal (such paper, article or journal having been approved by the chairman and two members of the council prior to publication); or

- (ii) die voorsiening ten opsigte van siekteverlof met volle salaris en siekteverlof met halwe salaris wat kragtens subregulasie (a) van regulasie 7 op 'n werknemer van toepassing is, met een ses-en-dertigste ten opsigte van elke sodanige oorskryding verminder en hierdie vermindering word aangebring aan die voorsiening van die tydkring waarin die oorskryding voorkom, of as die beskikbare siekteverlof van die betrokke tydkring reeds gebruik is, aan die voorsiening vir die eersvolgende tydkring.

Verlof tel vir salarisverhogingsdoeleindes.

28. Alle verlof, van watter aard ook al, hetsy met of sonder salaris, tel vir salarisverhogingsdoeleindes.

Kontantbetaling t.o.v. opgelope vakansieverlof.

29. As die diens van 'n werknemer om enige redes in paragrawe (b) (i), (ii), (iii) of (iv) van regulasie 14 van Deel V van hierdie regulasies aangedui beëindig word of as hy sterf terwyl hy in diens van die raad is, kan die raad, onderworpe aan sulke voorwaardes as wat die Sekretaris mag voorskryf, die kontantwaarde van enige oplopende verlof wat hy tot krediet gehad het op die datum waarop sy diens beëindig is of hy gesterf het, na gelang van die geval, aan hom of sy afhanklikes betaal.

Buitengewone gevalle.

30. As daar omstandighede ontstaan wat 'n afwyking van die bepalings van hierdie Deel regverdig, kan die Sekretaris aan 'n werknemer of klasse werknemers verlof toestaan op die voorwaardes wat die Minister goedkeur.

DEEL VII.

TUG.

1. (a) Daar word geag dat enige werknemer wat, na die mening van die raad—
- (i) 'n wettige bevel aan hom gegee deur iemand wat daartoe bevoeg is, nie gehoorsaam nie, veronagsaam of opsetlik nie uitvoer nie, of deur woord of gedrag insubordinasie pleeg; of
 - (ii) nalatig of traag is by die vervulling van sy pligte; of
 - (iii) 'n handeling wat tot nadeel strek van die administrasie, tug of doeltreffendheid van die inrigting, verrig, laat verrig of die verrigting daarvan toelaat; of
 - (iv) sonder magtiging voorgeskrif in paragraaf (b) van regulasie 15 van Deel V van hierdie regulasies enige private agentskap of werksaamhede onderneem in sake wat in verband staan met die uitoefening of vervulling van sy dienspligte; of
 - (v) enige regulasie wat op die inrigting betrekking het of enige bevel van die raad oortree; of
 - (vi) in die openbaar deelneem aan politieke sake of in die openbaar kritiek uitoefen aangaande die administrasie van die inrigting of die Departement; of
 - (vii) hom op skandelijke, onbehoorlike of onbetaamlike wyse gedra, of verslaaf is aan buitensporige gebruik van bedwelmende drank of verdowende middels; of
 - (viii) insolvent word of sy boedel afstaan ten behoeve van sy skuldeisers of met hulle 'n akkoord aangaan, of teen wie 'n vonnis van siviele gyseling deur 'n geregshof gegee word, tensy hy kan aantoon dat sy insolvensie, boedelafstand, akkoord of siviele gyseling veroorsaak was deur onvermydelike teenspoed; of
 - (ix) anders as by die vervulling van sy pligte inligting deur hom in die loop van sy diens verkry, bekendmaak of gebruik; met dien verstande dat enige werknemer van 'n inrigting met of sonder vergoeding artikels in enige tydskrif kan publiseer (mits sodanige artikel vooraf deur die voorsitter en twee lede van die raad goedgekeur is); of

- (x) accepts without the approval of the council fees or rewards, pecuniary or otherwise, in respect of the performance of his duties; or
- (xi) misappropriates or misuses property belonging to or in possession of the institution, or fails to take proper care of any such property while in his charge or under his control; or
- (xii) commits a serious criminal offence; or
- (xiii) absents himself from duty without leave or valid cause,

shall be deemed to have been guilty of misconduct.

