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[No. 665.

PROCLAMATIONS

BY THE STATE PRESIDENT OF THE REPUBLIC OF
SOUTH AFRICA.

No. R. 333, 1963.]

GENERAL REGISTRATION OF VOTERS, 1963.—
DATE ON WHICH VOTERS' LISTS COME INTO
OPERATION.

Under the powers vested in me by sub-section (3) of section eight of the Electoral Consolidation Act, 1946 (Act No. 46 of 1946), I do hereby declare that the voters' lists prepared after the general registration of voters which took place from the fifth day of August, 1963, shall come into operation on the first day of February, 1964.

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

C. R. SWART,
State President.

By Order of the State President-in-Council.

J. DE KLERK.

No. R. 334, 1963.]

THE REGULATION OF THE CONDITIONS OF SERVICE, APPOINTMENT, TENURE OF OFFICE, DISCIPLINE, RETIREMENT AND DISCHARGE OF MEMBERS OF THE GOVERNMENT SERVICE OF THE TRANSKEI AND OTHER MATTERS RELATED THERETO.

Whereas it is necessary for the Government of the Transkei to regulate the appointment, tenure of office, retirement, discipline, discharge and conditions of service of officers and employees of the Transkeian Government Service in terms of the provisions of sub-section (1) of section seventy of the Transkei Constitution Act, 1963;

And whereas it is deemed advisable to prescribe the powers and duties of the Public Service Commission to be established in terms of section sixty-two of the said Transkei Constitution Act, 1963;

Now therefore under and by virtue of the powers vested in me by paragraphs (b), (c), (d) and (g) of sub-section (1) of section seventy of the said Transkei Constitution Act, 1963, I declare as follows:—

This proclamation is divided into different parts which severally relate to the following subject matters:—

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PROKLAMASIES

VAN DIE STAATSPRESIDENT VAN DIE REPUBLIEK VAN
SUID-AFRIKA.

No. R. 333, 1963.]

ALGEMENE REGISTRASIE VAN KIESERS, 1963.—
DATUM WAAROP KIESERSLYSTE IN
WERKING TREE.

Kragtens die bevoegdheid my verleen by subartikel (3) van artikel agt van die Wet tot Konsolidasie van die Kieswette, 1946 (Wet No. 46 van 1946), verklaar ek hierby dat die kieserslyste opgestel na die algemene registrasie van kiesers wat vanaf die vyfde dag van Augustus 1963 plaasgevind het, op die eerste dag van Februarie 1964 in werking tree.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Pretoria, op hede die Een-en-twintigste dag van November Eenduisend Negehonderd Drie-en-sestig.

C. R. SWART,
Staatspresident.

Op las van die Staatspresident-in-rade.

J. DE KLERK.

No. R. 334, 1963.]

DIE REËLING VAN DIE DIENSVoorwaardes, AANSTELLING, DIENSTERMYN, DISSIPLINE, AFTREDE EN ONTSLAG VAN LEDE VAN DIE TRANSKEISE REGERINGSDIENS EN ANDER AANGELEENTHEDE WAT DAARMEE IN VERBAND STAAN.

Nademaal dit vir die Transkeise Regering nodig is om die aanstelling, dienstermy, aftrede, dissipline, ontslag en diensvoorwaardes van beamptes en werknemers van die Transkeise Regeringsdiens te reël ingevolge die bepalings van subartikel (1) van artikel sewentig van die Transkeise Grondwet, 1963;

En nademaal dit raadsaam geag word om die bevoegdheid en pligte van die Regeringsdienskommissie, ingestel te word ingevolge artikel twee-en-sestig van genoemde Transkeise Grondwet, 1963, voor te skryf;

So is dit dat ek, kragtens die bevoegdheid my verleen by paragrawe (b), (c), (d) en (g) van subartikel (1) van artikel sewentig van genoemde Transkeise Grondwet, 1963, as volg verklaar:—

Hierdie Proklamasie is in verskillende dele, wat afsonderlik op die volgende onderwerpe betrekking het, ingedeel:—

Indeling.	Artikel.
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PART I.

PRELIMINARY.

INTERPRETATION OF TERMS.

1. (1) In this Proclamation, unless the context otherwise indicates—

- (i) "calendar month" means a period existing from a day in one month to the day preceding the day corresponding numerically to that day in the following month, both days inclusive;
- (ii) "Commission" means the Public Service Commission mentioned in section *sixty-two* of the Transkei Constitution Act, 1963 (Act No. 48 of 1963), and in relation to any power conferred upon or function entrusted to the Commission by this Proclamation or any other law, includes any member or members of the Commission or any officer employed in the office of the Commission to whom the exercise of such power or the performance of such function has been lawfully delegated by the Commission;
- (iii) "department", "department of the Transkei" or "Transkeian Department", means a department, sub-department or office of the Transkeian Government Service set forth in the first column of the Schedule to this Proclamation;
- (iv) "employee" means a person referred to in paragraph (d) of sub-section (1) of section *three*;
- (v) "fixed establishment" means the posts which have been created for the normal and regular requirements of a department;
- (vi) "Government of the Republic" means the Government of the Republic of South Africa and includes any provincial administration and the administration of the Territory, but does not include the railway administration;
- (vii) "head of department", "head of a department" or "head of the department" means the officer holding or acting in the post on the fixed establishment designated by the name set forth in the second column of the Schedule to this Proclamation, opposite the name of each respective department;
- (viii) "head of office" means the head of an office, branch, institution, division or place of work and includes head of department;
- (ix) "Minister" means the Chief Minister or one of the Ministers referred to in section *ten* of the Transkei Constitution Act, 1963;
- (x) "month" means a period extending from the first to the last day, both days inclusive, of any one of the twelve months of the year;
- (xi) "non-prescribed post" means a post classified by or in terms of this Proclamation as a post not being prescribed;
- (xii) "officer" means a person who has been appointed permanently, notwithstanding that such appointment may be on probation, to a post referred to in paragraphs (a) and (b) of sub-section (1) of section *three*, and includes a person referred to in paragraph (c) of sub-section (1) of section *three* and a person referred to in the proviso to paragraph (b) of sub-section (2) of section *three*;
- (xiii) "pensionable age" means the age at which, in terms of this Proclamation, an officer shall have the right to retire and shall be retired from the Transkeian Government Service;

DEEL I.

INLEIDENDE BEPALINGS.

WOORDBEPALING.

1. (1) In hierdie Proklamasie, tensy uit die samehang anders blyk, beteken—

- (i) „beampte” ’n persoon wat vas aangestel is, al is die aanstelling op proef, in ’n pos genoem in paragrawe (a) en (b) van subartikel (1) van artikel *drie* en ook ’n persoon genoem in paragraaf (c) van subartikel (1) van artikel *drie* en ’n persoon genoem in die voorbehoudsbepaling by paragraaf (b) van subartikel (2) van artikel *drie*;
- (ii) „departement”, „departement van die Transkei” of „Transkeise departement” ’n departement, subdepartement of kantoor van die Transkeise regeringsdiens uiteengesit in die eerste kolom van die Bylae by hierdie Proklamasie;
- (iii) „departementshoof”, „hoof van ’n departement” of „hoof van die departement” die beampte wat die bekleër is van die pos op die vaste diensstaat wat met die naam uiteengesit in die tweede kolom van die Bylae by hierdie Proklamasie, teenoor die naam van elke onderskeie departement aangedui word of wat in daardie pos waarneem;
- (iv) „dienste van die Republiek”—
 - (a) die Suid-Afrikaanse Staande Mag ingestel kragtens artikel *een* van die „Zuid-Afrika Verdedigings Wet Wyzigings Wet, 1922” (Wet No. 22 van 1922);
 - (b) die Suid-Afrikaanse Polisiemag opgerig kragtens artikel *twee* van die „Politiewet, 1912” (Wet No. 14 van 1912); en
 - (c) die Gevangenisdiens bestaande uit die Departement van Gevangenisne, opgerig kragtens subartikel (1) van artikel *drie* van die „Wet op Gevangenisne en Verbetergestichten, 1911” (Wet No. 13 van 1911) (met uitsluiting van enige persoon by daardie departement in diens wat nie ’n beampte, soos omskryf in artikel *twee* van daardie Wet, is nie); en dié lede van die personeel van die Departement van Gevangenisne van die Gebied wat beamptes of ondergeskikte beamptes (volgens die woordbepaling in daardie Wet, soos toegepas op die Gebied by Administrateursproklamasie), in daardie departement is;
- (v) „diens” enige voltydse onafgebroke diens onder die Regering van die Republiek of die Transkei of albei;
- (vi) „hoof van kantoor” die hoof van ’n kantoor, tak, inrigting, afdeling of werkplek en sluit departementshoof in;
- (vii) „inkomste” die Transkeise Inkomstefonds;
- (viii) „kalendermaand” ’n tydperk wat strek van een dag van die maand tot en met die dag wat die dag voorafgaan wat numeriek ooreenstem met daardie dag in die volgende maand;
- (ix) „Kommissie” die Regeringsdienskommissie in artikel *twee-en-sestig* van die Transkeise Grondwet, 1963 (Wet No. 48 van 1963), vermeld en in verband met ’n bevoegdheid of werksaamheid wat aan die Kommissie by hierdie Proklamasie of enige ander wetsbepaling verleen of opgedra word, ook enige lid of lede van die Kommissie of ’n beampte in diens in die kantoor van die Kommissie aan wie die uitoefening van daardie bevoegdheid of die verrigting van daardie werksaamheid wettiglik deur die Kommissie gedelegeer is;

- (iv) "prescribed post" means a post which has been prescribed by or in terms of this Proclamation for purposes of membership of the Transkeian Government Employees' Pension and Gratuity Fund established by Proclamation No. 143 of 192;
- (xv) "regulation" means a regulation made or deemed to have been made in terms of section *twenty-six* of the Public Service Act, 1957 (Act No. 54 of 1957), or a regulation made in terms of section *twenty-six* of this Proclamation;
- (xvi) "revenue" means the Transkeian Revenue Fund;
- (xvii) "salary increment" means the approved amount by which a salary may be increased according to the appropriate scale;
- (xviii) "scale", in relation to salary, includes salary at a fixed rate;
- (xix) "service" means any continuous full-time service under the Governments of the Republic or the Transkei, or both;
- (xx) "Services of the Republic" means—
 - (a) the South African Permanent Force constituted under section *one* of the South Africa Defence Act Amendment Act, 1922 (Act No. 22 of 1922);
 - (b) the South African Police Force established under section *two* of the Police Act, 1912 (Act No. 14 of 1912); and
 - (c) the Prisons Service consisting of the Prisons Department established under sub-section (1) of section *three* of the Prisons and Reformatories Act, 1911 (Act No. 13 of 1911) (excluding any person employed in that department who is not an officer as defined in section *two* of that Act); and such of the staff of the Prisons Department of the Territory as are officers or subordinate officers (according to the definition in that Act as applied to the Territory by Administrator's proclamation), in that department;
- (xxi) "Transkeian Regional Authority" means the Transkeian Regional Authority instituted in terms of sub-section (1) of section *four* of Proclamation No. 180 of 1956.

(2) Where in this Proclamation reference is made in relation to an officer to a reduction in a scale of salary, the reference shall be construed as including the application of a scale of salary which is lower than the scale previously applied as regards the maximum or minimum of the scale or the rate of progression in the scale; and any such reference to a reduction in grade or to a grade being lower than another grade shall be correspondingly construed.

APPLICATION OF PROCLAMATION.

2. (1) Save as in this section is specially provided, and save as the context otherwise indicates in any other section, the provisions of this Proclamation shall apply to or in respect of all officers and employees of the Transkeian Government Service.

(2) The provisions of this Proclamation which do not exclude persons employed in the Transkeian Police Force, shall apply to or in respect of such persons only to the extent that they are not in conflict with the laws and regulations governing their employment.

(3) The provisions of this Proclamation shall not apply to persons who are not officers or employees of the Transkeian Government Service and who, before or after the promulgation of this Proclamation, have been or are appointed in terms of the Special Education Act, 1948 (Act No. 9 of 1948), the Bantu Education Act, 1953 (Act No. 47 of 1953), or the Vocational Educational Act, 1955 (Act No. 70 of 1955).

- (x) „maand" 'n tydperk wat van die eerste tot en met die laaste dag van 'nigeen van die twaalf maande van die jaar strek;
- (xi) „Minister" die Hoofminister of een van die Ministers in artikel *tien* van die Transkeise Grondwet, 1963, vermeld;
- (xii) „nie-voorgeskrewe pos" 'n pos wat by of kragtens hierdie Proklamasie as 'n nie-voorgeskrewe pos geklassifiseer word;
- (xiii) „pensioenleeftyd" die leeftyd waarop 'n beampte ingevolge hierdie Proklamasie die reg het om uit die Transkeise regeringsdiens af te tree en daaruit afgedank moet word;
- (xiv) „Regering van die Republiek" die Regering van die Republiek van Suid-Afrika en ook 'n provinsiale administrasie en die administrasie van die Gebied, maar nie ook die spoorwegadministrasie nie;
- (xv) „regulasie" 'n regulasie uitgevaardig of geag uitgevaardig te wees kragtens artikel *ses-en-twintig* van die Staatsdienswet, 1957 (Wet No. 54 van 1957), of 'n regulasie wat ingevolge artikel *ses-en-twintig* van hierdie Proklamasie uitgevaardig word;
- (xvi) „salarisverhoging" die goedgekeurde bedrag waarmee 'n salaris volgens die toepaslike skaal verhoog kan word;
- (xvii) „skaal" met betrekking tot salaris, ook salaris teen 'n vaste bedrag;
- (xviii) „Transkeise Gebiedsowerheid" die Transkeise Gebiedsowerheid ingestel kragtens subartikel (1) van artikel *vier* van Proklamasie No. 180 van 1956;
- (xix) „vaste diensstaat" die poste wat vir die normale en gereelde vereistes van 'n departement geskep is;
- (xx) „voorgeskrewe pos" 'n pos wat by of kragtens hierdie Proklamasie vir doeleindes van lidmaatskap van die Transkeise Regeringswerknemerspensioen- en gratifikasiefonds, ingestel kragtens Proklamasie No. 143 van 1921, voorgeskryf is;
- (xxi) „werknemer" 'n persoon in paragraaf (d) van subartikel (1) van artikel *drie* genoem.

(2) Waar daar in hierdie Proklamasie in verband met 'n beampte van 'n verlaging van 'n salarisskaal melding gemaak word, word dit so uitgelê dat dit die toepassing van 'n salarisskaal insluit wat laer is as die skaal wat tevore toegepas is wat betref die maksimum of minimum van die skaal of die tempo van vordering in die skaal; en so 'n vermelding van 'n verlaging in graad of dat 'n graad laer is as 'n ander graad, word in 'n ooreenstemmende sin uitgelê.

TOEPASSING VAN PROKLAMASIE.

2. (1) Met uitsondering van wat uitdruklik in hierdie artikel bepaal word en behalwe waar uit die samehang anders blyk in enige ander artikel, is die bepalings van hierdie Proklamasie van toepassing op of ten opsigte van alle beamptes en werknemers van die Transkeise Regeringsdiens.

(2) Die bepalings van hierdie Proklamasie wat persone wat in die Transkeise Polisiediens in diens is; nie uitsluit nie, is op of ten opsigte van sodanige persone van toepassing slegs vir sover hulle nie met die wette en regulasies wat op hulle diens van toepassing is, in stryd is nie.

(3) Die bepalings van hierdie Proklamasie is nie van toepassing op persone wat nie beamptes of werknemers in die Transkeise Regeringsdiens is nie en wat voor of na uitvaardiging van hierdie Proklamasie kragtens die bepalings van die Wet op Buitengewone Onderwys, 1948 (Wet No. 9 van 1948), die Wet op Bantoe-onderwys, 1953 (Wet No. 47 van 1953), of die Wet op Beroepsonderwys, 1955 (Wet No. 70 van 1955), aangestel is of word.

PART II.

ORGANIZATION AND ADMINISTRATION.

DEFINITION AND CLASSIFICATION OF TRANSKEIAN GOVERNMENT SERVICE.

3. (1) The Transkeian Government Service shall consist of Transkeian citizens—

- (a) who hold prescribed posts on the fixed establishment;
- (b) who hold posts on the fixed establishment other than posts referred to in paragraph (a) above;
- (c) who having ceased to hold posts on the fixed establishment referred to in paragraph (a), and not having retired or been discharged, are employed additional to the fixed establishment in accordance with a recommendation made in terms of paragraph (e) of sub-section (2) of section six, or who are deemed to continue to hold prescribed posts in the circumstances contemplated by the proviso to paragraph (b) of sub-section (2);
- (d) who are employed temporarily or under a special contract in a department, whether in a full-time or part-time capacity, additional to the fixed establishment in accordance with a recommendation made in terms of paragraph (d) of sub-section (2) of section six;
- (e) who hold posts on the fixed establishment of the Transkeian Police Force:

Provided that a person who is a member of another Bantu national unit of the Republic of South Africa, as defined in the Promotion of Bantu Self-government Act, 1959 (Act No. 46 of 1959), may, on the recommendation of the Commission and the approval of the Transkeian Cabinet, also be admitted to the Transkeian Government Service as provided for Transkeian citizens in paragraph (1) of this section.

(2) It shall be competent for the Commission to direct that—

- (a) any post on the fixed establishment be classified a prescribed post; and
- (b) any prescribed post be reclassified a non-prescribed post: Provided that no direction under this section shall deprive an officer of any leave or other privilege or right which flowed from the occupancy by him of a prescribed post.

(3) All directions which are made in terms of this section shall be notified in the *Official Gazette* of the Transkei.

(4) The Transkeian Government Service shall not include Paramount Chiefs, Ministers, Chiefs, members of the Legislative Assembly and members of the Commission.

PUBLIC SERVICE COMMISSION: APPOINTMENT, REMUNERATION AND TENURE OF OFFICE.

4. (1) In conformity with the provisions of section sixty-two of the Transkei Constitution Act, 1963, there shall be a commission to be known as the Public Service Commission, with such powers, functions and duties as are prescribed by this Proclamation or any other law.

(2) The Commission shall consist of three members who shall be appointed by the Cabinet.

(b) The Cabinet shall designate one member as Chairman of the Commission.

(3) Subject to the provisions of sub-sections (8), (9), (10) and (11), a member of the Commission shall hold office for a period of three years and shall be eligible for reappointment on the expiry of his period of office.

(4) The Cabinet shall fix the salaries and allowances payable to the Chairman and members of the Commission: Provided that the salary payable to the Chairman or a member shall not be reduced during a period of office except by Act of the Legislative Assembly.

(5) A member of the Commission shall not without the permission of the Cabinet perform or engage himself to perform any remunerative work outside the duties of his office.

DEEL II.

ORGANISASIE EN ADMINISTRASIE.

OMSKRYWING EN INDELING VAN DIE TRANSKEISE REGERINGSDIENS.

3. (1) Die Transkeise Regeringsdiens bestaan uit Transkeise burgers—

- (a) wat voorgeskrewe poste op die vaste diensstaat beklee;
- (b) wat ander poste op die vaste diensstaat beklee as die poste in paragraaf (a) genoem;
- (c) wat nadat hulle opgehou het om poste op die vaste diensstaat in paragraaf (a) genoem, te beklee, en wat nie afgetree het of ontslaan is nie, addisioneel tot die vaste diensstaat in diens is ooreenkomstig 'n aanbeveling gedoen ingevolge paragraaf (e) van subartikel (2) van artikel ses, of wat geag word 'n voorgeskrewe pos te bly beklee onder die omstandighede in die voorbehoudsbepaling by paragraaf (b) van subartikel (2) beoog;
- (d) wat tydelik of onder 'n spesiale kontrak in 'n departement, hetsy in 'n voltydse of deeltydse hoedanigheid, addisioneel tot die vaste diensstaat ooreenkomstig 'n aanbeveling gedoen ingevolge paragraaf (d) van subartikel (2) van artikel ses in diens is;
- (e) wat poste beklee op die vaste diensstaat van die Transkeise Polisie:

Met dien verstande dat persone wat lede van 'n ander Bantoevolkseenheid van die Republiek van Suid-Afrika is soos omskryf in die Wet op Bevordering van Bantoe-selfbestuur, 1959 (Wet No. 46 van 1959), ook op aanbeveling van die Kommissie en met die goedkeuring van die Transkeise Kabinet tot die Transkeise Regeringsdiens toegelaat kan word soos in paragraaf (1) van hierdie artikel vir Transkeise burgers bepaal is.

(2) Die Kommissie het die bevoegdheid om te gelas—

- (a) dat enige pos op die vaste diensstaat as 'n voorgeskrewe pos geklassifiseer word; en
- (b) dat enige pos wat as 'n voorgeskrewe pos geklassifiseer is, as 'n nie-voorgeskrewe pos herklassifiseer word: Met dien verstande dat 'n lasgewing ingevolge hierdie paragraaf nie 'n beaampte verlof of 'n ander voorreg of reg wat sy bekleding van 'n voorgeskrewe pos meegebring het, mag ontnem nie.

(3) Alle lasgewings wat ingevolge hierdie artikel gegee word, word in die *Amptelike Koerant* van die Transkei bekendgemaak.

(4) Die Transkeise Regeringsdiens sluit nie Hoofkapteins, Ministers, Kapteins, lede van die Wetgewende Vergadering en lede van die Kommissie in nie.

REGERINGSDIENSKOMMISSIE: AANSTELLING, BESOLDIGING EN AMPSTERMYN.

4. (1) In ooreenstemming met die bepalings van artikel twee-en-sestig van die Transkeise Grondwet, 1963, is daar 'n kommissie bekend as die Regeringsdienskommissie, met die bevoegdhede, werksaamhede en pligte wat by hierdie Proklamasie of enige ander wetsbepaling voorgeskryf word.

(2) (a) Die Kommissie bestaan uit drie lede wat deur die Kabinet aangestel word.

(b) Die Kabinet wys een lid as Voorsitter van die Kommissie aan.

(3) Behoudens die bepalings van subartikels (8), (9), (10) en (11) beklee 'n lid van die Kommissie sy amp vir 'n tydperk van drie jaar en kan hy by die verstryking van sy ampstyd weer aangestel word.

(4) Die Kabinet stel die salarisse en toelaes vas wat aan die Voorsitter en lede van die Kommissie betaal word: Met dien verstande dat die salaris van die Voorsitter of 'n lid nie gedurende 'n amptermyn verminder mag word nie behalwe by 'n wet van die Wetgewende Vergadering.

(5) 'n Lid van die Kommissie mag nie sonder die toestemming van die Kabinet besoldigde werk buite sy amppligte verrig of hom verbind om dit te verrig nie.

(6) In the case of illness, suspension or absence of the Chairman or a member of the Commission the Cabinet may appoint a person to act as Chairman or member of the Commission during such illness, suspension or absence of such Chairman or member.

(7) A member of the Commission shall not be suspended or removed from office except in accordance with the provisions of sub-sections (8), (9) and (10).

(8) (a) The Cabinet may suspend a member of the Commission and subject to the provisions of this sub-section, remove him from office—

- (i) for misconduct;
- (ii) unfitness for the duties of his office or incapacity to carry them out efficiently; or
- (iii) if for reasons other than his own unfitness or incapacity his removal from office will promote efficiency or economy.

(b) Every suspension of a member of the Commission and the reason therefor shall be communicated by message to the Legislative Assembly within fourteen days of suspension, if the Legislative Assembly is then in session, or if the Legislative Assembly is not then in session, within fourteen days of the commencement of its next ensuing session.

(c) If within twenty-one days of the date on which the aforesaid suspension and the reason therefor have been so communicated to the Legislative Assembly, the Cabinet is presented with an address by the Legislative Assembly praying for the removal of the member from office and stating the reason for such removal, the Cabinet may remove him accordingly.

(d) If within the period referred to in paragraph (c) no such address is presented to the Cabinet, the member shall be restored to office.

(9) If a member of the Commission becomes afflicted with a permanent infirmity of mind or body which disables him from the proper discharge of duties of his office, the Cabinet may—

- (i) allow him to vacate his office; or
- (ii) subject to the provisions of sub-section (8), remove him from office on the ground of incapacity.

(10) A member of the Commission shall not be under forty years of age and shall retire on attaining the age of seventy.

(11) If any officer in the Transkeian Government Service is appointed to be a member of the Commission, he shall vacate his office in which event he shall be entitled to such pension as he would have been entitled to if he had been discharged from the Transkeian Government Service owing to the abolition of his post.

EXERCISING AND DELEGATION OF COMMISSION'S POWERS AND FUNCTIONS.

5. (1) Subject to the provisions of sub-section (2), a recommendation or direction made or given by not less than two members of the Commission shall be deemed for the purposes of this Proclamation or any other law to be a recommendation or direction made or given by the Commission.

(2) Subject to the provisions of sub-section (3), any power conferred upon or function entrusted to the Commission by this Proclamation or any other law (except the power of delegation conferred hereby) may, with the concurrence of all the members of the Commission, be exercised or carried out—

- (a) by any member or members of the Commission under a general or special delegation from the Commission; or
- (b) by any officer employed in the office of the Commission.

(3) The Commission shall not delegate the powers conferred upon it by paragraphs (a), (g), (j), (m) and (n) of sub-section (2) of section six, or sub-sections (5) and (6) and paragraphs (a) to (e), inclusive, of sub-section (7) and sub-sections (8) and (9) of section fifteen, or Part IV or section twenty-six of this Proclamation.

(6) In die geval van siekte, skorsing of afwesigheid van die Voorsitter of 'n lid van die Kommissie kan die Kabinet 'n persoon aanstel om as Voorsitter of lid van die Kommissie gedurende sodanige siekte, skorsing of afwesigheid van sodanige Voorsitter of lid waar te neem.

(7) 'n Lid van die Kommissie mag nie in sy amp geskors of daarvan onthef word nie, behalwe ooreenkomstig die bepalings van subartikels (8), (9) en (10).

(8) (a) Die Kabinet kan 'n lid van die Kommissie in sy amp skors en, behoudens die bepalings van hierdie subartikel, hom daarvan onthef—

- (i) weens wangedrag;
- (ii) weens ongeskiktheid vir sy ampspligte of onvermoë om hulle op bekwame wyse uit te voer; of
- (iii) as om ander redes as sy eie ongeskiktheid of onvermoë, sy onthefing van sy amp doeltreffendheid of besuiniging sal bevorder.

(b) Elke skorsing van 'n lid van die Kommissie en die rede daarvoor moet aan die Wetgewende Vergadering binne veertien dae na die skorsing meegedeel word as die Wetgewende Vergadering dan sit of as die Wetgewende Vergadering nie dan sit nie, binne veertien dae na die aanvang van sy eersvolgende sessie.

(c) As die Kabinet binne een-en-twintig dae vanaf die datum waarop genoemde skorsing en die rede daarvoor aldus aan die Wetgewende Vergadering meegedeel is, 'n adres van die Wetgewende Vergadering voorgelê word waarin versoek word dat die lid van sy amp onthef word en waarin die rede vir die onthefing genoem word, kan die Kabinet hom dienooreenkomstig onthef.

(d) As geen sodanige adres binne die tydperk in paragraaf (c) genoem aan die Kabinet voorgelê word nie, moet die lid in sy amp herstel word.

(9) As 'n lid van die Kommissie 'n blywende verstandelike of liggaamlike swakheid opdoen wat hom ongeskik maak vir die behoorlike vervulling van sy ampspligte, kan die Kabinet—

- (a) hom toelaat om sy amp neer te lê; of
- (b) hom, behoudens die bepalings van subartikel (8), van sy amp op grond van onvermoë onthef.

(10) 'n Lid van die Kommissie moet minstens veertig jaar oud wees en moet aftree wanneer hy die leeftyd van sewentig jaar bereik.

(11) As 'n beampte in die Transkeise Regeringsdiens aangestel word om 'n lid van die Kommissie te wees, moet hy sy betrekking in die Regeringsdiens bedank, en in dié geval is hy geregtig op die pensioen waarop hy geregtig sou gewees het as hy weens die afskaffing van sy pos uit die Transkeise Regeringsdiens ontslaan was.

UITOEFENING VAN KOMMISSIE SE BEVOEGDHED E N WERKSAAMHEDE.

5. (1) Behoudens die bepalings van subartikel (2), word 'n aanbeveling of lasgewing wat deur minstens twee lede van die Kommissie gedoen of gegee is by die toepassing van hierdie Proklamasie of enige ander wetsbepaling geag 'n aanbeveling of lasgewing te wees wat deur die Kommissie gedoen of gegee is.

(2) Behoudens die bepalings van subartikel (3) kan enige bevoegdheid wat verleen of werkzaamheid wat opgedra is aan die Kommissie by hierdie Proklamasie, of enige ander wetsbepaling (behalwe die delegasiebevoegdheid wat hierby verleen word), met die instemming van al die lede van die Kommissie uitgeoefen of verrig word—

- (a) deur 'n lid of lede van die Kommissie ingevolge 'n algemene of spesiale delegasie van die Kommissie; of
- (b) deur 'n beampte in diens in die kantoor van die Kommissie.

(3) Die Kommissie mag nie die bevoegdhede wat aan hom by paragrawe (a), (g), (j), (m) en (n) van subartikel (2) van artikel ses, of subartikels (5) en (6) en paragrawe (a) tot en met (e) van subartikel (7) en subartikels (8) en (9) van artikel vyftien, of Deel IV of artikel ses-en-twintig van hierdie Proklamasie verleen is, deleger nie.

(4) The Commission may designate the Secretary of the office of the Commission or an officer or officers nominated by the said Secretary, to conduct an inquiry into any matter upon which in terms of this Proclamation or any other law it is competent for the Commission to make a recommendation or issue a direction.

(5) Any delegation or designation made by the Commission under this section may at any time be amended or revoked by the Commission.

COMMISSION'S POWERS, FUNCTIONS AND DUTIES.

6. (1) The Commission shall have the power—

(a) to perform the functions and carry out the duties categorically described in this section as well as the functions entrusted to and the duties imposed upon it by or under any other provision of this Proclamation or by or under any other law; and

(b) to make recommendations or give directions on all matters not specifically provided for in this Proclamation or any other law, but not inconsistent therewith, relating to or arising out of employment of and the conditions of service generally of officers and employees in the Transkeian Government Service.

(2) The Commission shall—

(a) subject to the provisions of paragraph (3) of section twenty-one of the Transkei Constitution Act, 1963, make recommendations as to the abolition of departments, sub-departments, branches or offices and the transfer of functions from one department to another;

(b) make recommendations as to the organization of departments, sub-departments, branches or offices;

(c) make recommendations as to the number, grading, regrading and conversion of posts on the fixed establishment;

(d) make recommendations as to the number of persons to be employed temporarily or under a special contract, whether in a full-time or a part-time capacity—

(i) against posts on the fixed establishment which cannot permanently be filled; or

(ii) in addition to the fixed establishment, either by reason of the absence or illness of the incumbent of any post, or when it is necessary to provide staff for the performance of a class of work for which staff is not ordinarily maintained on a permanent basis, or when it is necessary for any other reason to increase temporarily the staff of any department;

(e) whenever it considers it necessary, make a recommendation for the employment of an officer additional to the fixed establishment, or in a post graded lower or higher than his own grade;

(f) make recommendations for effecting economies and promoting efficiency in the management and working of departments, sub-departments, branches and offices, by—

(i) improved organization, procedure and methods;

(ii) improved supervision;

(iii) simplification of work and the elimination of unnecessary work;

(iv) co-ordination of work;

(v) limitation of the number of officers and employees of departments, sub-departments, branches and offices and the utilisation of the services of officers and employees to the best advantage;

(g) make recommendations as to the scales of salaries, wages and allowances of all the various classes and grades of officers and employees;

(4) Die Kommissie kan die Sekretaris van die Kommissie se kantoor of 'n beampte of beamptes wat deur gemelde Sekretaris genomineer is, aanwys om 'n ondersoek in te stel na enige aangeleentheid waaroor die Kommissie ingevolge hierdie Proklamasie of enige ander wetsbepaling die bevoegdheid het om 'n aanbeveling te doen of 'n lasgewing te gee.

(5) 'n Delegasie of aanwysing wat ingevolge hierdie artikel deur die Kommissie gedoen is, kan te eniger tyd deur die Kommissie gewysig of ingetrek word.

KOMMISSIE SE BEVOEGDHEDE, WERKSAAMHEDE EN PLIGTE.

6. (1) Die Kommissie het die bevoegdheid—

(a) om die werksaamhede te verrig en die pligte uit te voer wat uitdruklik in hierdie artikel beskryf word asook die werksaamhede wat aan hom opgedra en die pligte wat aan hom opgelê is by of kragtens enige ander bepaling van hierdie Proklamasie of enige ander wetsbepaling; en

(b) om aanbevelings te doen of lasgewings te gee oor alle aangeleenthede waarvoor daar nie uitdruklik in hierdie Proklamasie of enige ander wetsbepaling voorsiening gemaak is nie maar wat nie daarmee strydig is nie, met betrekking tot of voortspruitende uit die indiensneming van en die diensvoorwaardes in die algemeen van beamptes en werknemers in die Transkeise Regeringsdiens.

(2) Die Kommissie moet—

(a) behoudens die bepalings van paragraaf (3) van artikel een-en-twintig van die Transkeise Grondwet, 1963, aanbevelings doen aangaande die afskaffing van departemente, subdepartemente, takke of kantore en die oordrag van werksaamhede van een departement na 'n ander;

(b) aanbevelings doen aangaande die organisasie van departemente, subdepartemente, takke of kantore;

(c) aanbevelings doen aangaande die getal, gradering, hergradering en omskepping van poste op die vaste diensstaat;

(d) aanbevelings doen aangaande die getal persone wat tydelik of onder 'n spesiale kontrak, hetsy in 'n voltydse of 'n deeltydse hoedanigheid, in diens geneem moet word—

(i) teen poste op die vaste diensstaat wat nie permanent gevul kan word nie; of

(ii) addisioneel tot die vaste diensstaat, hetsy weens die afwesigheid of siekte van die bekleër van 'n pos, of wanneer dit nodig is om personeel te verskaf vir die verrigting van 'n klas werk waarvoor personeel nie onder gewone omstandighede op 'n permanente basis aangehou word nie, of wanneer dit om enige ander rede nodig is om die personeel van 'n departement tydelik te vergroot;

(e) wanneer hy dit nodig ag 'n aanbeveling doen vir die indiensneming van 'n beampte addisioneel tot die vaste diensstaat of in 'n pos wat hoër of laer as sy eie graad gegradeer is;

(f) aanbevelings doen vir die bewerkstelling van besuiniging en die bevordering van doeltreffendheid in die bestuur en funksionering van departemente, subdepartemente, takke en kantore deur—

(i) verbeterde organisasie, prosedure en metodes;

(ii) verbeterde toesig;

(iii) vereenvoudiging van werk en die uitskakeling van onnodige werk;

(iv) koördinasie van werk;

(v) beperking van die getal beamptes en werknemers van departemente, subdepartemente, takke en kantore en die aanwending van die dienste van beamptes en werknemers op die voordeligste wyse;

(g) aanbevelings doen aangaande die skale van salarisse, loné en toelaes van al die verskillende klasse en grade van beamptes en werknemers;

- (h) whenever it is necessary to make any appointment or promotion to a prescribed post on the fixed establishment, whether such necessity arises from the fact that the post is vacant or has been regraded or converted, make a recommendation as to the person to be appointed or promoted: Provided that in such non-prescribed posts on the fixed establishment as may be specified by the Commission, appointments and promotions may be made without a recommendation of the Commission;
- (i) keep a record of officers employed in prescribed posts on the fixed establishment;
- (j) inquire into the grievances of officers and subject to the provisions of this Proclamation make such recommendations thereon as it may deem fit;
- (k) give directions as to the age, educational, language and other qualifications to be possessed by persons on appointment, transfer or promotion to or in the Transkeian Government Service where such qualifications are not prescribed by or under this Proclamation or any other law;
- (l) where it deems it necessary, conduct examinations or cause examinations to be conducted in such subjects, including languages, as may be directed by it or prescribed as a qualification to be possessed by persons on appointment, transfer or promotion to or in the Transkeian Government Service;
- (m) make recommendations as to the provisions of the regulations referred to in sub-section (1) of section one of this Proclamation;
- (n) as soon as practicable after the thirty-first day of December of each year, frame a report upon matters which have been dealt with by the Commission during the preceding year, and also from time to time such special reports as may to the Commission seem desirable;
- (o) exercise such other powers, perform such other functions, and carry out such other duties not repugnant to this Proclamation as may be conferred upon, entrusted to or imposed upon it by the Cabinet.

(3) The provisions of paragraph (h) (excluding the proviso thereto), and paragraph (i) of sub-section (2), shall apply *mutatis mutandis* in respect of such employees as may be directed by the Commission.

(4) The Cabinet may delegate to the Commission such powers, functions and duties as are by any law conferred upon, entrusted to or imposed upon a Minister in respect of the appointment, grading, promotion, retirement, discipline, hours of attendance, leave of absence and generally the conditions of service of persons in the employment of boards and like institutions or bodies.

THE CARRYING OUT, WITHDRAWAL, REJECTION OR VARIATION AND FINANCIAL APPROVAL OF COMMISSION'S RECOMMENDATIONS.

7. (1) Subject to the provisions of sub-section (2) every recommendation made by the Commission in accordance with this Proclamation and which relates to a particular person—

- (a) may be withdrawn or varied by the Commission or may be rejected or varied by the Cabinet before it has been carried out, at any time within a period of six calendar months of the date upon which it was made by the Commission or within a period of six calendar months of the date upon which it was varied by the Commission: Provided that it shall not be competent for the Commission to withdraw or vary any recommendation which has been varied by the Cabinet;
- (b) shall, if the Cabinet has varied it, forthwith be carried out by the Minister as so varied;
- (c) shall, if the Cabinet has refused to vary or reject it, forthwith be carried out by the Minister as made or varied by the Commission;
- (d) shall, if the said period has expired, and it has not been carried out, or withdrawn by the Commission or rejected or varied by the Cabinet, forthwith be carried out by the Minister as made or varied by the Commission.

- (h) wanneer dit nodig is om 'n aanstelling of bevordering te doen in of tot 'n voorgeskrewe pos op die vaste diensstaat, hetsy dit nodig is weens die feit dat die pos vakant of hergradeer of omgeskep is, 'n aanbeveling doen aangaande die persoon wat aangestel of bevorder moet word: Met dien verstande dat in nie-voorgeskrewe poste op die vaste diensstaat wat deur die Kommissie vermeld word, aanstellings en bevorderings sonder 'n aanbeveling van die Kommissie gedoen kan word;
- (i) aantekening hou van beamptes wat in diens geneem is in voorgeskrewe poste op die vaste diensstaat;
- (j) ondersoek instel na griewe van beamptes en, behoudens die bepalings van hierdie Proklamasie, die aanbevelings daaroor doen wat hy goeie dink;
- (k) lasgewings gee aangaande die leeftyds-, opvoedkundige-, taal- en ander kwalifikasies wat persone moet besit by aanstelling, oorpasing of bevordering in of na die Transkeise Regeringsdiens, waar die kwalifikasies nie by of kragtens hierdie Proklamasie of enige ander wetsbepaling voorgeskryf word nie;
- (l) waar hy dit nodig ag, eksamens afneem of laat afneem in die vakke, insluitende tale, soos hy gelas of soos voorgeskryf as 'n kwalifikasie wat persone by aanstelling, oorpasing of bevordering in of na die Transkeise Regeringsdiens moet besit;
- (m) aanbevelings doen aangaande die bepalings van die regulasies waarna in subartikel (1) van artikel een van hierdie Proklamasie verwys is;
- (n) so spoedig doenlik na die een-en-dertigste dag van Desember van elke jaar 'n verslag oor aangeleenthede wat die Kommissie gedurende die vorige jaar behandel het, asook van tyd tot tyd spesiale verslae wat die Kommissie wenslik ag, opstel; en
- (o) die ander bevoegdhede uitoefen, die ander werksaamhede verrig en die ander pligte uitvoer wat nie met hierdie Proklamasie strydig is nie en wat aan hom deur die Kabinet verleen, opgedra of opgelê word.

(3) Die bepalings van paragraaf (h) (behalwe die voorbehoudsbepaling daarby), en paragraaf (i) van subartikel (2) is *mutatis mutandis* ten opsigte van sodanige werknemers as wat die Kommissie gelas, van toepassing.

(4) Die Kabinet kan aan die Kommissie die bevoegdhede, werksaamhede en pligte, wat by enige wetsbepaling verleen, opgedra of opgelê is aan 'n Minister ten opsigte van die aanstelling, gradering, bevordering, aftreding, dissipline, diensure, verlof en in die algemeen, diensvoorwaardes van persone in die diens van rade en dergelike inrigtings of liggame deleger.

DIE UITVOERING, TERUGTREKKING, VERWERPING OF WYSIGING EN FINANSIËLE GOEDKEURING VAN AANBEVELINGS VAN DIE KOMMISSIE.

7. (1) Elke aanbeveling wat deur die Kommissie ooreenkomstig hierdie Proklamasie gedoen word en wat op 'n besondere persoon betrekking het, behoudens die bepalings van subartikel (2)—

- (a) kan voordat dit uitgevoer is, deur die Kommissie teruggetrek of gewysig word of deur die Kabinet verwerp of gewysig word te enige tyd binne 'n tydperk van ses kalendermaande vanaf die datum waarop dit deur die Kommissie gedoen is of binne 'n tydperk van ses kalendermaande vanaf die datum waarop dit deur die Kommissie gewysig is: Met dien verstande dat die Kommissie nie 'n aanbeveling wat deur die Kabinet gewysig is, mag terugtrek of wysig nie;
- (b) word, as dit deur die Kabinet gewysig is, onverwyld deur die Minister, soos aldus gewysig, uitgevoer;
- (c) word, as die Kabinet geweier het om dit te wysig of te verwerp, onverwyld deur die Minister soos deur die Kommissie gedoen of gewysig, uitgevoer;
- (d) word, as bedoelde tydperk verstryk het en dit nie uitgevoer of deur die Kommissie teruggetrek of deur die Kabinet verwerp of gewysig is nie, onverwyld deur die Minister soos deur die Kommissie gedoen of gewysig, uitgevoer.

- (2) Every recommendation of the Commission as to—
- (a) the number, grading, regrading and conversion of posts on the fixed establishment;
 - (b) the employment of officers and employees additional to the fixed establishment or in posts graded lower than their own grading;
 - (c) the scales of salaries, wages, and allowances of officers and employees;
 - (d) the payment to officers and employees, or classes of officers or employees, of salaries at higher rates than the minima of the scales applicable to their posts on appointment, transfer or promotion;
 - (e) the special advancement of officers and employees, or classes of officers or employees, within the scales of salary applicable to their posts or the payment to them of salaries in accordance with higher scales;
 - (f) the payment to officers and employees of extra remuneration for the performance of overtime duties;
 - (g) the amounts of bonuses, awards, gratuities, honoraria and any other extra payments to be made to officers and employees;
 - (h) the granting of bursaries and grants-in-aid for purposes of study and research;
 - (i) the conditions of service generally of officers and employees;
 - (j) the provision of the regulations,

involving expenditure from the Transkeian Revenue Fund, shall be communicated to the Secretary of the Departments of the Chief Minister and of Finance, and shall not be carried out unless the Transkeian Minister of Finance approves such expenditure.

(3) Where a recommendation of the Commission has been rejected or varied by the Cabinet, the Minister shall act in the matter in connection with which the recommendation was made, in accordance with any authority granted by the Cabinet or in accordance with the recommendation of the Commission as so varied, without obtaining a further recommendation of the Commission.

(4) For the purpose of the application of the provisions of sub-sections (1) and (3), relating to the rejection or variation by the Cabinet of a recommendation of the Commission, any refusal or failure by the Commission to make a recommendation, shall be deemed to be a recommendation of the Commission.

(5) No application for the rejection or variation of a recommendation shall be made to the Cabinet unless the department concerned has given the Commission at least fourteen days' notice of its intention so to apply and such notice shall set forth the grounds upon which the department intends basing the application.

(6) For the purposes of this Proclamation or any other law, a recommendation shall be deemed—

- (a) to have been made on the date of the written communication conveying such recommendation; and
- (b) if it relates to a particular person, to have been carried out by a Minister on the date of the written communication to such person stating that the Minister has approved such recommendation.

(7) If the Cabinet is unable or unwilling to adopt, or rejects or varies, a recommendation of the Commission made in accordance with this Proclamation, the Commission shall report the matter fully to the Legislative Assembly either by means of a special report or in its annual report.

COMMISSION'S POWER TO INSPECT DEPARTMENTS AND TO HAVE ACCESS TO OFFICIAL DOCUMENTS.