2. (a) A permanent staff member alleged to be guilty of misconduct as defined in regulation 1 of this Part may be charged therewith in writing by the chairman, or, if delegated thereto, by the principal.

(b) The person who signed the charge shall cause it to be sent by post in a registered letter or to be delivered to the staff member charged.

(c) The charge shall contain or shall be accompanied by a direction calling upon the staff member charged to transmit or deliver, within a reasonable period specified in the direction, to a person likewise specified, a written admission or denial of the charge and, if he so desires, a written explanation of the misconduct charged.

(d) Any staff member charged under this regulation may be suspended temporarily from duty by the chairman or the principal if delegated thereto by the chairman. Such order of suspension may be withdrawn at any time without prejudice to the prosecution of the charge.

(e) A staff member who has been suspended from duty as aforesaid shall not be entitled to any emoluments for the period of his suspension; provided that the council, in its discretion, may order payment to such staff member of the whole or a portion of his emoluments.

(f) If the staff member charged denies the charge or fails to comply with the direction mentioned in paragraph (c) the council shall appoint a person or persons to investigate the charge at a time and place to be determined by the council and of which the accused shall receive reasonable notice.

(g) The person who signed the charge may authorise any person to attend the enquiry and to adduce evidence and arguments in support of the charge and to cross-examine any person called as a witness for the defence.

(h) At the enquiry the staff member charged may be present and be heard either personally or by a representative, cross-examine any person called as a witness in support of the charge, inspect any document produced in evidence, give evidence himself and call any other person as a witness. The person holding the enquiry shall keep a record of the proceedings at the enquiry and of all evidence given thereat. The failure of the staff member charged to attend the enquiry shall not invalidate the proceedings.

(j) If the misconduct with which the staff member is charged amounts to an offence of which he has been convicted by a court of law, a certified copy of the record of his trial and conviction by that court shall be of sufficient proof of the commission by him of such offence unless he has been pardoned or the conviction has been set aside by a superior court; provided that it shall be competent for the staff member charged to adduce evidence that he was in fact wrongly convicted.

(k) At the conclusion of the enquiry the person holding it shall find whether the staff member charged is guilty or not guilty of the misconduct with which he was charged and shall inform the staff member charged of his finding. He shall report the result of the enquiry to the council.

- (x) sonder die goedkeuring van die raad fooie of beloning van geldelike of ander aard, in verband met die uitoefening van sy pligte, aanneem; of
- (xi) homself inrigtingseiendom wederregtelik toesien of misbruik, of versuim om enige sodanige eiendom onder sy toesig en beheer behoorlik te versorg; of
- (xii) 'n ernstige misdryf begaan; of
- (xiii) van diens wegbly sonder verlof of gegronde rede, hom aan wangedrag skuldig gemaak het.

2. (a) 'n Permanente personeellid wat, na bewering, hom aan wangedrag soos in regulasie 1 van hierdie Deel omskryf, skuldig gemaak het, kan deur die voorsitter, of indien daartoe gemagtig, die prinsipaal, skriftelik daarvan aangekla word.

(b) Die persoon wat die aanklag onderteken het, laat dit deur die pos in 'n aangetekende brief aan die aangeklaagde stuur of laat dit aan hom oorhandig.

(c) Die aanklag bevat, of gaan vergesel van, 'n aansegging aan die aangeklaagde om binne 'n redelike, in die aansegging vasgestelde, termyn 'n skriftelike erkenning of ontkenning van die aanklag en, as hy wil, ook 'n skriftelike verklaring van die ten laste gelede wangedrag aan 'n in die aansegging vermelde persoon te stuur of te oorhandig.

(d) Enige personeellid wat kragtens hierdie regulasies aangekla word, kan deur die voorsitter of die prinsipaal, indien daartoe deur die voorsitter gemagtig, tydelik van sy diens geskors word. So 'n skorsing kan te eniger tyd ingetrek word sonder dat sodanige intrekking inbreuk op die afhandeling van die aanklag maak.