8. The Commission shall have the power, accompanied by the Secretary of the office of the Commission or any officer nominated by the said Secretary, to inspect all departments, to have access to such official documents and records, and to obtain all such information from heads of departments and other officers and employees as in its

- (2) Elke aanbeveling van die Kommissie aangaande—
- (a) die getal, gradering, hergradering en omskepping van poste op die vaste diensstaat;
 - (b) die indiensneming en indienshouding van beamptes en werknemers addisioneel tot die vaste diensstaat of in poste wat laer gegradeer is as hulle eie grade-ring;
 - (c) die skale van salarisse, lone en toelaes van beamptes en werknemers;
 - (d) die betaling aan beamptes en werknemers, of klasse beamptes of werknemers, van salarisse teen hoër bedrae as die minimums van die skale wat op hulle poste by aanstelling, oorpasing of bevordering van toepassing is;
 - (e) die spesiale verhoging van beamptes en werknemers of klasse beamptes of werknemers, binne die salarisskale wat op hulle poste van toepassing is of die betaling aan hulle van salarisse ooreenkomstig hoër skale;
 - (f) die betaling aan beamptes en werknemers van ekstra besoldiging vir die verrigting van oortyd-diens;
 - (g) die bedrae van bonusse, toekennings, gratifikasies, honorariums en ander ekstra betalings wat aan beamptes en werknemers gedoen mag word;
 - (h) die toekenning van beurse en hulptoelaes vir studie-en navorsingsdoeleindes;
 - (i) die diensvoorwaardes in die algemeen van beamptes en werknemers; en
 - (j) die bepalinge van die regulasies;

wat uitgawes uit die Transkeise Inkomstefonds meebring, word aan die Sekretaris van die Departemente van die Hoofminister en van Finansies meegedeel en nie uitgevoer nie tensy die Transkeise Minister van Finansies sodanige uitgawes goedkeur.

(3) Waar 'n aanbeveling van die Kommissie deur die Kabinet verwerp of gewysig is, handel die Minister in die aangeleentheid in verband waarmee die aanbeveling gedoen is, ooreenkomstig enige magtiging deur die Kabinet verleen of ooreenkomstig die aanbeveling van die Kommissie soos aldus gewysig, sonder om 'n verdere aanbeveling van die Kommissie te verkry.

(4) Vir die doel van die toepassing van die bepalinge van subartikels (1) en (3) betreffende die verwerping of wysiging deur die Kabinet van 'n aanbeveling van die Kommissie, word 'n weiering deur of 'n versuim van die Kommissie om 'n aanbeveling te doen, geag 'n aanbeveling van die Kommissie te wees.

(5) Geen aansoek om die verwerping of wysiging van 'n aanbeveling, word aan die Kabinet gerig nie tensy die betrokke departement aan die Kommissie ten minste veertien dae kennis gegee het van sy voorneme om aldus aansoek te doen en sodanige kennisgewing sit die gronde uiteen waarop die departement van voorneme is om die aansoek te baseer.

(6) By die toepassing van hierdie Proklamasie of van enige ander wetsbepalinge, word 'n aanbeveling geag—

- (a) gedoen te gewees het op die datum van die skriftelike mededeling waarin so 'n aanbeveling oorgedra word; en
- (b) as dit op 'n bepaalde persoon betrekking het, deur 'n Minister uitgevoer te gewees het op die datum van die skriftelike mededeling aan daardie persoon waarin verklaar word dat die Minister die aanbeveling goedgekeur het.

(7) As die Kabinet nie in staat of nie bereid is om 'n aanbeveling van die Kommissie wat ooreenkomstig hierdie Proklamasie gedoen is, aan te neem nie, of dit verwerp of wysig, moet die Kommissie die aangeleentheid hetsy deur middel van 'n spesiale verslag of in sy jaarverslag, volledig aan die Wetgewende Vergadering rapporteer.

KOMMISSIE SE BEVOEGDHEID OM DEPARTEMENTE TE INSPEKTEER, OM INSAE IN AMPTELIKE DOKUMENTE TE HÊ.

8. Die Kommissie het die bevoegdheid om, vergesel van die Sekretaris van die Kommissie se kantoor of 'n beampte wat deur gemelde Sekretaris genomineer is, alle departemente te inspekteer, om insae te hê in die amptelike dokumente en stukke en om al die inligting by hoofde van departemente en ander beamptes en werknemers te verkry

opinion may be necessary for the exercise of its powers, the performance of its functions and the carrying out of its duties under this Proclamation or under any other law.

STAFF OF THE COMMISSION AND INSPECTION OF PUBLIC OFFICES.

9. (1) There shall be appointed, subject to the provisions of this Proclamation a Secretary to the Commission and so many other officers and employees as may from time to time be necessary to enable the Commission effectually to exercise its powers, to perform its functions and to carry out its duties.

(2) The Secretary and staff referred to in sub-section (1), shall fall under the control of the Transkeian Secretary to the Chief Minister and for Finance.

(3) The Commission may designate the Secretary of its office or any officer or officers nominated by the said Secretary, to carry out the inspection of departments and any officer so designated shall have the powers conferred upon the Commission by section eight.

CONVENING OF COMMISSION.

10. (1) The Secretary referred to in sub-section (1) of section nine or an officer authorized by the said Secretary, shall, after consultation with the Chairman or the acting Chairman, arrange the convening of the Commission: Provided that nothing shall prevent the Chairman or the acting Chairman to convene a meeting of the Commission at any time: Provided further that the Commission shall meet at least once every month.

(2) The Secretary of the Commission or an officer, authorized by him, shall attend all meetings of the Commission.

PART III.

APPOINTMENTS, PROMOTIONS, TRANSFERS, RETIREMENTS AND DISCHARGES.

BY WHOM APPOINTMENTS AND PROMOTIONS ARE MADE.

11. Notwithstanding the provisions of any law passed before the commencement of this Proclamation and without derogation from the functions to be performed by the Commission under this Proclamation, the appointment or promotion of any person in the Transkeian Government Service shall be made by the Minister: Provided that the Minister may delegate his power of appointment or promotion to the head of his department or any officer or officers designated by the head of the department.

CONDITIONS AS TO THE FILLING OF POSTS.

12. (1) Subject to the provisions of this section, of section thirteen and of sub-section (1) of section sixty-one of the Transkei Constitution Act, 1963, appointments, transfers and promotions in the Transkeian Government Service shall be made in such manner and subject to such conditions (including the possession of knowledge of the official, additional official and other languages) as may be directed by the Commission: Provided that no person shall be appointed to a post on the fixed establishment unless he has passed in one of the official languages and in the additional official language or languages at the examination, prescribed or directed as aforesaid.

(2) No person shall be appointed permanently, or be transferred and appointed permanently under the provisions of sub-section (5) of section fourteen, whether on probation or not, to any post on the fixed establishment of the Transkeian Government Service unless such person is—

- (a) a Transkeian citizen or a member of another Bantu national unit of the Republic of South Africa as defined in the Promotion of Bantu Self-government Act, 1959;

wat na sy mening nodig is vir die uitoefening van sy bevoegdheide, die verrigting van sy werksaamhede en die uitvoering van sy pligte, ingevolge hierdie Proklamasie of enige ander wetsbepaling.

PERSONEEL VAN DIE KOMMISSIE EN INSPEKSIE VAN OPENBARE KANTORE.

9. (1) Daar word met inagneming van die bepalings van hierdie Proklamasie, 'n Sekretaris van die Kommissie en dié aantal ander beamptes en werknemers wat van tyd tot tyd nodig is om die Kommissie in staat te stel om op doeltreffende wyse sy bevoegdheide uit te oefen, sy werksaamhede te verrig en sy pligte uit te voer, aangestel.

(2) Die Sekretaris en personeel in subartikel (1) genoem, ressorteer vir beheerdoeleindes onder die Transkeise Sekretaris van die Hoofminister en van Finansies.

(3) Die Kommissie kan die Sekretaris van sy kantoor of 'n beampte of beamptes wat deur gemelde Sekretaris genomineer is, aanwys om die inspeksie van departemente uit te voer en 'n beampte aldus aangewys, het die bevoegdheide wat by artikel agt aan die Kommissie verleen is.

BYEENROEPING VAN DIE KOMMISSIE.

10. (1) Die Sekretaris in subartikel (1) van artikel nege genoem of 'n beampte wat deur gemelde Sekretaris daartoe gemagtig is, moet die Kommissie, na oorlegpleging met die Voorsitter of waarnemende Voorsitter, byeenroep: Met dien verstande dat niks die Voorsitter of waarnemende Voorsitter van die Kommissie verhoed om op enige tyd 'n vergadering van die Kommissie te belê nie: Met dien verstande verder dat die Kommissie minstens een keer per maand moet vergader.

(2) Die Sekretaris van die Kommissie of 'n beampte wat deur hom daartoe gemagtig is, moet alle vergaderings van die Kommissie bywoon:

DEEL III.

AANSTELLINGS, BEVORDERINGS, OORPLASINGS, AFTREDINGS, AFDANKINGS EN ONTSLAG.

DEUR WIE AANSTELLINGS EN BEVORDERINGS GEDOEN WORD.

11. Ondanks die bepalings van enige wet wat voor die inwerkingtreding van hierdie Proklamasie aangeneem is en sonder om afbreuk te doen aan die werksaamhede wat deur die Kommissie ingevolge hierdie Proklamasie verrig moet word, word die aanstelling of bevordering van 'n persoon in die Transkeise Regeringsdiens deur die Minister gedoen: Met dien verstande dat die Minister sy bevoegdheid van aanstelling of bevordering aan die hoof van sy departement of enige beampte of beamptes wat deur die departementshoof aangewys is, kan deleger.

VOORWAARDES AANGAANDE DIE VULLING VAN POSTE.

12. (1) Behoudens die bepalings van hierdie artikel, van artikel dertien en van subartikel (1) van artikel een-en-sestig van die Transkeise Grondwet, 1963, word aanstellings, oorplasinge en bevorderings in die Transkeise Regeringsdiens gedoen op die wyse en onder die voorwaardes (insluitende die besit van kennis van die amptelike, addisionele amptelike en ander tale) wat deur die Kommissie gelas word: Met dien verstande dat geen persoon in 'n pos op die vaste diensstaat aangestel mag word nie tensy hy geslaag het in een van die amptelike tale en die addisionele amptelike taal of tale in 'n eksamen wat gelas is soos voormeld.

(2) Niemand word vas aangestel of kragtens die bepalings van subartikel (5) van artikel veertien oorgeplaas en vas aangestel, hetsy op proef al dan nie, in 'n pos op die vaste diensstaat van die Transkeise Regeringsdiens nie tensy sodanige persoon—

- (a) 'n Transkeise burger is of 'n lid van 'n ander Bantoe-volkseenheid van die Republiek van Suid-Afrika, soos omskryf in die Wet op Bevordering van Bantoe-selfbestuur, 1959;

(b) of good character; and

(c) in the opinion of the Commission free from any mental or physical defect, disease or infirmity which would be likely to interfere with the proper carrying out of his duties or to render necessary his retirement from the Transkeian Government Service before reaching the pensionable age and the Commission has so declared:

Provided that a person may be so appointed on probation, notwithstanding the provisions of paragraph (c), if the Commission withholds the declaration referred to therein and directs, as a condition of the appointment, that it may be confirmed only after the Commission has issued such declaration: Provided further that such declaration by the Commission shall be made immediately upon adequate medical proof being furnished to it that such person is free from any mental or physical defect, disease or infirmity which would be likely to interfere with the proper carrying out of his duties or to render necessary his retirement from the Transkeian Government Service before reaching the pensionable age.

(3) In the filling of any post or the making of any appointment in the Transkeian Government Service, due regard shall be had to the qualifications, relative merit, efficiency and suitability of the persons who are eligible for promotion, transfer or appointment.

(4) For the filling of any prescribed post on the fixed establishment the Commission shall, subject to the provisions of sub-section (3), recommend either—

(a) the transfer or promotion of an officer; or

(b) if the post cannot be satisfactorily filled by such transfer or promotion, the appointment of a person who is not an officer:

Provided that within one calendar month of the commencement of each ordinary session of the Legislative Assembly, the Chief Minister shall lay upon the Table of the Legislative Assembly a return showing—

(a) the name of every person who has, since the commencement of the preceding ordinary session of the Legislative Assembly, been appointed to a post higher than the entry grade, and who was, immediately prior to such appointment, not an officer;

(b) the post to which such person has been appointed;

(c) the salary scale attaching to such post; and

(d) the special qualifications of such person for the post and the special reasons for his appointment.

APPOINTMENTS, TRANSFERS AND PROMOTIONS ON PROBATION.

13. (1) Appointments, transfers or promotions to posts on the fixed establishment of the Transkeian Government Service shall be made on probation if—

(a) in the case of prescribed posts on the fixed establishment, the Commission so recommends; or

(b) in the case of non-prescribed posts on the fixed establishment the person holding the power to approve appointments, transfers and promotions thereto, so authorizes.

(2) The period of probation so recommended or authorized shall not be less than twelve calendar months: Provided that if an officer who is serving on probation is transferred or promoted to another post, a lesser period of service on probation may be recommended or authorized in the new post, which, together with the period of probation served in the former post, shall total at least twelve calendar months: Provided further that the probationary period of an officer shall be extended by the number of days leave taken by him during the period of probation or any extension thereof.

(b) van goeie karakter is; en

(c) na die mening van die Kommissie vry van enige verstandelike of liggaamlike gebrek, siekte of swakheid is wat waarskynlik die behoorlike uitvoering van sy pligte sal belemmer of sy aftreding uit die Transkeise Regeringsdiens voordat hy die pensioenleeftyd bereik, nodig sal maak en die Kommissie aldus verklaar het;

Met dien verstande dat iemand aldus op proef aangestel kan word, ondanks die bepalings van paragraaf (c), as die Kommissie die daarin bedoelde verklaring agterweë hou en dit as 'n voorwaarde van die aanstelling gelas dat dit bekragtig kan word slegs nadat die Kommissie sodanige verklaring uitgereik het: Met dien verstande voorts dat sodanige verklaring deur die Kommissie gedoen word onmiddellik nadat afdoende mediese bewys aan hom verskaf is dat sodanige persoon vry van enige verstandelike of liggaamlike gebrek, siekte of swakheid is, wat waarskynlik die behoorlike uitvoering van sy pligte sal belemmer of sy aftreding uit die Transkeise Regeringsdiens voordat hy die pensioenleeftyd bereik, nodig sal maak.

(3) By die vulling van 'n pos of die doen van 'n aanstelling in die Transkeise Regeringsdiens, moet daar behoorlik rekening gehou word met die kwalifikasies, betreklike verdienstelikheid, bekwaamheid en geskiktheid van die persone wat vir bevordering, oorplasing of aanstelling in aanmerking kom.

(4) Vir die vulling van 'n voorgeskrewe pos op die vaste diensstaat moet die Kommissie, behoudens die bepalings van subartikel (3), of—

(a) die oorplasing of bevordering van 'n beampte aanbeveel; of

(b) as die pos nie op bevredigende wyse deur so 'n oorplasing of bevordering gevul kan word nie, die aanstelling van 'n persoon wat nie 'n beampte is nie, aanbeveel:

Met dien verstande dat binne een kalendermaand na die aanvang van elke gewone sessie van die Wetgewende Vergadering, die Hoofminister in die Wetgewende Vergadering 'n opgawe ter tafel moet lê waarin opgegee word—

(a) die naam van elke persoon wat sedert die aanvang van die vorige gewone sessie van die Wetgewende Vergadering in 'n pos hoër as 'n toetredingsrang aangestel is en wat, onmiddellik voor sodanige aanstelling, nie 'n beampte was nie;

(b) die pos waarin daardie persoon aangestel is;

(c) die salarisskaal aan daardie pos verbonde; en

(d) die spesiale kwalifikasies van daardie persoon vir die pos en die spesiale redes vir sy aanstelling.

AANSTELLINGS, OORPLASINGS EN BEVORDERINGS OP PROEF.

13. (1) Aanstellings in, oorplasings na of bevorderings tot poste op die vaste diensstaat van die Transkeise Regeringsdiens geskied op proef as—

(a) in die geval van voorgeskrewe poste op die vaste diensstaat, die Kommissie aldus aanbeveel; of

(b) in die geval van nie-voorgeskrewe poste op die vaste diensstaat, die persoon wat die bevoegdheid het om aanstellings, oorplasings en bevorderings in, na of tot sodanige poste goed te keur, magtiging daartoe verleen.

(2) Die proeftyd aldus aanbeveel of waartoe magtiging aldus verleen word is minstens twaalf kalendermaande: Met dien verstande dat as 'n beampte wat diens op proef doen, na 'n ander pos oorgeplaas of bevorder word, 'n korter diens tyd op proef in die nuwe pos aanbeveel of gemagtig kan word, wat, saam met die proeftyd in diens in die vorige pos minstens twaalf kalendermaande is: Met dien verstande voorts dat die proeftyd van 'n beampte verleng word met die getal dae verlof wat hy gedurende die proeftyd of enige verlenging daarvan geneem het.

(3) If the head of the office, branch, sub-department or department certifies that during the period of probation or extended period of probation the officer concerned has been diligent and his conduct uniformly satisfactory and that he is in all respects suitable for the post which he holds, the Minister or any officer to whom the Minister has delegated such power of appointment, transfer or promotion, may if the officer has complied with all the conditions to which his appointment, transfer or promotion was subject, confirm the appointment, transfer or promotion; but if the probationary appointment, transfer or promotion is not so confirmed—

- (a) the head of department shall in the case of an officer serving in a prescribed post on the fixed establishment, report the reasons for the non-confirmation to the Commission which, subject to the provisions of sub-section (5), may make such recommendation in the matter as it may deem fit;
- (b) the Minister or any officer to whom the Minister has delegated such power of appointment, transfer or promotion, may extend the period of probation or act as is provided in sub-section (4), if the officer is serving in a non-prescribed post on the fixed establishment.

(4) Anything to the contrary notwithstanding in sub-section (2) or in Part IV contained, but subject to the provisions of sub-section (5), an officer who is serving on probation may be discharged from the Transkeian Government Service by the Minister or an officer to whom the Minister has delegated such power of discharge, either during or at or after the expiry of the period of probation—

- (a) by giving one month's notice; or
- (b) forthwith, if his conduct is unsatisfactory:

Provided that before an officer serving in a prescribed post on the fixed establishment, is so discharged, the Commission shall first have made a recommendation.

(5) Notwithstanding anything contained in sections fourteen and twenty-three a person who immediately prior to his transfer or promotion on probation was an officer, not being a probationary officer, shall revert to the post formerly held by him or to a post of equivalent grading, and to the salary he would have attained in his former post, if his probationary transfer or promotion be not confirmed: Provided that in the case of an officer serving in a prescribed post on the fixed establishment, the Commission shall first make a recommendation.

TRANSFER AND SECONDMENT OF OFFICERS AND EMPLOYEES.

14. (1) Subject to the provisions of this Proclamation, every officer or employee shall, whenever the public interest so requires, be liable to be transferred from the post or appointment held by him to any other post or appointment in the same or any other department, whether or not such post or appointment is of a lower or higher grade: Provided that—

- (a) upon transfer an officer or employee shall not suffer any reduction in his salary scale without his consent except in accordance with the provisions of Part IV;
- (b) an officer who has been transferred to or is employed in a post of lower or higher grade than his own grade without a change in his salary scale shall be recommended by the Commission for transfer to a post to which his salary scale is appropriate as soon as a suitable vacancy occurs;
- (c) an officer or employee who has been transferred to or is employed in a post which is graded higher than his own grade or which is regraded or converted to a post of a grade higher than his own grade, shall not by reason only of such transfer or employment be entitled to the higher scale or salary applicable to the post.

(3) As die hoof van die kantoor, tak, subdepartement of departement sertifiseer dat gedurende die proeftyd of verlengde proeftyd, die betrokke beampte ywerig en sy gedrag deurgaans bevredigend was en dat hy in alle opsigte geskik is vir die pos wat hy beklee, kan die Minister of 'n beampte aan wie die Minister die bevoegdheid om aanstellings, oorplasinge of bevorderings te doen, gedelegeer het, as die beampte voldoen het aan al die voorwaardes waaraan sy aanstelling, oorplasing of bevordering onderworpe was, die aanstelling, oorplasing of bevordering bekragtig; maar as die aanstelling, oorplasing of bevordering op proef nie aldus bekragtig word nie—

- (a) moet die departementshoof in die geval van 'n beampte wat 'n voorgeskrewe pos op die vaste diensstaat beklee, die redes vir die nie-bekragtiging rapporteer aan die Kommissie wat, behoudens die bepalings van subartikel (5), dié aanbeveling oor die aangeleentheid kan doen wat hy goedgevind;
- (b) kan die Minister of 'n beampte aan wie die Minister die bevoegdheid om aanstellings, oorplasinge of bevorderings te doen, gedelegeer het, die proeftyd verleng of optree soos in subartikel (4) bepaal word, as die beampte 'n nie-voorgeskrewe pos op die vaste diensstaat beklee.

(4) Ondanks andersluidende bepalings in subartikel (2) of in Deel IV vervat, maar behoudens die bepalings van subartikel (5), kan 'n beampte wat op proef in diens is, deur die Minister of 'n beampte aan wie die Minister die bevoegdheid van ontslag gedelegeer het, uit die Transkeise Regeringsdiens ontslaan word, hetsy gedurende of by of na die verstryking van die proeftyd—

- (a) deur een maand kennis te gee; of
- (b) onverwyld as sy gedrag onbevredigend is:

Met dien verstande dat voordat 'n beampte wat 'n voorgeskrewe pos op die vaste diensstaat beklee, aldus ontslaan word, die Kommissie eers 'n aanbeveling gedoen het.

(5) Ondanks andersluidende bepalings in artikels veertien en drie-en-twintig vervat, keer 'n persoon wat onmiddellik voor sy oorplasing of bevordering op proef 'n beampte was, maar wat nie 'n beampte op proef was nie, terug na die pos wat hy tevore beklee het, of na 'n pos van gelyke gradering, en na die salaris wat hy in sy vorige pos sou bereik het, as sy oorplasing of bevordering op proef nie bekragtig word nie: Met dien verstande dat die Kommissie eers 'n aanbeveling moet doen in die geval van 'n beampte wat 'n voorgeskrewe pos op die vaste diensstaat beklee.

OORPLASING EN SEKONDERING VAN BEAMPTES EN WERKNEMERS.

14. (1) Behoudens die bepalings van hierdie Proklamasie kan elke beampte of werknemer, wanneer die openbare belang dit vereis, oorgeplaas word uit die pos of betrekking wat hy beklee na enige ander pos of betrekking in dieselfde of enige ander departement, hetsy sodanige pos of betrekking van 'n laer of hoër graad is al dan nie: Met dien verstande dat—

- (a) by oorplasing 'n beampte of werknemer se salarisskaal nie sonder sy toestemming verlaag mag word nie, behalwe in ooreenstemming met die bepalings van Deel IV;
- (b) 'n beampte wat oorgeplaas is na of in diens is in 'n pos van 'n laer of hoër graad as sy eie graad sonder 'n verandering in sy salarisskaal, deur die Kommissie aanbeveel moet word vir oorplasing na 'n pos waarby sy salarisskaal pas sodra 'n geskikte vakature ontstaan;
- (c) 'n beampte of werknemer wat oorgeplaas is na of in diens is in 'n pos wat hoër as sy eie graad gegradeer is, of wat hergegradeer is na, of omgeskep is in, 'n pos van 'n hoër graad as sy eie graad, nie uit hoofde alleen van dié oorplasing of diens op die hoër salarisskaal wat op die pos van toepassing is, geregtig is nie.