(e) 'n Personeellid wat soos vermeld van sy diens geskors is, is nie geregtig op enige besoldiging gedurende sy skorsing nie; met dien verstande dat die raad, as hy dit wenslik ag, kan gelas dat aan die bedoelde persoon sy hele besoldiging of 'n deel daarvan uitbetaal moet word.

(f) As die aangeklaagde personeellid die klag ontken of in gebreke bly om gevolg te gee aan die aansegging bedoel in subparagraaf (c), stel die raad 'n persoon of persone aan om die aanklag te ondersoek op 'n tyd en plek soos die raad mag bepaal en waarvan die aangeklaagde redelike kennis vooraf moet ontvang.

(g) Die persoon wat die aanklag onderteken, kan enigiemand magtig om die ondersoek by te woon en die aanklag deur bewyse en argumente te staaf en iemand wat as verdedigingsgetuie opgeroep is, onder kruisverhoor te neem.

(h) By die ondersoek kan die aangeklaagde personeellid teenwoordig wees en persoonlik of by gemagtigde sy saak voordra, iemand wat opgeroep is as getuie ter stawing van die aanklag onder kruisverhoor neem, 'n as bewysstuk voorgelegde dokument besigtig, self getuienis afleë en iemand anders as getuie oproep. Die persoon wat die ondersoek hou, notuleer die verrigtings by die ondersoek en alle daarby aangevoerde getuienis. As die aangeklaagde in gebreke bly om die ondersoek by te woon, maak so 'n afwesigheid nie die verrigtinge ongeldig nie.

(j) As die in die aanklag vermelde wangedrag 'n misdryf uitmaak waarvan 'n geregshof die aangeklaagde skuldig bevind het, strek 'n gesertifiseerde afskrif van die notule van sy verhoor en skuldigbevinding deur daardie hof tot voldoende bewys dat hy daardie misdryf gepleeg het, tensy aan hom gracie verleen is of tensy die skuldigbevinding deur 'n hoërhof tersyde gestel is; met dien verstande dat die aangeklaagde personeellid vrystaan om getuienis aan te voer dat hy inderdaad ten onregte skuldig bevind is.

(k) Aan die einde van die ondersoek beslis die ondersoeker of die aangeklaagde personeellid skuldig of onskuldig is aan die wangedrag wat hom ten laste gelê is en verwittig die aangeklaagde van sy beslissing. Hy moet die raad in kennis stel van die uitslag van die ondersoek.

(l) If the staff member charged admits guilt or has been proved guilty the council shall, with the approval of the Secretary, deal with such staff member in the following manner:—

- (i) Summarily dismiss him from the service of the institution; or
- (ii) suitably caution him; or
- (iii) reprimand him; or
- (iv) reduce him in grading or reduce his salary within his existing grade.

(m) Should the charge as proved disclose any loss of moneys or property to the institution through theft, fraud or any dishonesty on the part of the staff member, the council may deduct from any moneys payable to him the amount of the loss certified by the chairman in consultation with the auditors of the council to have been sustained by the institution.

(n) If the staff member charged was suspended from duty and the person holding the enquiry finds that he is not guilty of the misconduct with which he was charged, the said staff member shall be re-instated in his post and paid his full emoluments for the period of his suspension.

(o) A staff member who has been found guilty of misconduct as aforesaid may, within a period of fourteen days from the date on which he was informed of the finding, appeal to the Minister against such finding and the Minister's decision thereon shall be final.

3. The council, or if delegated thereto by the council, the principal may deal with a temporary, non-European or part-time employee who in its or his opinion is guilty of misconduct or inefficiency, in the following manner:—

- (i) Summarily dismiss him from the service of the institution; or
- (ii) suitably caution him; or
- (iii) reprimand him.

PART VIII.

INEFFICIENT PERMANENT STAFF MEMBERS.

1. If at any time it is alleged that a permanent staff member is incapable of performing efficiently the duties of his office or post, the council may advise the staff member concerned of the allegation, in writing, and may appoint a person or persons, to enquire into the allegation.

2. The person who is to hold the enquiry shall determine the time and place of such enquiry and the council or the principal if delegated thereto by the council, shall furnish the staff member concerned with a written statement of the grounds on which it is alleged that he is incapable of performing efficiently the duties of his office or post.

3. The council may authorise any person to attend the enquiry and to adduce evidence and arguments in support of the allegation and to cross-examine any person called as a witness in support of the allegation.

4. At the enquiry the staff member concerned may be present and be heard either personally or by a representative, cross-examine any person called as a witness in support of the allegation, inspect any document produced in evidence, give evidence himself and call any other person as a witness. The person holding the enquiry shall keep a record of the proceedings at the enquiry and of all evidence given thereat. The failure of the staff member charged to attend the enquiry shall not invalidate the proceedings.

5. At the conclusion of the enquiry the person holding it shall find whether the staff member concerned is incapable of performing efficiently the duties of his office or post, shall inform the staff member concerned of his finding and shall report the result to the council.

(l) As die aangeklaagde personeelid die aanklag erken of skuldig bevind is, kan die raad soos volg met hom handel:—

- (i) Hom summier uit die diens van die inrigting ontslaan; of
- (ii) hom behoorlik waarsku; of
- (iii) hom berispe; of
- (iv) sy graad of sy salaris binne sy bestaande graad verlaag.

(m) Indien die aanklag soos bewys enige geldelike verlies of verlies aan eiendom van die inrigting deur diefstal, bedrog of enige oneerlikheid aan die kant van die personeelid openbaar, kan die raad die bedrag van die verlies wat deur die inrigting gely is, soos gesertifiseer deur die voorsitter in oorleg met die ouditeure van die raad, van enige gelde wat aan hom betaalbaar is, aftrek.

(n) As die aangeklaagde personeelid in sy diens geskors is en die persoon wat die ondersoek gehou het, beslis dat hy nie aan die hom ten laste gelegde wangedrag skuldig is nie, word die aangeklaagde in sy pos herstel en ontvang hy sy volle besoldiging vir die tydperk van sy skorsing.

(o) 'n Personeelid wat aan voornoemde wangedrag skuldig bevind is, kan binne 'n termyn van veertien dae vanaf die datum waarop hy van die beslissing verwittig is, daarteen na die Minister appelleer, en die beslissing van die Minister daaromtrent is finaal.

3. Die raad of, indien daartoe deur die raad gemagtig die prinsipaal, kan met 'n tydelike, nie-blanke of deeltydse werknemer wat na sy mening skuldig is aan wangedrag of onbekwaamheid soos volg handel:—

- (i) Hom summier uit die diens van die inrigting ontslaan; of
- (ii) hom behoorlik waarsku; of
- (iii) hom berispe.

DEEL VIII.

ONBEKWAME PERMANENTE PERSONEELLEDE.

1. Indien te eniger tyd beweer word dat 'n permanente personeelid nie in staat is om sy werksaamhede in sy betrekking of pos op 'n bekwame wyse te verrig nie, kan die raad die betrokke personeelid daarvan skriftelik in kennis stel en 'n persoon of persone benoem om 'n ondersoek na die bewering in te stel.

2. Die persoon wat die ondersoek moet hou, bepaal 'n tyd en plek vir die ondersoek, en die raad of die prinsipaal, indien hy daartoe deur die raad gemagtig word, verstrek aan die betrokke personeelid 'n skriftelike mededeling van die redes waarom hy na bewering nie in staat is om sy werksaamhede in sy betrekking of pos op bekwame wyse te verrig nie.

3. Die raad kan enige persoon magtig om die ondersoek by te woon ten einde bewyse en argumente aan te voer ter stawing van die bewering en om enige persoon wat ter stawing van die bewering getuie is af te onderkruisverhoor te neem.