(2) The transfer of an officer or employee from one post or appointment to another post or appointment may, subject to the provisions of sub-section (3), be made on the authority of the Minister or an officer to whom such power to transfer has been delegated by the Minister: Provided that such transfer from one department to another department shall not be made except on the authority of the Minister (or an officer to whom the Minister has delegated such power to transfer) responsible for each of the two departments concerned: Provided further that the provisions of this sub-section shall not preclude the Commission from recommending the transfer of any officer from any prescribed post on the fixed establishment, to any other prescribed post on the fixed establishment.

(3) An officer shall not be transferred from one post to another post which is of a higher or lower grade than his own grade or bears a different designation, unless the Commissioner has recommended the transfer; but this sub-section shall not apply if each of the two posts in question is a post in the Transkeian Police Force or a non-prescribed post on the fixed establishment.

(4) A member of the Transkeian Police Force shall not, without his consent, be transferred to a post on the fixed establishment of the Government Service; and an officer holding a post on such fixed establishment shall not, without his consent, be transferred to a post in the Transkeian Police Force.

(5) A Transkeian citizen holding a pensionable appointment under the railway administration or under the Government of the Republic, may, with his consent and on the recommendation of the Commission, be transferred and appointed to a post in the Transkeian Government Service: Provided that a member of another Bantu national unit of the Republic of South Africa, as defined in the Promotion of Bantu Self-government Act, 1959, holding a pensionable appointment under the railway administration or under the Government of the Republic, may also, with his own consent and on the recommendation of the Commission but with the approval of the Transkeian Cabinet, be transferred and appointed to a post in the Transkeian Government Service.

(6) An officer of the Transkeian Government Service who held a pensionable appointment under the Government of the Republic prior to the coming into being of the first Cabinet in the Transkei, may at his request or with his own consent, on the recommendation of the Transkeian Public Service Commission and the Public Service Commission of the Republic, be transferred to a post under the Government of the Republic, on condition that he has not elected in terms of the provisions of paragraph (3) of the second Schedule to the Transkei Constitution Act, 1963, to discontinue contributing to the Government Service Pension Fund, instituted by the Government Service Pensions Act, 1955 (Act No. 58 of 1955).

(7) An officer may, with his own consent, and on the recommendation of the Commission and upon such conditions (in addition to those prescribed by or under any law) as may be recommended by it in consultation with the Secretary for Finance, be seconded either for a particular service or for a period of time, to the service of the Government of the Republic, or of any board, institution or body established by or under any law of the Transkei or the Republic, and such officer while so seconded shall remain subject to the laws governing officers in the Transkeian Government Service.

RETIREMENT AND DISCHARGE OF OFFICERS.

15. (1) Subject to the provisions of sub-sections (5) and (6) an officer (other than a member of the Transkeian Police Force), shall have the right to retire from the Transkeian Government Service on attaining the age of sixty years and shall be so retired on reaching the said age.

(2) Die oorplasing van 'n beampte of werknemer uit een pos of betrekking na 'n ander pos of betrekking kan, behoudens die bepalings van subartikel (3), gedoen word op gesag van die Minister of 'n beampte aan wie die Minister die bevoegdheid om oor te plaas, gedelegeer het: Met dien verstande dat sodanige oorplasing van een departement na 'n ander departement nie mag geskied nie behalwe op gesag van die Minister (of 'n beampte aan wie die Minister sodanige bevoegdheid om oor te plaas, gedelegeer het) wat verantwoordelik is vir elk van die twee betrokke departemente: Met dien verstande voorts dat die bepalings van hierdie subartikel nie die Kommissie belet om die oorplasing van 'n beampte uit 'n voorgeskrewe pos op die vaste diensstaat na 'n ander voorgeskrewe pos op die vaste diensstaat aan te beveel nie.

(3) 'n Beampte mag nie uit een pos oorgeplaas word na 'n ander pos wat van 'n hoër of laer graad as sy eie graad is of 'n ander benaming het nie, tensy die Kommissie die oorplasing aanbeveel het; maar hierdie subartikel is nie van toepassing nie as elkeen van die twee betrokke poste 'n pos in die Transkeise Polisediens of 'n nie-voorgeskrewe pos op die vaste diensstaat is.

(4) 'n Lid van die Transkeise Polisediens mag nie sonder sy toestemming na 'n pos op die vaste diensstaat van die Regeringsdiens oorgeplaas word nie; en 'n beampte wat 'n pos op gemelde vaste diensstaat beklee, mag nie sonder sy toestemming na 'n pos in die Transkeise Polisediens oorgeplaas word nie.

(5) 'n Transkeise burger wat 'n pensioengewende betrekking in die spoorwegadministrasie of onder die Regering van die Republiek beklee, kan met sy eie toestemming en op aanbeveling van die Kommissie oorgeplaas word na en aangestel word in 'n pos in die Transkeise Regeringsdiens: Met dien verstande dat 'n lid van 'n ander Bantoe-volkseenheid van die Republiek van Suid-Afrika, soos omskryf in die Wet op die Bevordering van Bantoe-selfbestuur, 1959, wat 'n pensioengewende betrekking in die spoorwegadministrasie of onder die Regering van die Republiek beklee, ook met sy eie toestemming op aanbeveling van die Kommissie maar met die goedkeuring van die Transkeise Kabinet, oorgeplaas kan word na en aangestel kan word in 'n pos in die Transkeise Regeringsdiens.

(6) 'n Beampte van die Transkeise Regeringsdiens wat voor die datum waarop die eerste Kabinet in die Transkei tot stand gekom het, 'n pensioengewende betrekking onder die Regering van die Republiek beklee het, kan op eie versoek of met sy eie instemming, mits hy nie kragtens die bepalings van paragraaf (3) van die Tweede Bylae van die Transkeise Grondwet, 1963, verkies het om op te hou om tot die Regeringsdienspensioenfonds ingestel by die Regeringsdienspensioenwet, 1955 (Wet No. 58 van 1955), by te dra nie, op aanbeveling van die Transkeise Regeringsdienskommissie en dié van die Staatsdienskommissie van die Republiek na 'n betrekking onder die Regering van die Republiek oorgeplaas word.

(7) 'n Beampte kan met sy eie toestemming en op aanbeveling van die Kommissie in oorleg met die Sekretaris van Finansies en op die voorwaardes (benewens dié wat by of kragtens een of ander wetsbepaling voorgeskryf word) wat die Kommissie aanbeveel, hetsy vir 'n besondere diens of vir 'n tydperk, aan die diens van die Regering van die Republiek of van 'n raad, inrigting, of liggaam wat by of kragtens die een of ander wetsbepaling van die Transkei of van die Republiek ingestel is, gesekondeer word; en sodanige beampte bly, terwyl hy aldus gesekondeer is, onderworpe aan die wette wat op beamptes in die Transkeise Regeringsdiens van toepassing is.

AFTREDING, AFDANKING EN ONTSLAG VAN BEAMPTES.

15. (1) Behoudens die bepalings van subartikels (5) en (6), het 'n beampte (behalwe 'n lid van die Transkeise Polisediens) die reg om uit die Transkeise Regeringsdiens af te tree wanneer hy die leeftyd van sestig jaar bereik en word hy aldus afgedank wanneer hy genoemde leeftyd bereik.

(2) Subject to the provisions of sub-sections (5) and (6), an officer transferred in terms of section *sixty-one* (1) of the Transkei Constitution Act, 1963, from the Transkeian Territorial Authority to the Transkeian Government Service shall have the right to retire from the Government Service on attaining the age of sixty-five years and shall be so retired on reaching that age: Provided that such officer shall also have the right at any time after attaining the age of sixty years, to give written notification to the head of his department of his wish to be retired from the Government Service, and if he gives such notification he shall be retired on the first day of the fourth month following the month in which such notification is received.

(3) Subject to the provisions of sub-section (4), (5) and (6), an officer (other than a member of the services of the Republic) transferred in terms of section *sixty-one* (1) of the Transkei Constitution Act, 1963, from the service of the Government of the Republic to the Transkeian Government Service and who was appointed in the service of the Government of the Republic with effect from a date prior to the twenty-fourth day of June, 1955, shall have the right to retire from the Transkeian Government Service and shall be so retired—

(a) on attaining the age of sixty-three years if he was born on or after the first day of January, 1900, but before the first day of January, 1903;

(b) on attaining the age of sixty-five years if he was born on or after the first day of January, 1903.

(4) An officer referred to in sub-section (3) shall have the right at any time before or after attaining in the case of a male officer the age of sixty years or in the case of a female officer the age of fifty-five years, to give written notification to his head of department of his wish to be retired from the Government Service, and if he gives such notification he shall—

(a) if such notification is given at least three calendar months prior to the date on which he attains the said age, be so retired on attaining that age; or

(b) if such notification is not given at least three calendar months prior to the date on which he attains the said age, be so retired on the first day of the fourth month following the month in which such notification is received.

(5) If it is in the public interest to retain an officer, not being a member of the Transkeian Police Force, in his post beyond the age at which in accordance with sub-section (1), (2) or (3) he shall be retired, he may be so retained from time to time, on the recommendation of the Commission and subject to the approval of the Minister, for further periods which shall not, except with the approval, by resolution, of the Legislative Assembly, exceed in the aggregate two years.

(6) An officer [other than a member of the Transkeian Police Force or an officer referred to in sub-section (10)] who has reached the age of fifty-five years may, subject in every case to the recommendation of the Commission and the approval of the Minister be retired from the Transkeian Government Service: Provided that in the case of an officer to whom sub-section (2) refers, the age at or after which he may be so retired shall be sixty years and in the case of an officer to whom sub-section (3) refers the age at or after which he may be so retired shall in the case of a male officer be fifty-five and in the case of a female officer be fifty years.

(7) Every officer (other than a member of the Transkeian Police Force) shall be liable to be discharged from the Government Service—

(a) on account of continued ill-health;

(b) owing to the abolition of his post or any reduction in or reorganization or readjustment of departments or offices;

(2) Behoudens die bepalings van subartikels (5) en (6), het 'n beamppte wat ooreenkomstig artikel *een-en-sestig* (1) van die Transkeise Grondwet, 1963, vanaf die Transkeise Gebiedsowerheid na die Transkeise Regeringsdiens oorgeskakel is, die reg om uit die Regeringsdiens af te tree en word hy aldus afgedank by bereiking van die leeftyd van vyf-en-sestig jaar: Met dien verstande dat sodanige beamppte ook die reg het om te eniger tyd nadat hy die leeftyd van sestig jaar bereik, aan sy departementshoof skriftelik kennis te gee van sy begeerte om uit die Regeringsdiens afgedank te word, en indien hy aldus kennis gee, word hy afgedank op die eerste dag van die vierde maand na die maand waarin genoemde kennisgewing ontvang word.

(3) Behoudens die bepalings van subartikels (4), (5) en (6), het 'n beamppte, behalwe 'n lid van die dienste van die Republiek wat ooreenkomstig artikel *een-en-sestig* (1) van die Transkeise Grondwet, 1963, vanaf die diens van die Regering van die Republiek na die Transkeise Regeringsdiens oorgeskakel is, en wat voor die vier-en-twintigste dag van Junie 1955 in die diens van die Regering van die Republiek aangestel is, die reg om uit die Transkeise Regeringsdiens af te tree en word hy aldus afgedank—

(a) by bereiking van die leeftyd van drie-en-sestig jaar as hy op of na die eerste dag van Januarie 1900, maar voor die eerste dag van Januarie 1903 gebore is;

(b) by bereiking van die leeftyd van vyf-en-sestig jaar as hy op of na die eerste dag van Januarie 1903 gebore is.

(4) 'n Beamppte na wie in subartikel (3) verwys is, het die reg om te eniger tyd voor of nadat hy, in die geval van 'n manlike beamppte, die leeftyd van sestig jaar of, in die geval van 'n vroulike beamppte, die leeftyd van vyf-en-vyftig jaar bereik, aan sy departementshoof skriftelik kennis te gee van sy begeerte om uit die Regeringsdiens afgedank te word, en indien hy aldus kennis gee, word hy—

(a) indien genoemde kennisgewing minstens drie kalendermaande voor die datum waarop hy genoemde leeftyd bereik, gegee word, aldus afgedank wanneer hy daardie leeftyd bereik; of

(b) indien genoemde kennisgewing nie minstens drie kalendermaande voor die datum waarop hy genoemde leeftyd bereik, gegee word nie, aldus afgedank op die eerste dag van die vierde maand na die maand waarin sodanige kennisgewing ontvang word.

(5) As dit in die openbare belang is om 'n beamppte, wat nie 'n lid van die Transkeise Polisie is, in sy pos in diens te hou na die leeftyd waarop hy ooreenkomstig subartikel (1), (2) of (3) afgedank moet word, kan hy aldus van tyd tot tyd op aanbeveling van die Kommissie en met die goedkeuring van die Minister in diens gehou word vir verdere tydperke wat, behalwe met die goedkeuring, by besluit, van die Wetgewende Vergadering, altesaam nie twee jaar te bowe mag gaan nie.

(6) 'n Beamppte [behalwe 'n beamppte in subartikel (10) genoem of 'n lid van die Transkeise Polisie] wat die leeftyd van vyf-en-vyftig jaar bereik het, kan, onderworpe in elke geval aan die aanbeveling van die Kommissie en die goedkeuring van die Minister, uit die Transkeise Regeringsdiens afgedank word: Met dien verstande dat in die geval van 'n beamppte in subartikel (2) genoem die leeftyd waarop of waarna hy aldus afgedank kan word, sestig jaar is, en in die geval van 'n beamppte in subartikel (3) genoem die leeftyd waarop of waarna hy aldus afgedank kan word, in die geval van 'n manlike beamppte vyf-en-vyftig jaar en in die geval van 'n vroulike beamppte vyftig jaar is.

(7) Elke beamppte (behalwe 'n lid van die Transkeise Polisie) kan uit die Regeringsdiens ontslaan word—

(a) weens voortdurende swak gesondheid;

(b) weens die afskaffing van sy pos of vermindering of reorganisasie of herreëling van departemente of kantore;

- (c) if, for reasons other than his own unfitness or incapacity, his discharge will promote efficiency or economy in the department or office in which he is employed;
- (d) on account of unfitness for his duties, or incapacity to carry them out efficiently;
- (e) on account of misconduct;
- (f) if, in the case of an officer appointed on probation, his appointment is not confirmed.

(8) A female officer who marries shall be deemed to have retired voluntarily from the Government Service in contemplation of marriage with effect from the date of her marriage, or if she has discharged her duties on that day, with effect from the day following the date of her marriage, unless the Commission recommends and the Minister approves that she be retained in the Government Service.

(9) An officer (other than a member of the Transkeian Police Force) who absents himself from his official duties without the permission of his head of department, or head of his office or institution for a period exceeding one calendar month, shall be deemed to have been discharged from the Government 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 officer 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 officer reports for duty at any time after the expiry of the said period the Commission may, notwithstanding anything to the contrary contained in this Proclamation or any other law, recommend that, subject to the Minister's approval, he be reinstated in the Government Service in his former or any other post or appointment, on such conditions as the Commission may recommend, and in that event the period of his absence from official duty shall be deemed to have been absence on vacation leave without pay or leave on such other conditions as the Commission may recommend.

(10) The services of an officer appointed in a non-prescribed post on the fixed establishment may, while he is the holder of such post and notwithstanding the absence of any cause of discharge under sub-section (7) be terminated upon the recommendation of the Commission by the giving of notice in writing. Such notice shall, in the case of an officer with less than ten years' continuous service, be one month, and in the case of an officer with ten years' or more continuous service, be three months.

(11) The power of discharge of an officer or employee is vested in the Minister who may delegate such power to an officer: Provided that in the case of an officer holding a prescribed post on the fixed establishment, the Commission shall first make a recommendation for his discharge.

PART IV.

INEFFICIENCY AND MISCONDUCT.

INEFFICIENT OFFICERS.

16. (1) If a head of department reports to the Minister that any officer on the fixed establishment of his department is, in his opinion, unfitted for his duties or incapable of carrying them out efficiently the Minister shall appoint an officer to inquire into the subject matter of that report; and if any such report is made to a head of department by an officer designated to inspect departments in terms of sub-section (3) of section nine, the said head of department shall within one calendar month of the date on which he received it, transmit it to the Minister who shall appoint an officer to inquire into the subject matter of that report.

(2) The officer who is to hold the inquiry shall, in consultation with the head of department, fix the time and place of the inquiry, and the head of department shall give the officer concerned reasonable notice in writing of the time and place so fixed and shall furnish him with a written statement of the grounds on which it is alleged that he is unfitted for his duties or incapable of carrying them out efficiently.

- (c) as, om ander redes as sy eie ongeskiktheid of onvermoë, sy ontslag doeltreffendheid of besuiniging in die departement of kantoor waarin hy in diens is, sal bevorder;
- (d) weens ongeskiktheid vir sy pligte of onvermoë om hulle op bekwame wyse uit te voer;
- (e) weens wangedrag;
- (f) as, in die geval van 'n beamppte wat op proef aangestel is, sy aanstelling nie bekragtig word nie.

(8) 'n Vroulike beamppte wat in die huwelik tree, word geag vrywillig uit die Regeringsdiens met die oog op huwelik met ingang van die datum van haar huwelik te getree het, of as sy haar pligte op daardie dag vervul het, met ingang van die dag wat op die datum van haar huwelik volg, tensy die Kommissie aanbeveel en die Minister goedkeur dat sy in die Regeringsdiens in diens gehou word.

(9) 'n Beamppte (behalwe 'n lid van die Transkeise Polisiediens) wat sonder verlof van sy departementshoof, of hoof van sy kantoor of inrigting, vir 'n tydperk van meer as een kalendermaand van sy ampspligte wegbly, word geag uit die Regeringsdiens weens wangedrag 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 as sodanige beamppte ander werk aanvaar, hy geag word ontslaan te gewees het soos voormeld, nieëenstaande dat genoemde tydperk nog nie verstryk het nie: Met dien verstande voorts dat as sodanige beamppte hom te eniger tyd na die verstryking van genoemde tydperk vir diens aanmeld, die Kommissie, ondanks andersluidende bepalings in hierdie Proklamasie of enige ander Wet, kan aanbeveel dat, onderworpe aan die goedkeuring van die Minister, hy in die Regeringsdiens in sy vorige of enige ander pos of betrekking herstel word op die voorwaardes wat die Kommissie aanbeveel en in so 'n geval word die tydperk van sy afwesigheid van sy ampspligte geag afwesigheid met vakansieverlof sonder besoldiging of verlof op die ander voorwaardes wat die Kommissie aanbeveel, te wees.

(10) Die dienste van 'n beamppte wat aangestel is in 'n nie-voorgeskrewe pos op die vaste diensstaat kan, terwyl hy nog die bekleër van sodanige pos is, en ondanks die afwesigheid van enige rede vir ontslag ingevolge sub-artikel (7), op aanbeveling van die Kommissie beëindig word deur skriftelike kennisgewing. Sodanige kennisgewing moet, in die geval van 'n beamppte met minder as tien jaar ononderbroke diens, een maand, en in die geval van 'n beamppte met tien jaar of langer ononderbroke diens, drie maande wees.

(11) Die bevoegdheid van ontslag van 'n beamppte of werknemer berus by die Minister wat hierdie bevoegdheid aan 'n beamppte kan deleger: Met dien verstande dat in die geval van 'n beamppte wat 'n voorgeskrewe pos op die vaste diensstaat beklee, die Kommissie eers sy ontslag moet aanbeveel.

DEEL IV.

ONBEKWAAMHEID EN WANGEDRAG.

ONBEKWAME BEAMPTES.

16. (1) As 'n departementshoof aan die Minister verslag doen dat 'n beamppte op die vaste diensstaat van sy departement, na sy mening, ongeskik is vir sy pligte of nie in staat is om hulle op bekwame wyse uit te voer nie, stel die Minister 'n beamppte aan om ondersoek na die inhoud van daardie verslag in te stel; en as enige sodanige verslag aan 'n departementshoof gedoen word deur 'n beamppte wat ingevolge subartikel (3) van artikel nege aangewys is om departemente te inspekteer, stuur genoemde departementshoof dit binne een kalendermaand na die datum waarop hy dit ontvang het, deur na die Minister wat 'n beamppte aanstel om ondersoek na die inhoud van daardie verslag in te stel.

(2) Die beamppte wat die ondersoek moet instel stel, in oorleg met die departementshoof, die tyd en die plek van die ondersoek vas en die departementshoof gee aan die betrokke beamppte redelike skriftelike kennisgewing van die tyd en plek aldus vasgestel en verstrek aan hom 'n skriftelike uiteensetting van die redes op grond waarvan beweer word dat hy ongeskik is vir sy pligte of nie in staat is om hulle op bekwame wyse uit te voer nie.

(3) The head of department may authorize any person to attend the inquiry and to adduce evidence and arguments in support of the allegations mentioned in sub-section (2) and to cross-examine any person who has given evidence to rebut those allegations.

(4) (a) At the inquiry the officer concerned shall have the right to be present and to be heard either personally or through a representative, to cross-examine any person called as a witness in support of the allegations referred to in sub-section (2), to inspect any documents produced in evidence, to give evidence himself and to call any other person as a witness.

(b) The officer holding the inquiry shall keep a record of the proceedings at the inquiry and of all evidence given thereat.

(c) The failure of the officer concerned to attend the inquiry, either personally or by a representative, shall not invalidate the proceedings.

(5) At the conclusion of the inquiry the officer holding it shall find whether or not the officer concerned is unfitted for his duties or incapable of carrying them out efficiently, shall inform the officer concerned of his finding and shall report the result of the inquiry to the Minister.

(6) If the officer who held the inquiry has found that the officer concerned is unfitted for his duties or incapable of carrying them out efficiently, the officer concerned may, within fourteen days as from the date upon which he was informed of the finding, appeal therefrom to the Commission by giving to the officer who held the inquiry a written notice of appeal wherein he shall set forth fully the grounds upon which the appeal is based.

(7) If the officer who held the inquiry has found that the officer concerned is unfitted for his duties or incapable of carrying them out efficiently, he shall forward to the Commission the record of the proceedings at the inquiry and any documentary evidence admitted thereat, a written statement of his finding and his reasons therefor and any observations on the case which he may desire to make. If notice of appeal has been given in accordance with the provisions of sub-section (6), he shall forward with the record the notice and grounds of appeal, and shall furnish the officer concerned with a copy of the reasons for his finding.

(8) If the officer concerned applies to the Commission for a copy of the record of the proceedings at the inquiry within seven days as from the date upon which he received a copy of the reasons for the finding, the Commission shall furnish him with such copy.