4. By die ondersoek kan die betrokke personeelid teenwoordig wees en persoonlik of deur 'n gemagtigde sy saak voordra, persone wat opgeroep is om getuie is ter stawing van die bewering af te lê onder kruisverhoor neem, alle as getuie is voorgelegde stukke insien, self getuie is af te en ander persone as getuie oproep. Die persoon wat die ondersoek hou, notuleer die verrigtings by die ondersoek en alle daarby aangevoerde getuie is. Indien die betrokke aangeklaagde personeelid in gebreke bly om die ondersoek by te woon, word die verrigtings nie daardeur ongedig nie.

5. Aan die einde van die ondersoek beslis die persoon wat die ondersoek hou of die betrokke personeelid nie in staat is om sy werksaamhede in sy betrekking of pos op bekwame wyse te verrig nie, en verwittig hy die betrokke personeelid van sy beslissing en stel daarna die raad in kennis van die uitslag van sy ondersoek.

6. If the staff member concerned has been found incapable of performing efficiently the duties of his office or post from causes not within his own control, and not attributable to the performance of his official duties the council may, with the approval of the Secretary—

- (a) discharge him from the service of the institution; or
- (b) appoint him to a post of a lower grade and reduce his annual emoluments.

7. A staff member who has been found to be incapable of performing efficiently the duties of his office or post, may, within a period of fourteen days from the date on which he was informed of the finding, appeal to the Minister against such finding and the Minister's decision thereon shall be final.

PART IX.

INSPECTION.

1. The Minister may from time to time cause an inspection to the made of the premises, administration, and instruction of an institution and may require defects in these respects to be remedied as a condition of the grant-in-aid, of which the whole or part may be withheld until he is satisfied that proper steps have been taken to meet his requirements.

PART X.

COURSES OF INSTRUCTION, CLASS FEES AND CONDITIONS OF ADMISSION OF STUDENTS.

1. No course which shall lead to a student obtaining a certificate or diploma approved by the Secretary, shall be instituted without the prior approval of the Secretary.

2. The rate of class fees payable in respect of courses mentioned in regulation 1 above shall not be increased without the prior approval of the Secretary.

3. The Secretary may from time to time prescribe such conditions in regard to the admission of full-time students as he may deem fit.

PART XI.

BURSARIES AND LOANS.

1. The Minister may, out of funds provided by Parliament annually, make an amount available for the granting at the discretion of the Department, of bursaries and loans to students following courses at declared institutions.

2. (a) Such loans may be made only to students undergoing training as teachers with a view to obtaining a teachers' or instructors' certificate or diploma.

(b) Such bursaries may be awarded only to students following such courses as the Secretary may approve.

3. Loans or bursaries granted under Regulation 2 shall not exceed such amounts as may be determined by the Secretary in consultation with the Treasury.

4. (a) No bursary may be granted to a student other than a student undergoing training as a teacher with a view to obtaining a teachers' or instructors' certificate or diploma, if in the opinion of the Department, he is not in need of pecuniary assistance to be able to prosecute his studies.

(b) The award of a loan or a bursary to a student is subject to the production of satisfactory proof of habits of application and generally of merit and good conduct.

6. As daar besluit word dat die betrokke personeelid nie in staat is om sy werksaamhede in sy betrekking of pos op bekwame wyse te verrig nie weens oorsake buite sy eie beheer en wat nie te wyte is aan die uitvoering van sy amptelike pligte nie, kan die raad met die goedkeuring van die Sekretaris—

- (i) hom uit die diens van die inrigting ontslaan; of
- (ii) hom in 'n betrekking van 'n laer graad aanstel en sy jaarlikse besoldiging verminder.

7. 'n Personeelid oor wie daar besluit is dat hy nie in staat is om sy werksaamhede in sy betrekking of pos op bewame wyse te verrig nie, kan binne 'n termyn van veertien dae vanaf die datum waarop hy van so 'n beslissing verwittig is, daarteen na die Minister appelleer, en die Minister se beslissing daaromtrent is finaal.

DEEL IX.

INSPEKSIE.

1. Van tyd tot tyd kan die Minister inspeksie van die geboue en gronde, administrasie en instruksie aan 'n inrigting laat hou en tekortkomings in verband hiermee laat herstel as 'n voorwaarde van die hulptoelae wat geheel of gedeeltelik teruggehou kan word totdat hy tevrede is dat behoorlike stappe gedoen is om aan sy vereistes te voldoen.

DEEL X.

INSTRUKSIEKURSUSSE, KLASSELDE EN TOELATINGSVEREISTES VIR STUDENTE.

1. Geen kursus wat lei tot die behaling van 'n sertifikaat of diploma wat deur die Sekretaris goedgekeur is, mag ingestel word sonder die goedkeuring van die Sekretaris vooraf nie.

2. Die tarief van klasgelde betaalbaar ten opsigte van kursusse wat in reegulasie 1 hierbo vermeld word, mag nie verhoog word sonder die goedkeuring van die Sekretaris vooraf nie.

3. Van tyd tot tyd kan die Sekretaris sodanige toelatingsvereistes vir voltijdse studente as wat hy goedgevind, voorskryf.

DEEL XI.

BEURSE EN LENINGS.

1. Die Minister kan uit fondse wat jaarliks deur die Parlement bewillig word, 'n bedrag beskikbaar stel vir die toekenning, na goedgevonden van die Departement, van beurse en lenings aan studente wat kursusse aan verklaarde inrigtings volg.

2. (a) Sodanige lenings kan slegs gemaak word aan studente wat opleiding as onderwysers ontvang met die doel om 'n onderwysers- of instruktorsertifikaat of -diploma te verwerf.

(b) Sodanige beurse kan alleen aan studente toegeken word wat sodanige kursusse as wat die Sekretaris mag goedgekeur, volg.

3. Lenings of beurse wat kragtens regulasie 2 toegeken word, corskry nie die bedrae wat die Sekretaris in oorleg met die Tesourie mag vasstel nie.

4. (a) Geen beurs word aan 'n student, behalwe 'n student wat opleiding as onderwyser ontvang met die doel om 'n onderwyser- of instruktorsertifikaat te verwerf, toegeken as hy, na die mening van die Departement, nie geldelike steun nodig het om sy studies voort te sit nie.

(b) Die toekenning van 'n lening of beurs aan 'n student is onderworpe aan die voorlegging van bevredigende bewys van aanpassingsvermoë en van verdienstelike en goeie gedrag in die algemeen.

5. Loans and bursaries shall ordinarily be granted for a calendar year and subject to satisfactory reports of progress and good conduct, may be renewed from year to year. A loan or bursary may be withdrawn at any time if the diligence, behaviour or progress of the holder is unsatisfactory.

6. (a) A student to whom a loan is granted in terms of paragraph (a) of regulation No. 2 of this Part shall sign an agreement in the form required by the Department, undertaking to repay the full amount of the loan during such period and in such instalments as may be determined by the Department.

(b) Interest at such rate as may be determined by the Treasury, shall be payable on the total value of the loan from the day on which the student assumes duty in the service of the Department or of any other employer.

(c) The Department may call upon a student to whom a loan has been granted in terms of paragraph (2) of Regulation No. 2 of this Part forthwith to repay the full amount still due in terms of the agreement mentioned in paragraph (a) hereof, plus the amount of any bursary granted in terms of paragraph (b) of Regulation No. 2 of this Part, plus six per cent per annum interest on the total amount due—

- (i) if, without sufficient cause he fails within a reasonable time to complete his course; or
- (ii) if, having completed his course, and having been appointed as a teacher or instructor in an institution under the control of the Department, he fails to serve continuously in such capacity for a period at least as long as the duration of the course for which the loan was granted; or
- (iii) if, having been offered a post as a teacher or instructor in the Department within a reasonable time before or after the completion of the course, he refuses to accept such appointment or accepts a post with an employer other than the Department, without first having obtained the permission of the latter.