(9) The officer concerned may within fourteen days as from the date upon which he received the copy of the record of the proceedings, or if he did not apply for a copy of the record, within twenty-one days as from the date upon which he received the copy of the reasons for the finding submit to the Commission written representations, in quadruplicate, in support of his appeal.

(10) The Commission shall forward to the head of department a copy of the record and documents referred to in sub-section (7) and a copy of the representations referred to in sub-section (9).

(11) The head of department may, within fourteen days of the date upon which he received the copies referred to in sub-section (10), submit to the Commission, in quadruplicate, any representations which he desires to make in support of the finding against which the appeal is brought; and the Commission shall furnish a copy of such representations to the officer concerned.

(12) (a) The officer concerned may within fourteen days of the date upon which he received a copy of the representations referred to in sub-section (11), submit to the Commission, in quadruplicate, any reply in writing he may wish to make to such representations.

(b) The Commission shall furnish the head of department with a copy of such reply.

(c) The head of department shall have no right to submit further representations in answer to such reply, except with leave of the Commission.

(3) Die departementshoof kan enige persoon magtig om by die ondersoek teenwoordig te wees en om getuienis en argumente ter staving van die bewerings in subartikel (2) genoem, aan te voer en om enige persoon wat getuienis afgelê het om daardie bewerings te weerlê, onder kruisverhoor te neem.

(4) (a) By die ondersoek het die betrokke beampte die reg om teenwoordig te wees en aangehoor te word hetsy persoonlik of deur 'n verteenwoordiger, om enige persoon wat as getuie opgeroep is ter staving van die bewerings in subartikel (2) genoem, onder kruisverhoor te neem, om alle dokumente wat as getuienis voorgelê is, in te sien, om self getuienis af te lê en om enige ander persoon as getuie op te roep.

(b) Die beampte wat die ondersoek instel, moet notule hou van die verrigtings by die ondersoek en van alle getuienis wat aldaar afgelê word.

(c) Die versuim van die betrokke beampte om by die ondersoek teenwoordig te wees hetsy persoonlik of deur 'n verteenwoordiger, maak die verrigtings nie ongeldig nie.

(5) Na afloop van die ondersoek moet die beampte wat dit instel, bevind of die betrokke beampte ongeskik is vir sy pligte of nie in staat is om hulle op bekwame wyse uit te voer nie, die betrokke beampte van sy bevinding verwittig en oor die uitslag van die ondersoek aan die Minister verslag doen.

(6) As die beampte wat die ondersoek ingestel het, bevind het dat die betrokke beampte ongeskik is vir sy pligte of nie in staat is om hulle op bekwame wyse uit te voer nie, kan die betrokke beampte binne veertien dae na die datum waarop hy van die bevinding verwittig is, by die Kommissie daarteen appelleer deur aan die beampte wat die ondersoek ingestel het, skriftelik kennis van appél te gee, waarin hy volledig die gronde waarop die appél gebaseer word, moet uiteensit.

(7) As die beampte wat die ondersoek ingestel het, bevind het dat die betrokke beampte ongeskik is vir sy pligte of nie in staat is om hulle op bekwame wyse uit te voer nie, moet hy die notule van die verrigtings by die ondersoek en alle dokumentêre getuienis wat aldaar toegeleë is, 'n skriftelike uiteensetting van sy bevinding en sy redes daarvoor en enige opmerkings oor die saak wat hy wens te maak, aan die Kommissie stuur. As kennis van appél ooreenkomstig die bepalings van subartikel (6) gegee is, moet hy saam met die notule die kennisgewing en gronde van appél aanstuur, en moet hy aan die betrokke beampte 'n afskrif van die redes vir sy bevinding verstrek.

(8) As die betrokke beampte binne sewe dae na die datum waarop hy 'n afskrif van die redes vir die bevinding ontvang het, by die Kommissie om 'n afskrif van die notule van die verrigtings by die ondersoek aansoek doen, verstreë die Kommissie sodanige afskrif aan hom.

(9) Die betrokke beampte kan binne veertien dae na die datum waarop hy die afskrif van die notule van die verrigtings ontvang het, of as hy nie om 'n afskrif van die notule aansoek gedoen het nie, binne een-en-twintig dae na die datum waarop hy die afskrif van die redes vir die bevinding ontvang het, aan die Kommissie skriftelik verhoë, in viervoud, ter staving van sy appél voorlê.

(10) Die Kommissie stuur 'n afskrif van die notule en dokumente in subartikel (7) genoem en 'n afskrif van die verhoë in subartikel (9) genoem aan die departementshoof.

(11) Die departementshoof kan binne veertien dae na die datum waarop hy die afskrifte in subartikel (10) genoem, ontvang het, verhoë wat hy wens voor te lê ter staving van die bevindings waarteen die appél aangeteken is, in viervoud tot die Kommissie rig; en die Kommissie moet 'n afskrif van sodanige verhoë aan die betrokke beampte verstrek.

(12) (a) Die betrokke beampte kan binne veertien dae na die datum waarop hy 'n afskrif van die verhoë in subartikel (11) genoem, ontvang het, enige skriftelike repliek wat hy op sodanige verhoë wil lewer, in viervoud aan die Kommissie voorlê.

(b) Die Kommissie verstreë 'n afskrif van genoemde repliek aan die departementshoof.

(c) Die departementshoof het nie die reg om verdere verhoë in antwoord op genoemde repliek voor te lê nie, behalwe met verlof van die Kommissie.

(13) After consideration of the aforesaid record and documents, the Commission may allow the appeal wholly or in part and set aside or alter the finding, or dismiss the appeal and confirm the finding wholly or in part, or the Commission may, before arriving at a final decision on the appeal, remit any question in connection with the inquiry to the officer who held it, and direct him to report thereon or to hold a further inquiry and arrive at a finding thereon.

(14) If the Commission directs the holding of a further inquiry, the provisions of sub-sections (3) and (4) shall apply.

(15) When the Commission has arrived at a final decision on an appeal, it shall convey that decision in writing to the appellant and to the Minister.

(16) If the officer who held the inquiry has found that the officer is unfitted for his duties or incapable of carrying them out efficiently and the officer has not appealed against the finding as hereinbefore provided, or if he has so appealed and his appeal has been dismissed, the Commission shall forward the record and all other documents relating to the inquiry to the Minister and recommend—

- (a) that no further action be taken in the matter; or
- (b) that the officer concerned be transferred to another post or be employed additional to the fixed establishment; or
- (c) that his salary or grade or both his salary and grade be reduced to an extent recommended; or
- (d) that he be discharged from the Transkeian Government Service from a date to be specified by the Minister.

If the Commission makes a recommendation in terms of paragraph (b), it may also make a recommendation in terms of paragraph (c).

(17) The Minister may adopt the course recommended by the Commission or, subject to the provisions of sub-section (1) of section seven any other course which the Commission could lawfully have recommended under sub-section (16).

INEFFICIENT HEADS OF DEPARTMENTS.

17. (1) If in the opinion of a Minister there are reasonable grounds for believing that a head of department is unfitted for his duties or incapable of carrying them out efficiently the Minister shall report to the Cabinet accordingly; and the Cabinet may appoint a person or persons to inquire into the subject matter of that report.

(2) The provisions of sub-sections (2) to (17), both inclusive, of section sixteen shall *mutatis mutandis* apply to any inquiry under sub-section (1) of this section; and for the purposes of such application the reference in sub-section (17) to the Minister shall be construed as a reference to the Cabinet, every reference in the said sub-sections to a head of department shall be construed as a reference to the Minister, and every reference to the officer holding the inquiry shall be construed as including a reference to the person or persons appointed under sub-section (1) of this section.

DEFINITION OF MISCONDUCT.

18. Any officer (other than a member of the Transkeian Police Force) shall be guilty of misconduct and may be dealt with in accordance with the provisions of section nineteen, if he—

- (a) contravenes any provision of this Proclamation or fails to comply with any provision thereof with which it is his duty to comply; or
- (b) does, or causes or permits to be done, or connives at, any act which is prejudicial to the administration, discipline or efficiency of any department, office or institution of the Transkeian Government; or

(13) Na oorweging van genoemde notule en dokumente kan die Kommissie die appèl in sy geheel of gedeeltelik toestaan en die bevinding ter syde stel of wysig of die appèl afwys en die bevinding in sy geheel of gedeeltelik bekragtig, of kan die Kommissie, voordat hy tot 'n finale beslissing oor die appèl geraak, enige vraag in verband met die ondersoek na die beampte wat dit ingestel het, terugverwys, en hom gelas om verslag daaroor te doen of om 'n verdere ondersoek in te stel en tot 'n bevinding daaroor te geraak.

(14) As die Kommissie gelas dat 'n verdere ondersoek ingestel moet word, is die bepalings van subartikels (3) en (4) van toepassing.

(15) Wanneer die Kommissie tot 'n finale beslissing oor 'n appèl geraak het, deel hy daardie beslissing skriftelik aan die appellant en aan die Minister mee.

(16) As die beampte wat die ondersoek ingestel het, bevind het dat die beampte ongeskik is vir sy pligte of nie in staat is om hulle op bekwame wyse uit te voer nie en die beampte nie teen die bevinding soos hierbo bepaal, geappelleer het nie, of as hy aldus geappelleer het en sy appèl afgewys is, stuur die Kommissie die notule en alle ander dokumente wat op die ondersoek betrekking het, aan die Minister en beveel hy aan—

- (a) dat geen verdere stappe in die saak gedoen word nie; of
- (b) dat die betrokke beampte na 'n ander pos oorgeplaas of in diens gehou word addisioneel tot die vaste diensstaat; of
- (c) dat sy salaris of graad of sy salaris sowel as sy graad verlaag word in die mate wat aanbeveel word; of
- (d) dat hy uit die Transkeise Regeringsdiens met ingang van 'n datum deur die Minister vermeld, ontslaan word.

As die Kommissie 'n aanbeveling ingevolge paragraaf (b) doen, kan hy ook 'n aanbeveling ingevolge paragraaf (c) doen.

(17) Die Minister kan volgens die aanbeveling van die Kommissie handel of behoudens die bepalings van subartikel (1) van artikel sewe, enige ander weg inslaan wat die Kommissie wettiglik ingevolge subartikel (16) kon aanbeveel het.

ONBEKWAME DEPARTEMENTSHOOFDE.

17. (1) As daar na die mening van die Minister redelike grond bestaan om te vermoed dat 'n departementshoof ongeskik is vir sy pligte of nie in staat is om hulle op bekwame wyse uit te voer nie, doen die Minister dienooreenkomstig verslag aan die Kabinet; en die Kabinet kan 'n persoon of persone aanstel om ondersoek na die inhoud van daardie verslag in te stel.

(2) Die bepalings van subartikels (2) tot en met (17) van artikel sestien is *mutatis mutandis* van toepassing op 'n ondersoek ingevolge subartikel (1) van hierdie artikel; en vir die doeleindes van sodanige toepassing word die verwysing in subartikel (17) na die Minister uitgelê as 'n verwysing na die Kabinet, word elke verwysing in genoemde subartikels na 'n departementshoof uitgelê as 'n verwysing na die Minister, en word elke verwysing na die beampte wat die ondersoek instel, uitgelê as ook 'n verwysing na die persoon of persone wat ingevolge subartikel (1) van hierdie artikel aangestel is.

OMSKRYWING VAN WANGEDRAG.

18. 'n Beampte (behalwe 'n lid van die Transkeise Polisie) is skuldig aan wangedrag en daar kan ooreenkomstig die bepalings van artikel negentien met hom gehandel word, as hy—

- (a) 'n bepaling van hierdie Proklamasie oortree of versuim om te voldoen aan 'n bepaling daarvan waaraan dit sy plig is om te voldoen; of
- (b) 'n daad wat nadelig vir die administrasie, dissipline of doeltreffendheid van 'n departement, kantoor of inrigting van die Transkeise Regering is, doen, laat doen of toelaat of oogluikend toelaat dat dit gedoen word; of

- (c) disobeys, disregards, or makes wilful default in carrying out a lawful order given to him by a person having authority to give it, or by word or conduct displays insubordination; or
- (d) is negligent or indolent in the discharge of his duties; or
- (e) undertakes, without the permission of the Minister (granted on the recommendation of the Commission in the case of an officer who holds a prescribed post on the fixed establishment), any private agency or private work in any matter connected with the performance of his official functions or the carrying out of his official duties; or
- (f) publicly comments upon the administration of any department; or
- (g) becomes a member of any political organization or takes active part in political matters; or
- (h) attempts to secure intervention from political or outside sources in relation to his position and conditions of service in the Transkeian Government Service: Provided that nothing in this paragraph contained shall preclude any officer from endeavouring to obtain redress of any grievance through Legislative Assembly; or
- (i) conducts himself in a disgraceful, improper or unbecoming manner, or whilst on duty is grossly discourteous or any person; or
- (j) uses intoxicants or stupefying drugs excessively; or
- (k) becomes insolvent or compromises with his creditors or has a decree of civil imprisonment made against him by any court of law, unless it is shown that his insolvency or composition or the making of a decree of civil imprisonment against him has been occasioned by unavoidable misfortune; or
- (l) becomes pecuniarily embarrassed, unless it is shown that his pecuniary embarrassment has not been occasioned by imprudence or other reprehensible cause and is not prejudicial to the faithful performance of his duties; or
- (m) without first having obtained the permission of his head of department discloses, otherwise than in the discharge of his official duties, information gained by or conveyed to him through his employment in the Transkeian Government Service, or uses such information for any purpose other than for the discharge of his official duties, whether or not he discloses such information; or
- (n) accepts without the permission of the Minister (granted on the recommendation of the Commission in the case of an officer who holds a prescribed post on the fixed establishment) or demands in respect of the carrying out of or the failure to carry out his duties any commission, fee, or reward, pecuniary or otherwise (not being the emoluments payable to him in respect of his duties) or fails to report to his head of department or if he is the head of a department, to the Minister, the offer of any such commission, fee or reward; or
- (o) misappropriates or improperly uses any property of the Government of the Republic or the Transkeian Government under such circumstances that his act does not constitute a criminal offence; or
- (p) commits a criminal offence; or
- (q) absents himself from his office or duty without leave or valid cause; or
- (r) with a view to obtaining any privilege or advantage in relation to his official position or his duties, or to causing prejudice or injury to the Government of the Republic or the Transkeian Government or a department or the Transkeian Government Service or a member of the Government Service, makes a false or incorrect statement, knowing it to be false or incorrect.

- (c) 'n wettige bevel wat aan hom gegee is deur 'n persoon wat die bevoegdheid het om dit te gee, nie gehoorsaam nie, dit verontagsaam of opsetlik versuim om dit uit te voer, of deur woord of gedrag hom aan insubordinasie skuldig maak; of
- (d) nalatig of traag is in die vervulling van sy pligte; of
- (e) sonder die toestemming van die Minister (verleen op aanbeveling van die Kommissie in die geval van 'n beampte wat 'n voorgeskrewe pos op die vaste diensstaat beklee) enige private agentskap of private werk in enige aangeleentheid in verband met die verrigting van sy amptelike werksaamhede of die uitvoering van sy ampspligte onderneem; of
- (f) hom in die openbaar uitlaat oor die administrasie van enige departement; of
- (g) lid van 'n politieke organisasie word of aktief aan politieke aangeleenthede deelneem; of
- (h) probeer om uit politieke of buitebronne ingryping in verband met sy posisie en diensvoorwaardes in die Transkeise Regeringsdiens te verkry: Met dien verstande dat die bepalinge van hierdie paragraaf nie 'n beampte verhoed om herstel van 'n grief deur bemiddeling van die Wetgewende Vergadering te probeer verkry nie; of
- (i) hom op 'n skandellike, onbehoorlike of onbetaamlike wyse gedra, of terwyl hy diens doen, hom aan growwe onbeleefdheid teenoor 'n persoon skuldig maak; of
- (j) buitensporig gebruik maak van sterk drank of bedwelmende middels; of
- (k) insolvent word of 'n akkoord met sy skuldeisers aangaan of as 'n bevel tot siviele gyseling deur 'n gereghof teen hom gegee is, tensy daar bewys word dat sy insolvensie of akkoord of die gee van 'n bevel tot siviele gyseling teen hom deur onvermydelike teenspoed veroorsaak is; of
- (l) in geldelike moeilikheid geraak, tensy daar bewys word dat sy geldelike moeilikheid nie die gevolg is van onversigtigheid of ander laakbare oorsaak nie en nie nadelig is vir die getroue uitvoering van sy pligte nie; of
- (m) sonder dat hy eers die toestemming van sy departementshoof verkry het, inligting wat hy ingewin of waaraan hy gekom het as gevolg van sy werk in die Transkeise Regeringsdiens, openbaar maak anders as in die vervulling van sy ampspligte of sodanige inligting gebruik vir 'n ander doel as vir die vervulling van sy ampspligte, hetsy hy sodanige inligting openbaar maak of nie; of
- (n) sonder die toestemming van die Minister (verleen op aanbeveling van die Kommissie in die geval van 'n beampte wat 'n voorgeskrewe pos op die vaste diensstaat beklee), enige kommissie, geld of beloning, geldelik of anders (wat nie die emolumente is wat ten opsigte van sy pligte aan hom betaalbaar is nie) aanneem of dit eis ten opsigte van die uitvoering van sy pligte of die versuim om sy pligte uit te voer, of versuim om aan sy departementshoof of, as hy die departementshoof is, aan die Minister die aanbod van sodanige kommissie, geld of beloning te rapporteer; of
- (o) hom eiendom van die Regering van die Republiek of die Transkeise Regering wederregtelik toeëien of onbehoorlike gebruik daarvan maak onder sodanige omstandighede dat sy daad nie 'n kriminele misdryf uitmaak nie; of
- (p) 'n kriminele misdryf begaan; of
- (q) sonder verlof of geldige rede van sy kantoor of diens wegbly; of
- (r) met die oog op die verkryging van enige voorreg of voordeel met betrekking tot sy amptelike posisie of sy pligte, of op die veroorsaking van enige nadeel of skade aan die Regering van die Republiek of die Transkeise Regering of 'n departement of die Transkeise Regeringsdiens of 'n lid van die Regeringsdiens, 'n valse of onjuiste verklaring doen, wetende dat dit vals of onjuis is.

PROCEDURE IN CASES OF MISCONDUCT.

19. (1) When an officer (other than a head of department or a member of the Transkeian Police Force) is accused of misconduct, his head of department, or any officer in that department who has been authorized thereto by the head of department, may charge him in writing under his hand with that misconduct.

(2) The officer who signed the charge shall cause it to be served upon the officer charged.

(3) The charge shall contain or shall be accompanied by a direction calling upon the officer 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 with which he is charged.

(4) The Minister, or if authorised thereto by the Minister, either specially in a particular case, or generally, the head of department, or any other officer in the department, may at any time before or after the officer has been charged under this section, suspend him from duty.

(5) An officer who has been suspended from duty in terms of sub-section (4) shall not be entitled to any emoluments for the period of his suspension: Provided that the Minister may, at his discretion, order payment to such officer of the whole or portion of his emoluments.

(6) If no charge under this section is preferred against an officer who has been suspended from duty, he shall be allowed to resume duty and be paid his full emoluments for the period of his suspension.

(7) The Minister or the head of department or other officer who suspended the officer may at any time cancel the suspension, but notwithstanding the cancellation of the suspension the proceedings on the charge of misconduct may be continued.

(8) If the officer charged denies the charge or fails to comply with the direction mentioned in sub-section (3), the Minister shall appoint an officer to inquire into the charge.

(9) The officer who is to hold the inquiry shall, in consultation with the officer who signed the charge, fix the time and place of the inquiry, and the officer who signed the charge shall give the officer charged reasonable notice in writing of the time and place so fixed.

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

(11) (a) At the inquiry the officer charged shall have the right to be present and to be heard either personally or through a representative, to cross-examine any person called as a witness in support of the charge, to inspect any documents produced in evidence, to give evidence himself and call other persons as witnesses.

(b) The officer holding the inquiry shall keep a record of the proceedings at the inquiry and of all evidence given thereat.

(c) The failure of the officer charged to attend the inquiry either personally or by a representative, shall not invalidate the proceedings.

(12) The acquittal or the conviction of an officer by a court of law upon a charge of a criminal offence shall not be a bar to proceedings against him under this Proclamation on a charge of misconduct, notwithstanding the fact that the facts set forth in the charge of misconduct would, if proved, constitute the offence set forth in the criminal charge on which he was so acquitted or convicted or another offence on which he might have been convicted on his trial on the said criminal charge.

PROSEDURE IN GEVALLE VAN WANGEDRAG.

19. (1) Wanneer 'n beampte (behalwe 'n departementshoof of 'n lid van die Transkeise Polisiediens) van wangedrag beskuldig word, kan sy departementshoof, of 'n beampte in daardie departement wat deur die departementshoof daartoe gemagtig is, hom skriftelik onder sy handtekening van daardie wangedrag aankla.

(2) Die beampte wat die aanklag onderteken het, moet dit aan die aangeklaagde beampte laat bestel.

(3) Die aanklag moet 'n aanseggings bevat of van 'n aanseggings vergesel gaan waarby die aangeklaagde beampte aangesê word om binne 'n redelike tydperk wat in die aanseggings vermeld word, aan 'n persoon wat ook daarin vermeld word, 'n skriftelike erkenning of ontkenning van die aanklag en, as hy dit verlang, 'n skriftelike verklaring van die wangedrag waarvan hy aangekla word, te stuur of by hom af te lewer.

(4) Die Minister of indien daartoe gemagtig deur die Minister, hetsy spesiaal in 'n besondere geval of in die algemeen, die departementshoof, of enige ander beampte in die departement, kan te eniger tyd voor of nadat die beampte kragtens hierdie artikel aangekla is, die beampte in sy diens skors.

(5) 'n Beampte wat ingevolge subartikel (4) in sy diens geskors is, is nie op enige emolumente vir die tydperk van sy skorsing geregtig nie: Met dien verstande dat die Minister na goeddunke kan gelas dat die geheel of 'n gedeelte van sy emolumente aan sodanige beampte betaal word.

(6) As geen aanklag ingevolge hierdie artikel teen 'n beampte wat in sy diens geskors is, ingebring word nie, word hy toegelaat om weer diens te aanvaar en word sy volle emolumente vir die tydperk van sy skorsing aan hom betaal.

(7) Die Minister of die departementshoof of ander beampte wat die beampte geskors het, kan die skorsing te enige tyd intrek, maar ondanks die intrekking van die skorsing kan die verrigtings in verband met die aanklag van wangedrag voortgesit word.

(8) As die aangeklaagde beampte die aanklag ontken of versuim om te voldoen aan die aanseggings in subartikel (3) genoem, stel die Minister 'n beampte aan om ondersoek na die aanklag in te stel.