(d) For the purposes of this regulation marriage shall not be regarded as a reasonable cause for failure to complete the course or to accept a post or to continue in employment for the period agreed upon, and, in the case of women, whether they be students or teachers or instructresses, marriage before repayment of the full amount of the loan shall constitute a breach of contract.

7. The Department may at the request of the student grant exemption from or modify the terms of the agreement referred to in regulation No. 6 of this Part in any case where in its opinion the circumstances justify such exemption or modification.

PART XII.

REPORT AND ACCOUNTS.

1. The council shall present to the Minister a report on the work of the institution for each calendar year not later than 31st March in the following year, accompanied by an audited financial statement for the same period.

The financial statement shall include a balance sheet as at 31st December and an income and expenditure account for the year.

The Minister may prescribe a form for this account and may require an auditor's certificate of the observance of any regulation.

5. Lenings en beurse word gewoonlik vir 'n kalenderjaar toegestaan en kan van jaar tot jaar hernu word onderworpe aan bevredigende rapporte van vordering en goeie gedrag. 'n Lening of beurs kan te eniger tyd teruggehou word as die ywer, gedrag of vordering van die houer daarvan onbevredigend is.

6. (a) 'n Student aan wie 'n lening toegestaan word kragtens paragraaf (a) van regulasie 2 van hierdie Deel moet 'n ooreenkoms onderteken in die vorm soos deur die Departement verlang, waarin hy onderneem om die volle bedrag van die lening gedurende sodanige tydperk en in sulke paaiemente as wat die Departement mag voorskryf, terug te betaal.

(b) Rente teen sodanige koers as wat deur die Tesourie vasgestel word, is betaalbaar op die totale waarde van die lening vanaf die dag waarop die student in diens van die Departement of enige ander werkgewer tree.

(c) Die Departement kan vereis dat 'n student aan wie 'n lening kragtens paragraaf (a) van regulasie 2 van hierdie Deel toegestaan is, onverwyld die volle bedrag wat volgens die ooreenkoms in paragraaf (a) hiervan vermeld nog verskuldig is, plus die bedrag van die beurs kragtens paragraaf (b) van regulasie 2 van hierdie Deel toegestaan, plus ses persent rente per jaar op die totale bedrag verskuldig, terugbetaal.

- (i) As hy sonder grondige rede in gebreke bly om binne 'n redelike tydperk sy kursus te voltooi; of
- (ii) as hy, nadat hy sy kursus voltooi het, en nadat hy as 'n onderwyser of instrukteur in 'n inrigting onder die beheer van die Departement aangestel is, in gebreke bly om aaneenlopende diens in sodanige hoedanigheid te doen vir 'n tydperk wat ten minste solank duur as die duur van die kursus waarvoor die lening toegestaan was; of
- (iii) as hy, nadat 'n pos as onderwyser of instrukteur in die Departement binne 'n redelike tydperk vóór of na die voltooiing van die kursus aan hom aangebied word, weier om so 'n aanstelling te aanvaar of 'n betrekking by 'n ander werkgewer aanvaar sonder dat hy eers die goedkeuring van die Departement daartoe verkry het.

(d) Vir die toepassing van hierdie regulasie word 'n huwelik nie beskou as 'n redelike grond vir versuim om die kursus te voltooi of om 'n pos te aanvaar of om in diens vir die tydperk soos ooreengekom aan te bly nie, en, in die geval van vroue, hetsy hulle studente of onderwyseresse of instruktrises is, word 'n huwelik, voordat terugbetaling van die bedrag van die lening geskied het, as kontrakbreuk beskou.

7. Die Departement kan, in enige geval waar die omstandighede dit na sy mening regverdig, aan 'n student op versoek vryskelding van of wysiging van die voorwaardes van die ooreenkoms, in regulasie 6 van hierdie Deel genoem, verleen.

DEEL XII.

VERSLAE EN REKENINGE.

1. Die raad moet vir elke kalenderjaar voor of op 31 Maart in die daaropvolgende jaar 'n verslag oor die werksaamhede van 'n inrigting, vergesel van 'n geouditeerde finansiële staat, aan die Minister verstrek.