(9) Die beampte wat die ondersoek moet instel, moet in oorleg met die beampte wat die aanklag onderteken het, die tyd en plek van die ondersoek vasstel, en die beampte wat die aanklag onderteken het, moet aan die aangeklaagde beampte redelike skriftelike kennis gee van die tyd en plek aldus vasgestel.

(10) Die beampte wat die aanklag onderteken het, kan enige persoon magtig om by die ondersoek teenwoordig te wees en om getuienis en argumente ter staving van die aanklag aan te voer en om enige persoon wat as getuie vir die verweer opgeroep is, onder kruisverhoor te neem.

(11) (a) By die ondersoek het die aangeklaagde beampte die reg om teenwoordig te wees en om aangehoor te word hetsy persoonlik of deur 'n verteenwoordiger, om enige persoon wat as getuie ter staving van die aanklag opgeroep is, onder kruisverhoor te neem, om alle dokumente wat as getuienis voorgelê is, in te sien, om self getuienis af te lê en ander persone as getuiers op te roep.

(b) Die beampte wat die ondersoek instel, moet notule hou van die verrigtings by die ondersoek en van alle getuienis wat aldaar afgelê word.

(c) Die versuim van die aangeklaagde beampte om persoonlik of deur 'n verteenwoordiger by die ondersoek teenwoordig te wees, maak die verrigtings nie ongeldig nie.

(12) Die vryspreking of die skuldigbevinding van 'n beampte deur 'n geregshof op 'n aanklag van 'n kriminele misdryf, belet nie dat stappe ingevolge hierdie Proklamasie op 'n aanklag van wangedrag teen hom ingestel word nie ondanks die feit dat die feite uiteengesit in die aanklag van wangedrag, as dit bewys sou word, die misdryf sou uitmaak wat uiteengesit is in die kriminele aanklag waarop hy aldus vrygespreek of skuldig bevind is of 'n ander misdryf waaraan hy by sy verhoor op genoemde kriminele aanklag skuldig bevind kon geword het.

(13) If the misconduct with which the officer 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, upon the identification of such officer as the person referred to in the record, be sufficient proof of the commission by him of such offence, unless the conviction has been set aside by a superior court: Provided that it shall be competent for the officer charged to adduce evidence that he was in fact wrongly convicted.

(14) At the conclusion of the inquiry the officer holding it shall find whether the officer charged is guilty or not guilty of the misconduct with which he has been charged and shall inform the officer charged of his finding. He shall report the result of the inquiry to the Minister who appointed him.

(15) If the officer charged is under suspension from duty under sub-section (4) and the officer holding the inquiry finds that he is not guilty of the misconduct with which he has been charged, the said officer shall be allowed forthwith to resume duty in his post and be paid his full emoluments for the period of his suspension.

(16) If the officer holding the inquiry finds the officer charged guilty of the misconduct with which he has been charged, the provisions of sub-section (6) of section sixteen shall *mutatis mutandis* apply.

(17) If the officer who held the inquiry has found the officer charged guilty of the misconduct with which he has been charged, he shall forward to the Commission the record of the proceedings at the inquiry and any documentary evidence admitted thereat, a statement of his finding and his reasons therefor, and any observations on the case which he may desire to make: Provided that if the officer found guilty of misconduct holds a non-prescribed post on the fixed establishment and he has not given notice of appeal from the finding in accordance with the provisions of sub-section (6) of section sixteen, as applied by sub-section (16) of this section, the officer who held the inquiry shall forward the said record and other documents not to the Commission but to the head of the department in which the officer found guilty of misconduct is employed.

(18) If the officer found guilty of misconduct has given notice of appeal in accordance with the provisions aforesaid, as so applied, the officer who held the inquiry shall forward to the Commission, with the record and other documents referred to in sub-section (17), the appellant's notice and grounds of appeal and shall furnish the appellant with a copy of the reasons for the finding against which the appeal is brought.

(19) If notice of appeal has been given in accordance with the provisions aforesaid, as so applied, the provisions of sub-sections (8) to (15), both inclusive, of section sixteen shall *mutatis mutandis* apply.

(20) If the Commission allows the appeal of an appellant who was suspended from duty, he shall forthwith be allowed to resume his duties and be paid his full emoluments for the period of his suspension.

(21) If the record and documents referred to in sub-section (17) have in terms of that sub-section been forwarded to the head of the department in which the officer found guilty of misconduct is employed, or if the said record and documents have in terms of that sub-section been forwarded to the Commission and no appeal was noted against the finding, or if an appeal was so noted and the Commission has dismissed such appeal wholly or in part, the said head of department or the Commission, as the case may be, may recommend to the Minister—

- (a) that the said officer be cautioned or reprimanded; or
- (b) that a fine not exceeding four hundred rand be imposed upon him, which fine may be recovered by deduction from his emoluments in such instalments as may be determined by the Minister; or

(13) As die wangedrag waarvan die beampte aangekla word, neerkom op 'n misdryf waaraan hy deur 'n geregs-hof skuldig bevind is, is 'n gesertifiseerde afskrif van die notule van sy verhoor en skuldigbevinding deur daardie hof, nadat sodanige beampte geïdentifiseer is as die persoon wat in die notule genoem word, voldoende bewys dat hy sodanige misdryf begaan het, tensy die skuldigbevinding deur 'n hoër hof ter syde gestel is: Met dien verstande dat die aangeklaagde beampte die reg het om getuienis aan te voer dat hy in werklikheid verkeerdlik skuldig bevind is.

(14) Na afloop van die ondersoek moet die beampte wat dit instel, bevind of die aangeklaagde beampte skuldig is of nie skuldig is nie aan die wangedrag waarvan hy aangekla is en moet hy die aangeklaagde beampte van sy bevinding verwittig. Hy moet aan die Minister wat hom aangestel het verslag doen oor die uitslag van die ondersoek.

(15) As die aangeklaagde beampte ingevolge subartikel (4) in sy diens geskors is en die beampte wat die ondersoek instel, bevind dat hy nie skuldig is aan die wangedrag waarvan hy aangekla is nie, moet genoemde beampte toegelaat word om dadelik weer diens in sy pos te aanvaar en moet aan hom sy volle emolumente vir die tydperk van sy skorsing betaal word.

(16) As die beampte wat die ondersoek instel, die aangeklaagde beampte skuldig bevind aan die wangedrag waarvan hy aangekla is, is die bepalinge van subartikel (6) van artikel *sestien mutatis mutandis* van toepassing.

(17) As die beampte wat die ondersoek ingestel het, die aangeklaagde beampte skuldig bevind het aan die wangedrag waarvan hy aangekla is, moet hy die notule van die verrigtings by die ondersoek en enige dokumentêre getuienis wat aldaar toegelaat is, 'n uiteensetting van sy bevinding en sy redes daarvoor, en enige opmerkings oor die saak wat hy wens te maak, aan die Kommissie stuur: Met dien verstande dat as die beampte wat aan wangedrag skuldig bevind is, 'n nie-voorgeskrewe pos op die vaste diensstaat beklee, en nie kennis van appèl teen die bevinding ooreenkomstig die bepalinge van subartikel (6) van artikel *sestien*, soos toegepas by subartikel (16) van hierdie artikel, gegee het nie, die beampte wat die ondersoek ingestel het, genoemde notule en ander dokumente, nie aan die Kommissie nie maar aan die hoof van die departement waarin die beampte wat aan wangedrag skuldig bevind is, in diens is, moet stuur.

(18) As die beampte wat aan wangedrag skuldig bevind is, kennis van appèl ooreenkomstig voormelde bepalinge, soos aldus toegepas, gegee het, moet die beampte wat die ondersoek ingestel het, saam met die notule en ander dokumente genoem in subartikel (17), die appellant se kennisgewing en gronde van appèl aan die Kommissie stuur en 'n afskrif van die redes vir die bevinding waarteen die appèl aangeteken is, aan die appellant verstrek.

(19) As kennis van appèl ooreenkomstig voormelde bepalinge, soos aldus toegepas, gegee is, is die bepalinge van subartikels (8) tot en met (15) van artikel *sestien mutatis mutandis* van toepassing.

(20) As die Kommissie die appèl van 'n appellant wat in sy diens geskors is, toestaan, moet die appellant dadelik toegelaat word om weer sy diens te aanvaar en moet aan hom sy volle emolumente vir die tydperk van sy skorsing betaal word.

(21) As die notule en dokumente genoem in subartikel (17) ingevolge daardie subartikel aan die hoof van die departement waarin die beampte wat aan wangedrag skuldig bevind is, in diens is, gestuur is, of as genoemde notule en dokumente ingevolge daardie subartikel aan die Kommissie gestuur is en geen appèl teen die bevinding aangeteken is nie, of as 'n appèl aldus aangeteken is en die Kommissie die appèl in sy geheel of gedeeltelik afgewys het, kan genoemde departementshoof of die Kommissie, na gelang van die geval, by die Minister aanbeveel—

- (a) dat genoemde beampte gewaarsku of berispe word; of
- (b) dat 'n boete van hoogstens vierhonderd rand hom opgelê word, en dat dié boete verhaal kan word deur aftrekking van sy emolumente in die paaie-mente wat deur die Minister vasgestel word; of

- (c) that he be transferred to another post or be employed additional to the fixed establishment; or
- (d) that his salary or grade or both his salary and grade be reduced to an extent recommended; or
- (e) that he be discharged or be called upon to resign from the Transkeian Government Service as from a date to be specified by the Minister:

Provided that—

- (i) except where a recommendation is made under paragraph (e) the Commission or head of department shall not be precluded from making a recommendation under more than one of the foregoing paragraphs;
- (ii) the Commission or head of department may postpone for a period not exceeding twelve calendar months, the making of a recommendation; and
- (iii) if an officer who has been called upon to resign from the Transkeian Government Service, fails so to resign, he shall be deemed to have been discharged therefrom as from a date to be specified by the Minister.

(22) The Minister may adopt the course recommended by the Commission or the head of department, or any other course which it or he could lawfully have recommended under sub-section (21), but subject always to the provisions of sub-section (1) of section seven in the case of a recommendation of the Commission.

(23) The Commission or head of department, as the case may be, shall forward to the Minister with its or his recommendation in terms of sub-section (21) the record of the proceedings at the inquiry and all documents in its or his possession which relate to the inquiry or to the appeal.

(24) If the officer charged in terms of this section admits the charge, he shall be deemed to be guilty of the misconduct with which he has been charged.

(25) If the officer referred to in sub-section (24) holds a prescribed post on the fixed establishment, the head of department shall forward to the Commission all documents available to him which relate to the misconduct and any observations thereon which he may desire to make, and the Commission shall make a recommendation to the Minister in terms of sub-section (21).

(26) If the officer referred to in sub-section (24) holds a non-prescribed post on the fixed establishment the head of department shall make a recommendation to the Minister in terms of sub-section (21).

(27) The provisions of sub-section (22) shall apply in respect of a recommendation under sub-section (25) or (26) as if the recommendation had been made under sub-section (21).

(28) If an officer who has been suspended from duty in terms of sub-section (4), is dealt with in accordance with the provisions of paragraph (a), (b) or (d) of sub-section (21) or of the second proviso to that sub-section, he shall forthwith be allowed to resume duty, and if he is dealt with in accordance with the provisions of paragraph (c) of sub-section (21), he shall as soon as practicable be allowed to assume duty in the post or duties to which he is transferred, and in any such case he shall be paid his full emoluments for the period of his suspension: Provided that if his grade is reduced in terms of the said paragraph (d) he shall as soon as practicable be allowed to assume duty in a post of the reduced grade and be paid for the period of suspension the emoluments of that post, but if emoluments in excess of the emoluments of that post were, during the period of his suspension, paid to him under sub-section (5), he shall not be obliged to refund the excess.

(29) An officer, who has been suspended from duty in terms of sub-section (4) or against whom a charge has been preferred under this section, and who resigns from the Transkeian Government Service or assumes other employment before such charge has been dealt with to

- (c) dat hy na 'n ander pos oorgeplaas of dat hy addisioneel tot die vaste diensstaat in diens gehou word; of
- (d) dat sy salaris of graad of sy salaris sowel as sy graad verlaag word in die mate wat aanbeveel word; of
- (e) dat hy ontslaan of aangesê word om uit die Transkeise Regeringsdiens te bedank met ingang van 'n datum wat deur die Minister vermeld word:

Met dien verstande dat—

- (i) behalwe waar 'n aanbeveling kragtens paragraaf (e) gedoen word, die Kommissie of departementshoof nie belet word om 'n aanbeveling kragtens meer as een van die voorgaande paragrawe te doen nie;
- (ii) die Kommissie of die departementshoof die doen van 'n aanbeveling vir 'n tydperk van hoogstens twaalf kalendermaande kan uitstel; en
- (iii) as 'n beampte wat aangesê is om uit die Transkeise Regeringsdiens te bedank, versuim om aldus te bedank, hy geag word daaruit ontslaan te gewees het met ingang van 'n datum wat deur die Minister vermeld word.

(22) Die Minister kan volgens die aanbeveling van die Kommissie of die departementshoof handel of enige ander weg instaan wat die Kommissie of hy wettiglik ingevolge subartikel (21) kon aanbeveel het, maar altyd onderworpe aan die bepalinge van subartikel (1) van artikel sewe in geval van 'n aanbeveling van die Kommissie.

(23) Die Kommissie of departementshoof, na gelang van die geval, stuur saam met die Kommissie of departementshoof se aanbeveling ingevolge subartikel (21), die notule van die verrigtings by die ondersoek en alle dokumente in sy besit wat op die ondersoek of op die appèl betrekking het, aan die Minister.

(24) As die beampte wat ingevolge hierdie artikel aangekla is, die aanklag erken, word dit geag dat hy skuldig is aan die wangedrag waarvan hy aangekla is.

(25) In die geval van 'n beampte in subartikel (24) genoem wat 'n voorgeskrewe pos op die vaste diensstaat beklee, stuur die departementshoof alle dokumente wat hy tot sy beskikking het en wat op die wangedrag betrekking het en enige opmerkings daaroor wat hy wens te maak aan die Kommissie en die Kommissie doen 'n aanbeveling ingevolge subartikel (21) by die Minister.

(26) As die beampte in subartikel (24) genoem 'n nie-voorgeskrewe pos op die vaste diensstaat beklee, doen die departementshoof 'n aanbeveling ingevolge subartikel (21) by die Minister.

(27) Die bepalinge van subartikel (22) is van toepassing ten opsigte van 'n aanbeveling wat ingevolge subartikel (25) of (26) gedoen is, asof die aangeveling ingevolge subartikel (21) gedoen is.

(28) As daar met 'n beampte wat ingevolge subartikel (4) in sy diens geskors is, ooreenkomstig die bepalinge van paragrawe (a), (b) of (d) van subartikel (21) of van die tweede voorbehoudsbepaling by daardie subartikel gehandel word, moet hy onverwyld toegelaat word om weer diens te aanvaar, en as daar met hom ooreenkomstig die bepalinge van paragraaf (c) van subartikel (21) gehandel word, moet hy so gou doenlik toegelaat word om diens te aanvaar in die pos of pligte waarna hy oorgeplaas word, en in sodanige geval moet sy volle emolumente vir die tydperk van sy skorsing aan hom betaal word: Met dien verstande dat as sy graad ingevolge genoemde paragraaf (d) verlaag word, hy so gou doenlik toegelaat moet word om diens in 'n pos van die verlaagde graad te aanvaar, en moet aan hom vir 'n tydperk van skorsing die emolumente van daardie pos betaal word, maar as hoër emolumente as die emolumente van daardie pos aan hom gedurende die tydperk van sy skorsing ingevolge subartikel (5) betaal is, hy nie verplig is om die verskil terug te betaal nie.

(29) 'n Beampte wat ingevolge subartikel (4) in sy diens geskors is, of teen wie 'n aanklag ingevolge hierdie artikel ingebring is, en wat uit die Transkeise Regeringsdiens bedank of ander werk aanvaar voordat sodanige aanklag finaal ooreenkomstig die bepalinge van hierdie artikel

finality in accordance with the provisions of this section, shall be deemed to have been discharged on account of misconduct, with effect from a date to be specified by the Minister, unless prior to the receipt of his notification or resignation or the date of his assumption of other employment he had been notified that no charge would be preferred against him or that the charge preferred against him had been withdrawn.

MISCONDUCT OF HEADS OF DEPARTMENTS.

20. (1) When a head of department is accused of misconduct, the Minister may report the matter to the Cabinet who may direct the Minister to charge him with that misconduct; and if an inquiry becomes necessary under sub-section (8) of section *nineteen* as applied by sub-section (2) of this section, the Cabinet may appoint a person or persons to hold the inquiry.

(2) The provisions of sub-sections (2) to (29), both inclusive, of section *nineteen* shall *mutatis mutandis* apply to any proceedings following upon a direction under sub-section (1) of this section; and for the purposes of such application every reference in the said sub-sections to the Minister shall be construed as a reference to the Cabinet, the reference in sub-section (25) to the head of department shall be construed as a reference to the Minister and every reference in the said sub-sections to the officer holding the inquiry shall be construed as including a reference to a person or persons appointed under sub-section (1) of this section.

MANNER IN WHICH NOTICES, ETC. MAY BE GIVEN OR FURNISHED.

21. Whenever by section *sixteen*, *seventeen*, *nineteen* or *twenty* it is provided—

- (a) that any notice, statement or other document is to be given or furnished to or served upon any person or that any matter is to be or may be conveyed to any person in writing, the notice, statement, document or writing may be sent by post in a registered letter or be delivered to him or left at his last known place of residence; or
- (b) that any person is to be informed of any decision or finding, he may be informed thereof verbally or in writing sent by post in a registered letter or delivered to him or left at his last known place of residence.

PART V.

GENERAL.

REMUNERATION OF OFFICERS AND EMPLOYEES.

22. (1) Subject to the provisions of section *seven*, officers and employees shall be paid salaries, wages and allowances in accordance with the scales, appropriate to their grades, as published in Proclamation No. 311 of 1963, or as recommended by the Commission in terms of paragraph (g) of sub-section (2) of section *six*.

(2) On the recommendation of the Commission but subject to the provisions of section *seven*—

- (a) officers or employees or classes of officers or employees may, on appointment, transfer or promotion be paid salaries or wages at higher rates than the minima of the appropriate scales; and
- (b) officers or employees, or classes of officers or employees may be specially advanced within the scales applicable to them; and
- (c) an officer or employee of exceptional ability or possessing special qualifications or who has rendered meritorious service may, and any officer or employee may, if it is in the interests of the Transkeian Government Service, be specially advanced within the scale applicable to him or may be paid a salary or wage in accordance with a higher scale, or may be granted any other fitting reward.

afgehandel is, word geag weens wangedrag ontslaan te gewees het met ingang van 'n datum wat deur die Minister vermeld word, tensy hy voor die ontvangs van sy kennisgewing van bedanking of die datum van sy aanvaarding van ander werk, in kennis gestel is dat geen aanklag teen hom ingebring sal word nie of dat die aanklag wat teen hom ingebring is, teruggetrek is.

WANGEDRAG VAN DEPARTEMENTSHOOFDE.

20. (1) Wanneer 'n departementshoof van wangedrag beskuldig word, kan die Minister die aangeleentheid rapporteer aan die Kabinet wat die Minister kan gelas om hom van daardie wangedrag aan te kla; en as 'n ondersoek ingevolge subartikel (8) van artikel *negentien* soos toegepas by subartikel (2) van hierdie artikel, nodig word, kan die Kabinet 'n persoon of persone aanstel om die ondersoek in te stel.

(2) Die bepalings van subartikels (2) tot en met (29) van artikel *negentien* is *mutatis mutandis* van toepassing op verrigtings wat op 'n lasgewing ingevolge subartikel (1) van hierdie artikel volg; en vir die doeleindes van sodanige toepassing word elke verwysing in genoemde subartikels na die Minister uitgelê as 'n verwysing na die Kabinet, word die verwysing in subartikel (25) na die departementshoof uitgelê as 'n verwysing na die Minister en word elke verwysing in genoemde subartikels na die beamppte wat die ondersoek instel, uitgelê asook 'n verwysing na 'n persoon of persone wat ingevolge subartikel (1) van hierdie artikel aangestel is.

WYSE WAAROP KENNIS, ENS. GEGEE OF VERSTEEK KAN WORD.

21. Waar daar by artikels *sestien*, *sewentien*, *negentien* of *twintig* bepaal word—

- (a) dat enige kennisgewing, verklaring of ander dokument aan 'n persoon gegee of verstrekk of bestel moet word of dat enige aangeleentheid skriftelik aan 'n persoon meegedeel moet of kan word, kan die kennisgewing, verklaring, dokument of geskrif per pos in 'n geregistreerde brief aan hom gestuur word of aan hom afgelewer of by sy laaste bekende woonplek gelaat word; of
- (b) dat 'n persoon van 'n beslissing of bevinding verwittig moet word, kan hy mondeling of per geskrif wat per pos in 'n geregistreerde brief aan hom gestuur word of aan hom afgelewer of by sy laaste bekende woonplek gelaat word, daarvan verwittig word.

DEEL V.

ALGEMEEN.

BESOLDIGING VAN BEAMPTES EN WERKNEMERS.

22. (1) Behoudens die bepalings van artikel *sewe*, word aan beamptes en werknemers salarisse, lone en toelaes betaal ooreenkomstig die skale wat by hulle grade pas en wat by Proklamasie No. 311 van 1963 afgekondig is of wat deur die Kommissie ingevolge paragraaf (g) van subartikel (2) van artikel *ses* aanbeveel is.

(2) Op aanbeveling van die Kommissie, dog behoudens die bepalings van artikel *sewe*—

- (a) kan aan beamptes of werknemers of klasse beamptes of werknemers by aanstelling, oorpasing of bevordering salarisse of lone teen hoër bedrae as die minimums van die toepaslike skale betaal word; en
- (b) kan beamptes of werknemers of klasse beamptes of werknemers spesiaal verhoog word binne die skale wat op hulle van toepassing is; en
- (c) kan 'n beamppte of werknemer wat buitengewoon bekwaam is of wat spesiale kwalifikasies besit of wat verdienstelike diens gelewer het, en as dit in die Transkeise Regeringsdiens se belang is, kan enige beamppte of werknemer, spesiaal verhoog word binne die skaal wat op hom van toepassing is of kan aan hom 'n salaris of loon ooreenkomstig 'n hoër skaal betaal of enige ander geskikte beloning toegeken word.

(3) Subject to the provisions of section seven, no officer or employee shall in respect of his employment as such be paid any remuneration, allowance, honorarium, award or bonus of any kind whatsoever other than such as published in Proclamation No. 311 of 1963, or as has been recommended by the Commission.

SALARIES OF OFFICERS NOT TO BE REDUCED EXCEPT AS SPECIALLY PROVIDED.

23. An officer's salary or salary scale shall not be reduced without his own consent except in accordance with the provisions of Part IV or in pursuance of an Act of the Legislative Assembly.

CESSION OF EMOLUMENTS PROHIBITED.

24. No officer or employee shall, without the written approval of the accounting officer (as defined by section seventy-three of the Transkei Constitution Act, 1963), of the department or office in which he is employed, cede the whole or any part of any salary or allowance payable to him.

WHOLE TIME OF OFFICERS AND EMPLOYEES TO BE AT THE DISPOSAL OF THE TRANSKEIAN GOVERNMENT.

25. (1) Unless it is otherwise provided in his conditions of service—

- (a) every officer and employee shall place the whole of his time at the disposal of the Transkeian Government;
- (b) no officer or employee shall perform or engage himself to perform remunerative work outside his employment in the Transkeian Government Service without the permission of the Minister (or of an officer to whom the power has been delegated by the Minister) which in the case of an officer shall only be granted on the recommendation of the Commission; and
- (c) no officer or employee may claim as of right additional remuneration in respect of any official duty or work which he is required by competent authority to perform.

(2) It shall be competent for the Minister or the head of a department, branch, office or institution to require any officer or employee under his control temporarily to perform duties other than those ordinarily assigned to such officer or appropriate to the grade, designation or classification of his post.

(3) Any remuneration or allowance whatsoever received by an officer or employee otherwise than in accordance with the provisions of this Proclamation or a recommendation made by the Commission under any other law shall be paid by such officer or employee into the Transkeian Revenue Fund, and if he does not do so, shall be recovered from him by the Transkeian Minister of Finance by legal proceedings or in such other manner as the Minister may think fit and be paid into that fund.

(4) All fees received by an officer or employee in his official capacity shall be paid into the Transkeian Revenue Fund unless the Commission has recommended that he may retain the whole or a portion of the said fees as part of his remuneration.

(5) Where on account of his professional, technical or other special qualifications the services of an officer or employee are placed temporarily at the disposal of the Government of the Republic or of an institution or body established by or under any law of the Transkei or of the Republic, any salary, allowance, fee, bonus or honorarium which may be payable in respect of his services shall be paid into the Transkeian Revenue Fund: Provided that in special circumstances the Commission may recommend the payment to the officer or employee of an amount equal to the said salary, allowance, fee, bonus or honorarium or a portion thereof.

(3) Behoudens die bepalings van artikel sewe mag aan geen beampte of werknemer ten opsigte van sy indienshouding as sodanig enige besoldiging, toelae, honorarium, toekenning of bonus van watter aard ookal betaal word nie behalwe dié wat in Proklamasie No. 311 van 1963 afgekondig is of wat deur die Kommissie aanbeveel is.

SALARISSE VAN BEAMPTES MAG NIE VERLAAG WORD NIE, BEHALWE SOOS SPESIAAL BEPAAL.

23. 'n Beampte se salaris of salarisskaal mag nie sonder sy eie toestemming verlaag word nie, behalwe in ooreenstemming met die bepalings van Deel IV of ingevolge 'n wet van die Wetgewende Vergadering.

SESSIE VAN EMOLUMENTE VERBODE.

24. Geen beampte of werknemer mag sonder die skrifte-lyke goedkeuring van die rekenpligtige amptenaar (soos omskryf by artikel drie-en-sewentig van die Transkeise Grondwet, 1963), van die departement of kantoor waarin hy in diens is, die geheel of 'n gedeelte van enige salaris of toelae wat aan hom betaalbaar is, sedeer nie.

BEAMPTES EN WERKNEMERS MOET AL HULLE TYD TER BESKIKKING VAN DIE TRANSKEISE REGERING STEL.

25. (1) Tensy anders in sy diensvoorwaardes bepaal word—

- (a) moet elke beampte en werknemer al sy tyd ter beskikking van die Transkeise Regering stel;
- (b) mag geen beampte of werknemer besoldigde werk buite sy werk in die Transkeise Regeringsdiens sonder die toestemming van die Minister (of 'n beampte aan wie dié bevoegdheid deur die Minister gedelegeer is) verrig of hom verbind om dit te verrig nie, en dié toestemming word in die geval van 'n beampte slegs op aanbeveling van die Kommissie verleen; en
- (c) kan geen beampte of werknemer regtens aanspraak maak of addisionele besoldiging ten opsigte van enige amptelike diens of werk wat hy deur 'n bevoegde owerheid aangesê word om te verrig nie.

(2) Die Minister of die hoof van 'n departement, tak, kantoor of inrigting is bevoeg om 'n beampte of werknemer onder sy beheer aan te sê om tydelik ander pligte te verrig as dié wat gewoonlik aan sodanige beampte opgedra word of wat by die graad, benaming of indeling van sy pos pas.

(3) Enige besoldiging of toelae van watter aard ookal wat 'n beampte of werknemer ontvang anders as ooreenkomstig die bepalings van hierdie Proklamasie of 'n aanbeveling wat deur die Kommissie kragtens enige ander wetsbepaling gedoen is, moet deur sodanige beampte of werknemer in die Transkeise Inkomstefonds gestort word en as hy dit nie doen nie moet dit deur die Transkeise Minister van Finansies deur middel van geregtelike stappe of op so 'n ander wyse as wat die Minister goeddink op die beampte of werknemer verhaal en in daardie fonds gestort word.

(4) Alle gelde wat 'n beampte of werknemer in sy amptelike hoedanigheid ontvang, moet in die Transkeise Inkomstefonds gestort word, tensy die Kommissie aanbeveel het dat hy die geheel of 'n gedeelte van genoemde gelde as deel van sy besoldiging kan behou.

(5) Waar die dienste van 'n beampte of werknemer weens sy vakkundige, tegniese of ander spesiale kwalifikasies tydelik ter beskikking van die Regering van die Republiek of van 'n inrigting of liggaam ingestel by of ingevolge 'n wet van die Transkei of van die Republiek geplaas word, moet enige salaris, toelae, geld, bonus of honorarium wat ten opsigte van sy dienste betaalbaar is, in die Transkeise Inkomstefonds gestort word: Met dien verstande dat onder spesiale omstandighede die Kommissie kan aanbeveel dat 'n bedrag wat gelyk is aan genoemde salaris, toelae, geld, bonus of honorarium, of 'n gedeelte daarvan, aan die beampte of werknemer betaal word.

REGULATIONS.

26. (1) Subject to the provisions of sub-section (2) of section seven of this Proclamation, the Chief Minister may, after the Commission has made a recommendation, which has been approved by the Cabinet make regulations with respect to any of the following matters:—

- (a) The promotion, transfer, discipline, conduct, powers and duties, hours of attendance and leave of absence of officers and employees and their other conditions of service;
- (b) the rates of payment for exceptional overtime duty performed by officers and employees and of any travelling, subsistence or other allowances to be paid to officers and employees and the circumstances under which such payments shall be made;
- (c) the circumstances in which medical examination shall be required for the purposes of any provision of this Proclamation and the form of medical reports and certificates;
- (d) the particular classes of officers and employees who may be required to give security, and the amount and form thereof;
- (e) the procedure to be observed in investigating and dealing with alleged misconduct committed by officers;
- (f) all matters which under this Proclamation are required or permitted to be prescribed; and
- (g) generally, all matters which the Commission, with the approval of the Cabinet, considers necessary or expedient to prescribe in order that the purposes of this Proclamation may be achieved;

and such regulations may prescribe an authority or more than one authority and the powers of any such authority to vary, in respect of any officer or employee or class of officers or employees, the provisions thereof.

(2) Different regulations may be made in respect of officers holding prescribed or non-prescribed posts on the fixed establishment, or to suit the varying requirements of particular departments or branches of departments, or of particular classes of officers or employees, or of particular kinds of employment in the Transkeian Government Service.

(3) Every regulation made in terms of this Proclamation shall be published in the *Official Gazette* of the Transkei and shall be laid upon the Table of the Legislative Assembly within seven days after such publication if the Legislative Assembly is then in session, or if the Legislative Assembly is then not in session, within seven days of the commencement of its next ensuing session.

(4) Every regulation made under this Proclamation shall be of force and effect unless and until, during the session in which it has been laid upon the Table of the Legislative Assembly as provided by paragraph (3), the Legislative Assembly has by resolution disapproved of the regulation, in which event the regulation shall lapse as from the date to be specified in the resolution; but the lapsing of the regulation shall not affect the validity of anything done under the regulation before the date of the resolution, and nothing contained in this sub-section shall affect the power of the Chief Minister to make, on the recommendation of the Commission and with the approval of the Cabinet, a new regulation as to the subject matter of that regulation.

AMENDMENT OF SCHEDULE.

27. Subject to the provisions of sub-section (2) of section ten of the Transkei Constitution Act, 1963, the Cabinet may, after the Commission has made a recommendation, amend the Schedule to this Proclamation by publishing the amendment in the *Official Gazette* of the Transkei.

REGULASIES.

26. (1) Behoudens die bepalings van subartikel (2) van artikel sewe van hierdie Proklamasie, kan die Hoof-minister, nadat die Kommissie 'n aanbeveling gedoen het en sodanige aanbeveling deur die Kabinet goedgekeur is, regulasies met betrekking tot enigeen van die volgende aangeleenthede uitvaardig:—

- (a) Die bevordering, oorpasing, dissipline, gedrag, bevoegdhede en pligte, diensure en verlof van beamptes en werknemers en hulle ander diensvoorwaardes;
- (b) die tarief van besoldiging vir uitsonderlike oortyd-diens verrig deur beamptes en werknemers en van reis-, verblyf- of ander toelaes wat aan beamptes en werknemers betaal moet word en die omstandighede waaronder sodanige betalings gedoen moet word;
- (c) die omstandighede waaronder 'n geneeskundige ondersoek vereis word vir die doeleindes van enigeen van die bepalings van hierdie Proklamasie, en die vorm van geneeskundige verslae en sertifikate;
- (d) die besondere klasse beamptes en werknemers van wie dit vereis kan word om sekuriteit te gee, en die bedrag en vorm daarvan;
- (e) die prosedure wat gevolg moet word by die ondersoek van en optrede in verband met beweerde wan-gedrag waaraan beamptes hulle skuldig maak;
- (f) alle aangeleenthede wat ingevolge hierdie Proklamasie voorgeskryf moet of kan word; en
- (g) in die algemeen alle aangeleenthede wat die Kommissie met goedkeuring van die Kabinet nodig of dienstig ag om voor te skryf ten einde die doeleindes van hierdie Proklamasie te bereik;

en sodanige regulasies kan 'n gesag of meer as een gesag voorskryf asook die bevoegdhede van sodanige gesag om, ten opsigte van enige beampte of werknemer of klas beamptes of werknemers, die bepalings daarvan te wysig.

(2) Verskillende regulasies kan uitgevaardig word ten opsigte van beamptes wat voorgeskrewe of nie-voorgeskrewe poste op die vaste diensstaat beklee of om te pas by die verskillende vereistes van besondere departemente of takke van departemente, of van besondere klasse beamptes of werknemers, of van besondere soorte diens in die Transkeise Regeringsdiens.

(3) Elke regulasie wat ingevolge hierdie Proklamasie uitgevaardig word, moet in die *Amptelike Koerant* van die Transkei gepubliseer word en binne sewe dae nadat dit gepubliseer is, in die Wetgewende Vergadering ter tafel gelê word as die Wetgewende Vergadering dan sit, of as die Wetgewende Vergadering nie dan sit nie, binne sewe dae na die aanvang van sy eersvolgende sessie.

(4) Elke regulasie wat ingevolge hierdie Proklamasie uitgevaardig word, is van krag en regsgeldig tensy en totdat, gedurende die sessie waarin dit in die Wetgewende Vergadering ter tafel gelê is soos in paragraaf (3) bepaal, die Wetgewende Vergadering die regulasie by besluit afgekeur het, en in dié geval vervel die regulasie met ingang van 'n datum wat in die besluit vermeld word; maar die vervel van die regulasie raak nie die geldigheid van enigiets wat ingevolge die regulasie voor die datum van die besluit gedoen is nie, en niks wat in hierdie subartikel vervat is, raak die bevoegdheid van die Hoofminister om op aanbeveling van die Kommissie en met die goedkeuring van die Kabinet 'n nuwe regulasie aangaande die inhoud van daardie regulasie uit te vaardig nie.

WYSIGING VAN BYLAE.

27. Behoudens die bepalings van subartikel (2) van artikel tien van die Transkeise Grondwet, 1963, kan die Kabinet, nadat die Kommissie 'n aanbeveling gedoen het, die Bylae van hierdie Proklamasie by kennisgewing in die *Amptelike Koerant* van die Transkei wysig.

COMMISSION'S REPORTS TO BE TABLED IN THE
LEGISLATIVE ASSEMBLY.

28. Every report made by the Commission in pursuance of paragraph (n) of sub-section (2) of section six or sub-section (7) of section seven shall be transmitted to the Chief Minister and shall be laid by him upon the Table of the Legislative Assembly with seven days after he has received it if the Legislative Assembly is then in session, or if the Legislative Assembly is not then in session, within seven days of the commencement of its next ensuing session.

LIMITATIONS OF ACTIONS.

29. (1) No legal proceedings of any nature shall be brought against the Transkeian Government or any body or person in respect of anything done or omitted under this Proclamation, unless the proceedings are brought before the expiry of a period of twelve calendar months after the date upon the claimant had knowledge, or after the date upon which the claimant might reasonably have been expected to have knowledge, of the act or omission alleged, whichever is the earlier date.

(2) No such proceedings shall be commenced before the expiry of one calendar month at least after written notice of the intention to bring such proceedings has been served on the Transkeian Government, or the body or person concerned. In that notice particulars as to the alleged act or omission shall be clearly and explicitly given.

SAVINGS.

30. No provision of this Proclamation shall be construed as in any way abrogating or derogating from any existing, accruing or contingent right, liability or obligation of any person flowing from any other law.

SCHEDULE.

LIST OF DEPARTMENTS AND HEADS OF DEPARTMENTS.

Column I.	Column II.
Departments of the Chief Minister and of Finance	Transkeian Secretary to the Chief Minister and for Finance.
Department of Justice.....	Transkeian Secretary for Justice.
Department of Education.....	Transkeian Secretary for Education.
Department of the Interior.....	Transkeian Secretary for the Interior.
Department of Agriculture and Forestry	Transkeian Secretary for Agriculture and Forestry.
Department of Roads and Works	Transkeian Secretary for Roads and Works.

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

C. R. SWART,
State President.

By Order of the State President-in-Council.

M. D. C. DE WET NEL.

No. R. 337, 1963.]

LIQUOR ACT, 1928.—INTOXICATING MEDICINES.

Proclamation No. R. 277 of 1963, promulgated by virtue of the powers vested in me by sub-section (1) of section one hundred and thirty-one of the Liquor Act, 1928 (Act No. 30 of 1928), is hereby amended by the deletion from the Schedule thereto of the words Gingerene Tonic Wine, Sedna Tonic Wine and Vitex Tonic Wine.

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

C. R. SWART,
State President.

By Order of the State President-in-Council.

B. J. VORSTER.

KOMMISSIE SE VERSLAË MOET IN DIE WETGEWENDE
VERGADERING TER TAFEL GELÊ WORD.

28. Elke verslag wat die Kommissie ingevolge paragraaf (n) van subartikel (2) van artikel ses of subartikel (7) van artikel sewe doen, word aan die Hoofminister gestuur en word deur hom in die Wetgewende Vergadering ter Tafel gelê binne sewe dae nadat hy dit ontvang het, as die Wetgewende Vergadering dan sit, of as die Wetgewende Vergadering nie dan sit nie, binne sewe dae na die aanvang van sy eersvolgende sessie.

BEPERKING VAN REGSGEDINGE.

29. (1) Geen regsgeding van watter aard ookal mag teen die Transkeise Regering of 'n liggaam of persoon ten opsigte van enigiets wat ingevolge hierdie Proklamasie gedoen of versuim is, ingestel word nie, tensy die geding ingestel word voor die verstryking van 'n tydperk van twaalf kalendermaande na die datum waarop die eiser kennis van die beweerde daad of versuim gehad het of na die datum waarop redelikerwyse verwag kon word dat die eiser van genoemde daad of versuim bewus sou wees, na gelang van watter datum die eerste is.

(2) Geen sodanige geding mag ingestel word voor die verstryking van minstens een kalendermaand nadat 'n skriftelike kennisgewing van die voorneme om sodanige geding in te stel aan die Transkeise Regering of die betrokke liggaam of persoon bestel is nie. In daardie kennisgewing moet besonderhede aangaande die beweerde daad of versuim duidelik en uitdruklik verstrekk word.

VOORBEHOUD.

30. Geen bepaling van hierdie Proklamasie word so uitgelê dat dit enige bestaande, aankomende of voorwaardelike reg, aanspreeklikheid of verpligting van enige persoon wat uit enige ander wetsbepaling voortvloei, ophef of afbreuk daaraan doen nie.

BYLAE.

LYS VAN DEPARTEMENTE EN DEPARTEMENTSHOOFDE.

Kolom I.	Kolom II.
Departemente van die Hoofminister en van Finansies	Transkeise Sekretaris van die Hoofminister en van Finansies.
Departement van Justisie.....	Transkeise Sekretaris van Justisie.
Departement van Onderwys.....	Transkeise Sekretaris van Onderwys.
Departement van Binnelandse Sake	Transkeise Sekretaris van Binnelandse Sake.
Departement van Landbou en Bosbou	Transkeise Sekretaris van Landbou en Bosbou.
Departement van Paaie en Werke	Transkeise Sekretaris van Paaie en Werke.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Pretoria, op hede die Agt-en-twintigste dag van November Eenduisend Negehonderd Drie-en-sestig.

C. R. SWART,
Staatspresident.

Op las van die Staatspresident-in-rade.

M. D. C. DE WET NEL.

No. R. 337, 1963.]

DRANKWET, 1928.—BEDWELMENDE MEDISYNE.

Proklamasie No. R. 277 van 1963, uitgevaardig kragtens die bevoegdheid my verleen by subartikel (1) van artikel honderd een-en-dertig van die Drankwet, 1928 (Wet No. 30 van 1928), word hierby gewysig deur die skraping in die Bylae daarvan, van die woorde Gingerene Tonic Wine, Sedna Tonic Wine en Vitex Tonic Wine.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Pretoria, op hede die Sewe-en-twintigste dag van November Eenduisend Negehonderd Drie-en-sestig.

C. R. SWART,
Staatspresident.

Op las van die Staatspresident-in-rade.

B. J. VORSTER.

GOVERNMENT NOTICES.

DEPARTMENT OF TRANSPORT.

No. R. 1883.]

[6 December 1963.]

The Minister of Transport has, in terms of section *twenty-two* of the Aviation Act, 1962 (Act No. 74 of 1962), made the regulations contained in the Schedule hereto.

SCHEDULE.

(1)

Regulation 30.3 of the Air Navigation Regulations, 1963, is hereby amended—

- (a) by the substitution in sub-paragraph (a) of paragraph (1) for the words "Grand Central" of the words "Jan Smuts (Johannesburg)" and by the insertion in the said sub-paragraph after the words "Lady-smith" and "Sani Pass" of the words "Louis Botha (Durban)" and "Virginia (Durban)" respectively;
- (b) by the deletion in sub-paragraph (b) of paragraph (1) of the words "Grand Central" and by the insertion in the said sub-paragraph after the words "Komatipoort" and "Rand" of the words "Louis Botha (Durban)" en "Riverview" respectively; and
- (c) by the deletion in sub-paragraph (c) of paragraph (1) of the words "Grand Central".

DEPARTMENT OF BANTU ADMINISTRATION AND DEVELOPMENT.

No. R. 1886.]

[6 December 1963.]

AMENDMENT OF THE REGULATIONS FOR THE CISKEIAN TERRITORIAL AUTHORITY.

The State President has been pleased to amend, in terms of the powers vested in him by section *seventeen* of the Bantu Authorities Act, 1951 (Act No. 68 of 1951), as amended, the regulations set forth in the Schedule to Government Notice No. R. 496 of 1961, as follows:—

F. 56/5/6.

SCHEDULE.

- (a) Substitute the following regulation for regulation 10:—

"10. Every meeting shall commence at the time appointed or as soon thereafter as possible on the day fixed: Provided that if, after the expiration of an hour after the appointed time there may not be a sufficient number of members to form a quorum, the chairman may, in consultation with the Chief Native Commissioner, decide whether the meeting shall be postponed or adjourned and shall, if necessary, reconvene the meeting in terms of regulation 7".

- (b) Substitute the following regulation for regulation 18:—

"18. The Chairman may in his discretion order any person, excluding the persons mentioned in regulation 17, whose presence he deems for good and sufficient reasons to be undesirable, to leave the meeting. Any person failing to comply with the request or who refuses to leave the meeting, shall be guilty of an offence".

- (c) Insert in regulation 19 the following sub-regulation, the existing regulation becoming sub-regulation (1):—

"(2) Only members of the Territorial Authority may vote on motions placed before the Territorial Authority".

- (d) Substitute the following sub-regulation for sub-regulation (1) of regulation 23:—

"(1) The Executive Committee shall meet at least twice in one year and at such other times as the Chief Executive Officer, in consultation with the Chief Native Commissioner, may determine".

GOEWERMENSKENNISGEWINGS.

DEPARTEMENT VAN VERVOER.

No. R. 1883.]

[6 Desember 1963.]

Die Minister van Vervoer het die regulasies in die Bylae hiervan vervat, kragtens artikel *twee-en-twintig* van die Lugvaartwet, 1962 (Wet No. 74 van 1962), gemaak.

BYLAE.

(1)

Regulasie 30.3 van die Lugvaartregulasies, 1963, word hierby gewysig—

- (a) deur in subparagraaf (a) van paragraaf (1) die woorde „Grand Central” deur die woorde „Jan Smuts (Johannesburg)” te vervang en deur in genoemde subparagraaf na die woorde „Lady-smith” en „Sani Pass” onderskeidelik die woorde „Louis Botha (Durban)” en „Virginia (Durban)” in te voeg;
- (b) deur in subparagraaf (b) van paragraaf (1) die woorde „Grand Central” te skrap en deur in genoemde subparagraaf na die woorde „Komatipoort” en „Rand” onderskeidelik die woorde „Louis Botha (Durban)” en „Riverview” in te voeg; en
- (c) deur in subparagraaf (c) van paragraaf (1) die woorde „Grand Central” te skrap.

DEPARTEMENT VAN BANTOE-ADMINISTRASIE EN -ONTWIKKELING.

No. R. 1886.]

[6 Desember 1963.]

WYSIGING VAN DIE REGULASIES VIR DIE CISKEISE GEBIEDSOWERHEID.

Dit het die Staatspresident behaag om kragtens die bevoegdheid hom verleen by artikel *sewentien* van die Wet op Bantoe-owerhede, 1951 (Wet No. 68 van 1951), soos gewysig, die regulasies vervat in die Bylae van Goewermentskennisgewing No. R. 496 van 1961 soos volg te wysig:—

F. 56/5/6.

BYLAE.