Die finansiële staat moet 'n balansstaat soos op 31 Desember en 'n inkomste- en uitgawerekening vir die jaar insluit.

Die Minister kan 'n vorm vir hierdie rekening voorskryf en 'n sertifikaat van 'n ouditeur vir die nakoming van die regulasies vereis.

PART XIII.

LOANS AND INSURANCE OF PROPERTY.

1. The council shall insure and keep insured against loss by fire with an insurance company or companies approved by the Secretary all buildings and any other property liable to loss by fire, and, in the case of property specially mortgaged under any loan granted under the Act, shall duly cede such policy or policies to the Government as collateral security for the loan.

2. All transactions for the acquisition of property and for the erection of buildings, and for the carrying out of work which are the subject of a Government loan under the Act, shall be to the satisfaction of the Minister.

3. The Minister may issue such instructions as he may deem necessary or desirable as to the procedure to be followed in regard to the application for and other arrangements in connection with any loan.

4. The council shall maintain and keep in good repair to the satisfaction of the Minister or his representative all buildings and other security given in respect of any loan under the Act.

5. No Government loan shall be granted in respect of any hostel not vested in the council of the institution.

6. (a) A council shall not lease, hypothecate or alienate immovable property, the acquisition or improvement of which was the subject of a Government grant-in-aid, without the consent of the Minister.

(b) If alienation is effected of immovable property acquired or improved by means of a Government grant-in-aid, the amount so contributed towards the acquisition or improvement of the specific property, together with a *pro rata* share of any profit, shall be refunded to the Department.

(c) If immovable property acquired or improved by means of a Government grant-in-aid is let, such portion of the rent, calculated in the same proportion as the Government's contribution towards the cost of acquisition or improvement of the property, shall be deducted from the annual subsidy of the College.

DEEL XIII.

LENINGS EN VERSEKERING VAN EIENDOM.

1. Die raad moet alle geboue en ander eiendom wat aan verlies deur brand blootgestel is, by 'n deur die Sekretaris goedgekeurde maatskappy of maatskappye teen brandverlies verseker en verseker hou, en in die geval van eiendom waarop 'n spesiale verband is as gevolg van 'n lening kragtens die Wet toegestaan, moet so 'n polis of polisse as 'n addisionele waarborg vir die lening behoorlik aan die Regering afgestaan word.

2. Alle transaksies vir die verkryging van eiendom en vir die oprigting van geboue en vir die uitvoering van die werk waarvoor 'n staatslening kragtens die Wet toegestaan is, moet tot bevrediging van die Minister aangegaan word.

3. Die Minister kan sodanige instruksies as wat hy nodig of wenslik mag ag, betreffende die prosedure wat vir 'n aansoek om en ander reëlings in verband met enige lening gevolg moet word, uitvaardig.

4. Alle geboue en ander waarborge wat gegee is in verband met enige lening ingevolge die Wet, moet tot bevrediging van die Minister of sy verteenwoordiger in stand en goeie staat van herstel gehou word.

5. Geen staatslening word toegestaan in verband met 'n tehuis wat nie onder die raad van die inrigting staan nie.

6. (a) 'n Raad mag geen onroerende eiendom vir die verkryging of verbetering waarvan 'n hulptoelae van die Staat ontvang is, sonder die toestemming van die Minister verhuur, met 'n verband beswaar of vervreem nie.

(b) As onroerende eiendom wat deur middel van 'n hulptoelae van die Staat verkry of verbeter is, vervreem word, moet die bedrag aldus bygedra tot die verkryging of verbetering van die besondere eiendom, tesame met die *pro rata* deel van enige wins, aan die Departement terugbetaal word.

(c) As onroerende eiendom wat deur middel van 'n hulptoelae van die Staat verkry of verbeter is, verhuur word, word 'n bedrag wat in dieselfde verhouding tot die huurgeld staan as die bedrag van die Staat se bydrae tot die verkrygings- of verbeteringskoste van die eiendom, van die jaarlikse subsidie van die kollege afgetrek.

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