- (a) Vervang regulasie 10 deur die volgende regulasie:—

"10. Alle vergaderings moet begin op die vasgestelde tyd of so gou moontlik daarna op die bepaalde dag. Met dien verstande dat indien daar na 'n uur vanaf die vasgestelde tyd nog nie 'n voldoende getal lede teenwoordig is om 'n kworum te vorm nie die voorsitter in oorleg met die Hoofnaturellekommissaris kan besluit of die vergadering uitgestel of verdaag moet word en, indien nodig, die vergadering ingevolge regulasie 7 opnuut moet belê".

- (b) Vervang regulasie 18 deur die volgende regulasie:—

"18. Die voorsitter kan na goeë dunde enige persoon, uitgesonderd die persone in regulasie 17 genoem, wie se teenwoordigheid op 'n vergadering hy om goeie redes as onwenslik beskou, gelas om sodanige vergadering te verlaat. Enige persoon wat versuim om te voldoen aan die versoek of weier om die vergadering te verlaat, begaan 'n misdryf".

- (c) Voeg in regulasie 19 die volgende subregulasie in, terwyl die bestaande regulasie subregulasie (1) word:—

"(2) Slegs lede van die Gebiedsowerheid mag stem oor mosies aan die Gebiedsowerheid voorgelê".

- (d) Vervang subregulasie (1) van regulasie 23 deur die volgende sub-regulasie:—

"(1) Die Uitvoerende Komitee moet minstens twee maal per jaar vergader en op sodanige ander tye as wat die Hoofuitvoerende Beampte in oorleg met die Hoofnaturellekommissaris mag bepaal".

DEPARTMENT OF COMMERCE AND INDUSTRIES.

No. R. 1879.]

[6 December 1963.]

IMPORT CONTROL.

I, JAN FRIEDRICH WILHELM HAAK, in my capacity as Deputy-Minister of Economic Affairs and acting by virtue of the powers vested in me by regulation 9 (1) (k) of War Measure No. 146 of 1942, as amended, read with War Measure No. 75 of 1945, do, on behalf of the Minister of Economic Affairs, hereby appoint Walter George Geach as Director of Imports and Exports with effect from 1st September, 1963.

Government Notice No. 70 of the 13th January, 1956, is hereby withdrawn.

J. F. W. HAAK,
Deputy-Minister of Economic Affairs.

No. R. 1880.]

[6 December 1963.]

IMPORT CONTROL.

I, JAN FRIEDRICH WILHELM HAAK, in my capacity as Deputy-Minister of Economic Affairs, and acting by virtue of the powers vested in me by War Measure No. 146 of 1942, as amended, read with War Measure No. 75 of 1945, do, on behalf of the Minister of Economic Affairs, hereby delete paragraph 1 (c) of Government Notice No. 1918 of the 6th December, 1957, as republished in Government Notice No. R. 2033 of the 7th December, 1962, and substitute the following therefor:—

1 (c) "Director" means the Director of Imports and Exports as appointed in terms of Government Notice No. R. 1879 of 6th December, 1963.

J. F. W. HAAK,
Deputy-Minister of Economic Affairs.

DEPARTMENT OF POSTS AND TELEGRAPHS.

No. R. 1882.]

[6 December 1963.]

POSTAL REGULATIONS.—AMENDMENT TO.

The State President has been pleased, under the provisions of section three (2) of Act No. 44 of 1958, to approve, with effect from the 1st January, 1964, the following amendment to the Postal Regulations promulgated under Government Notice No. R. 550 of the 14th April, 1960, as amended:—

Schedule B, Supplementary Charges.

Substitute "R1 per annum" for "25c per annum" against item 11.

No. R. 1877.]

[6 December 1963.]

AMENDMENT OF TELEPHONE REGULATIONS.

The State President has been pleased, under the provisions of sub-section (4) of section two and of section three of Act No. 44 of 1958, to approve of the following amendments to the Telephone Regulations:—

Regulation 19.

Delete "The prescribed charges for excess mileage shall be divided between the two subscribers." and replace by "The prescribed charges for excess mileage shall be payable by each of the subscribers for the full distance which his premises are situated outside the minimum rental area of an exchange."

Regulation 84.

Delete "The prescribed charges for excess mileage shall be divided between the two subscribers." and replace by "The prescribed charges for excess mileage shall be payable by each of the subscribers for the full distance which his premises are situated outside the minimum rental area of an exchange."

DEPARTEMENT VAN HANDEL EN NYWERHEID.

No. R. 1879.]

[6 Desember 1963.]

INVOERBEHEER.

Ek, JAN FRIEDRICH WILHELM HAAK, in my hoedanigheid van Adjunk-minister van Ekonomiese Sake en handelende kragtens die bevoegdheid my verleen by regulasie 9 (1) (k) van Oorlogsmaatreël No. 146 van 1942, soos gewysig, gelees met Oorlogsmaatreël No. 75 van 1945, stel namens die Minister van Ekonomiese Sake Walter George Geach hierby as Direkteur van Invoer en Uitvoer met ingang van 1 September 1963 aan.

Goewermentskennisgewing No. 70 van 13 Januarie 1956 word hierby ingetrek.

J. F. W. HAAK,
Adjunk-minister van Ekonomiese Sake.

No. R. 1880.]

[6 Desember 1963.]

INVOERBEHEER.

Ek, JAN FRIEDRICH WILHELM HAAK, in my hoedanigheid van Adjunk-minister van Ekonomiese Sake en handelende kragtens die bevoegdheid my verleen by Oorlogsmaatreël No. 146 van 1942, soos gewysig, gelees met Oorlogsmaatreël No. 75 van 1945, skrap hierby namens die Minister van Ekonomiese Sake paragraaf 1 (c) van Goewermentskennisgewing No. 1918 van 6 Desember 1957, soos opnuut in Goewermentskennisgewing No. R. 2033 van 7 Desember 1962 gepubliseer, en vervang dit deur die volgende:—

1 (c) „Direkteur”, die Direkteur van Invoer en Uitvoer, soos aangestel ingevolge Goewermentskennisgewing No. R. 1879 van 6 Desember 1963.

J. F. W. HAAK,
Adjunk-minister van Ekonomiese Sake.

DEPARTEMENT VAN POS-EN-TELEGRAAFWESE.

No. R. 1882.]

[6 Desember 1963]

POSREGULASIES.—WYSIGING IN.

Dit het die Staatspresident behaag om, kragtens die bepalings van artikel drie (2) van Wet No. 44 van 1958, die volgende wysiging in die Posregulasies, afgekondig by Goewermentskennisgewing No. R. 550 van 14 April 1960, soos gewysig, met ingang van 1 Januarie 1964 goed te keur:—

Bylae B, Aanvullende Koste.

Vervang „25c per jaar” deur „R1 per jaar” teenoor item 11.

No. R. 1877.]

[6 Desember 1963.]

WYSIGING VAN TELEFOONREGULASIES.

Dit het die Staatspresident behaag om, kragtens die bepalings van subartikel (4) van artikel twee en van artikel drie van Wet No. 44 van 1958, sy goedkeuring te heg aan onderstaande wysiging van die Telefoonregulasies:—

Regulasie 19.

Skrap „Die voorgeskrewe koste vir ekstra mylafstand word tussen die twee huurders verdeel.” en vervang dit deur „Die voorgeskrewe koste vir ekstra mylafstand is deur elkeen van die huurders betaalbaar vir die volle afstand wat sy persele buite die minimumhuurgebied van 'n sentrale geleë is.”

Regulasie 84.

Skrap „Die voorgeskrewe koste vir ekstra mylafstand word tussen die twee huurders verdeel.” en vervang dit deur „Die voorgeskrewe koste vir ekstra mylafstand is deur elkeen van die huurders betaalbaar vir die volle afstand wat sy persele buite die minimumhuurgebied van 'n sentrale geleë is.”

No. R. 1887.] [6 December 1963.
AMENDMENT OF TELEPHONE REGULATIONS.

The State President has been pleased, under the provisions of sub-section (4) of section *two* and of section *three* of Act No. 44 of 1958, to approve of the following amendments to the Telephone Regulations:—

Telephone Regulation No. 40.

- (a) Under “(ii) Pretoria Exchange System” under “Zone AX” delete “Willows” with effect from 2 November, 1963.
- (b) Under “(ii) Pretoria Exchange System” under “Zone M” delete “Olifantsfontein” with effect from 2 November, 1963.
- (c) After “Waterkloof” in “Zone AB” insert “Zone AC—Willows” with effect from 2 November, 1963.
- (d) After “Wierda Bridge” in “Zone M” insert “Zone N—Olifantsfontein” with effect from 2 November, 1963.

DEPARTMENT OF LABOUR.

No. R. 1902.] [6 December 1963.
INDUSTRIAL CONCILIATION ACT, 1956.

BUILDING INDUSTRY, NATAL MIDLANDS.

AMENDMENT OF AGREEMENT.

On behalf of the Minister of Labour, I, MARAIS VILJOEN, Deputy-Minister of Labour, hereby—

- (a) in terms of paragraph (a) of sub-section (1) of section *forty-eight* of the Industrial Conciliation Act, 1956, as amended, declare that all the provisions of the Agreement (hereinafter referred to as the Amending Agreement) which appears in the Schedule hereto and which relates to the Building Industry shall be binding as from the first Monday after the date of publication of this notice and for the period ending the 18th June, 1964, upon the employers' organisations and the trade unions which entered into the Amending Agreement and upon the employers and employees who are members of the said organisations or unions;
- (b) in terms of paragraph (b) of sub-section (1) of section *forty-eight* of the said Act, declare that the provisions of the Amending Agreement shall be binding as from the first Monday after the date of publication of this notice and for the period ending the 18th June, 1964, upon all employers and employees other than those referred to in paragraph (a) of this notice, who are engaged or employed in the said Industry in the Magisterial Districts of Pietermaritzburg, Richmond, New Hanover, Camperdown and Lion's River; and
- (c) in terms of paragraph (a) of sub-section (3) of section *forty-eight* of the said Act declare that in the Magisterial Districts of Pietermaritzburg, Richmond, New Hanover, Camperdown and Lion's River and from the first Monday after the date of publication of this notice and for the period ending the 18th June, 1964, the provisions of the Amending Agreement shall *mutatis mutandis* be binding upon all Natives employed in the said Industry by the employers upon whom any of the said provisions are binding in respect of employees and upon those employers in respect of Natives in their employ.

M. VILJOEN,
Deputy-Minister of Labour.

No. R. 1887.] [6 Desember 1963.
WYSIGING VAN DIE TELEFOONREGULASIES.

Dit het die Staatspresident behaag om, kragtens die bepalings van subartikel (4) van artikel *twee* en van artikel *drie* van Wet No. 44 van 1958, sy goedkeuring te heg aan onderstaande wysiging van die Telefoonregulasies:—

Telefoonregulasie No. 40.

- (a) Onder „(ii) Die Pretoriase sentralestelsel” onder „Sone AX” skrap „Willows” met ingang van 2 November 1963.
- (b) Onder „(ii) Die Pretoriase sentralestelsel” onder „Sone M” skrap „Olifantsfontein” met ingang van 2 November 1963.
- (c) Na „Waterkloof” in „Sone AB” voeg in „Sone AC—Willows” met ingang van 2 November 1963.
- (d) Na „Wierdabrug” in „Sone M” voeg in „Sone N—Olifantsfontein” met ingang van 2 November 1963.

DEPARTEMENT VAN ARBEID.

No. R. 1902.] [6 Desember 1963.
WET OP NYWERHEIDSVERSOENING, 1956.

BOUNYWERHEID, NATALSE MIDDELLANDE.

WYSIGING VAN OOREENKOMS.

Namens die Minister van Arbeid, verklaar ek, MARAIS VILJOEN, Adjunk-minister van Arbeid, hierby—

- (a) kragtens paragraaf (a) van subartikel (1) van artikel *agt-en-veertig* van die Wet op Nywerheidsversoening, 1956, soos gewysig, dat al die bepalings van die Ooreenkoms (hieronder die Wysigingsooreenkoms genoem) wat in die Bylae hiervan verskyn en op die Bounywerheid betrekking het, vanaf die eerste Maandag na die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 18 Junie 1964 eindig, bindend is vir die werkgewers-organisasies en die vakverenigings wat die Wysigingsooreenkoms aangegaan het en vir die werkgewers en werknemers wat lede van genoemde organisasies of vakverenigings is;
- (b) kragtens paragraaf (b) van subartikel (1) van artikel *agt-en-veertig* van genoemde Wet dat die bepalings van die Wysigingsooreenkoms vanaf die eerste Maandag na die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 18 Junie 1964 eindig, bindend is vir alle ander werkgewers en werknemers as dié genoem in paragraaf (a) van hierdie kennisgewing, wat betrokke is by of in diens is in genoemde Nywerheid in die landdrostdistrikte Pietermaritzburg, Richmond, New Hanover, Camperdown en Lion's River; en
- (c) kragtens paragraaf (a) van subartikel (3) van artikel *agt-en-veertig* van genoemde Wet dat die bepalings van die Wysigingsooreenkoms vanaf die eerste Maandag na die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 18 Junie 1964 eindig, in die landdrostdistrikte Pietermaritzburg, Richmond, New Hanover, Camperdown en Lion's River *mutatis mutandis* bindend is vir alle Naturelle in diens in genoemde Nywerheid by dié werkgewers vir wie enigeen van genoemde bepalings ten opsigte van werknemers bindend is en vir daardie werkgewers ten opsigte van Naturelle in hul diens.

M. VILJOEN,
Adjunk-minister van Arbeid.

PIETERMARITZBURG AND NORTHERN AREAS INDUSTRIAL COUNCIL FOR THE BUILDING INDUSTRY.

AGREEMENT

in accordance with the provisions of the Industrial Conciliation Act, 1956, made and entered into between

The Master Builders' and Allied Trades Association, Pietermaritzburg; and

The National Federation of Building Trade Employers in South Africa

(hereinafter referred to as "the employers" or "the employers' organisation") of the one part, and

The Amalgamated Union of Building Trade Workers of South Africa; and

The Amalgamated Society of Woodworkers of South Africa (hereinafter referred to as "the employees" or the "trade unions") of the other part,

being parties to the Pietermaritzburg and Northern Areas Industrial Council for the Building Industry,

to amend the Agreement between the said parties published under Government Notice No. 49 of the 9th June, 1961, as amended by Government Notice No. 1432 of the 31st August, 1962, as follows:—

Clause 23.—Annual Leave and Public Holidays and Payment.

1. (a) Delete the figure "12" wherever it appears in sub-clause (1) and substitute therefor the figure "13".

(b) Delete the word "second" in sub-clause (1) and substitute therefor the word "first".

(c) Delete the words "the Day of the Covenant" in sub-clause (1).

2. Delete the dates "13th December, 1963" and "6th January, 1964" in paragraph (c) of sub-clause (2) and substitute therefor the dates "20th December, 1963" and "13th January, 1964" respectively.

3. Delete sub-clause (3) and substitute therefor the following new sub-clause:—

"(3) In addition to the annual leave and public holidays referred to in sub-clauses (1) and (2), employees shall be granted four public holidays as leave namely, Good Friday, Easter Monday, Ascension Day and the Day of the Covenant, during which no work shall be performed unless the written consent of the Council has first been obtained."

4. Delete the words "and Ascension Day" in sub-paragraph (ii) of paragraph (a) of sub-clause (4) and substitute therefor the words "Ascension Day and the Day of the Covenant".

Signed at Pietermaritzburg this 5th day of November, 1963.

J. J. BOSHOFF,
Chairman of the Council.

N. H. NICOLSON,
Vice-Chairman of the Council.

Q. B. PAINTER,
Secretary of the Council.

No. R. 1903.]

[6 December 1963.]

INDUSTRIAL CONCILIATION ACT, 1956.

BUILDING AND MONUMENTAL MASONRY INDUSTRIES, TRANSVAAL.

RE-ENACTMENT OF HOLIDAY FUND AGREEMENT.

On behalf of the Minister of Labour, I, MARAIS VILJOEN, Deputy-Minister of Labour, hereby—

(a) in terms of paragraph (a) of sub-section (1) of section *forty-eight* of the Industrial Conciliation Act, 1956, as amended, declare that all the provisions of the Agreement which appears in the Schedule hereto and which relates to the Building and Monumental Masonry Industries shall be binding from the first Monday after the date of publication of this notice and for the period ending 18 months after the said first Monday upon the employers' organisations and the trade unions which entered into the said Agreement and upon the employers and employees who are members of the said organisations or unions;

(b) in terms of paragraph (b) of sub-section (1) of section *forty-eight* of the said Act, declare that the provisions of the said Agreement, excluding those contained in clause 2, shall be binding from the first Monday after the date of publication of this

NYWERHEIDSRAAD VIR DIE BOUNYWERHEID, PIETERMARITZBURG EN NOORDELIKE GEBIEDE.

OOREENKOMS

ingevolge die bepalings van die Wet op Nywerheidsversoening, 1956, gesluit en aangegaan deur en tussen—

The Master Builders' and Allied Trades Association, Pietermaritzburg, en

The National Federation of Building Trade Employers in South Africa

(hieronder die "werkgewers" of die "werkgewersorganisasie" genoem), aan die een kant, en

The Amalgamated Union of Building Trade Workers of South Africa, en

The Amalgamated Society of Woodworkers of South Africa (hieronder die "werknemers" of die "vakverenigings" genoem), aan die ander kant,

wat die partye is by die Nywerheidsraad vir die Bounywerheid, Pietermaritzburg en Noordelike Gebiede,

om die Ooreenkoms tussen genoemde partye, gepubliseer by Goewermentskennisgewing No. 49 van 9 Junie 1961, soos gewysig by Goewermentskennisgewing No. 1432 van 31 Augustus 1962, soos volg te wysig:—

Klousule 23.—Jaarlikse verlof en openbare vakansiedae met betaling.

1. (a) Skrap die syfer "12" waar dit in subklousule (1) voorkom en vervang dit deur die syfer "13".

(b) Skrap die woord "tweede" in subklousule (1) en vervang dit deur die woord "eerste".

(c) Skrap die woord "Geloftedag" in subklousule (1).

2. Skrap die datums "13 Desember 1963" en "6 Januarie 1964" in paragraaf (c) van subklousule (2) en vervang dit onderskeidelik deur die datums "20 Desember 1963" en "13 Januarie 1964".

3. Skrap subklousule (3) en vervang dit deur die volgende nuwe subklousule:—

"(3) Benewens die jaarlikse verlof en openbare vakansiedae soos bedoel in subklousule (1) en (2), moet daar aan werknemers vier openbare vakansiedae as verlof verleen word, naamlik Goeie Vrydag, Paasmaandag, Hemelvaartsdag en Geloftedag, waarin geen werk verrig mag word nie tensy die skriftelike toestemming van die Raad vooraf verkry is."

4. Skrap die woorde "en Hemelvaartsdag" in subparagraaf (ii) van paragraaf (a) van subklousule (4) en vervang dit deur die woorde "Hemelvaartsdag en Geloftedag".

Op hede die 5de dag van November 1963 te Pietermaritzburg onderteken.

J. J. BOSHOFF,
Voorsitter van die Raad.

N. H. NICOLSON,
Ondervoorsitter van die Raad.

Q. B. PAINTER,
Sekretaris van die Raad.

No. R. 1903.]

[6 Desember 1963.]

WET OP NYWERHEIDSVERSOENING, 1956.

BOU- EN MONUMENTKLIPMESSSELNYWERHEID, TRANSVAAL.

HERBEKRAKTIGING VAN VAKANSIEFONDS-OOREENKOMS.

Namens die Minister van Arbeid, verklaar ek, MARAIS VILJOEN, Adjunk-minister van Arbeid, hierby—

(a) kragtens paragraaf (a) van subartikel (1) van artikel *agt-en-veertig* van die Wet op Nywerheidsversoening, 1956, soos gewysig, dat al die bepalings van die Ooreenkoms wat in die Bylae hiervan verskyn en op die Bou- en Monumentklipmesselnywerheid betrekking het, vanaf die eerste Maandag na die datum van publikasie van hierdie kennisgewing en vir die tydperk wat 18 maande na genoemde eerste Maandag eindig, bindend is vir die werkgewersorganisasies en die vakverenigings wat genoemde Ooreenkoms aangegaan het en vir die werkgewers en werknemers wat lede van genoemde organisasies of vakverenigings is;

(b) kragtens paragraaf (b) van subartikel (1) van artikel *agt-en-veertig* van genoemde Wet dat die bepalings van genoemde Ooreenkoms, uitgesonderd dié vervat in klousule 2, vanaf die eerste Maandag na die datum van publikasie van hierdie kennisgewing en

notice and for the period ending 18 months after the said first Monday upon all employers and employees other than those referred to in paragraph (a) of this notice, who are engaged or employed in the said Industries in the Magisterial Districts of Alberton, Balfour, Benoni, Boksburg, Brakpan, Delmas, Germiston, Heidelberg (Transvaal), Johannesburg, Nigel and Springs; the areas within radii of 30 miles from the General Post Office, Krugersdorp, 20 miles from the General Post Office, Vereeniging, 20 miles from the General Post Office, Pretoria [excluding that portion of the Native area Uitvalgrond (J.O. 4341) falling within this radius]; the areas within a radius of 10 miles from the General Post Offices, Klerksdorp, Potchefstroom, Witbank and Middelburg (Transvaal) and in the Magisterial District of Kempton Park (excluding any portion which prior to the publication of Government Notice No. 551 dated the 29th March, 1956, fell within the Magisterial District of Pretoria but outside a radius of 20 miles from the General Post Office, Pretoria); and

(c) in terms of paragraph (a) of sub-section (3) of section forty-eight of the said Act, declare that in the Magisterial Districts of Alberton, Balfour, Benoni, Boksburg, Brakpan, Delmas, Germiston, Heidelberg (Transvaal), Johannesburg, Nigel and Springs; the areas within radii of 30 miles from the General Post Office, Krugersdorp, 20 miles from the General Post Office, Vereeniging, 20 miles from the General Post Office, Pretoria [excluding that portion of the Native area Uitvalgrond (J.Q. 4341) falling within the radius]; the areas within a radius of 10 miles from the General Post Offices, Klerksdorp, Potchefstroom, Witbank and Middelburg (Transvaal) and in the Magisterial District of Kempton Park (excluding any portion which prior to the publication of Government Notice No. 551, dated the 29th March, 1956, fell within the Magisterial District of Pretoria but outside a radius of 20 miles from the General Post Office, Pretoria), and from the first Monday after the date of publication of this notice and for the period ending 18 months after the said Agreement, excluding those contained in clause 2, shall *mutatis mutandis* be binding upon all Natives employed in the said Industry by the employers upon whom any of the said provisions are binding in respect of employees and upon those employers in respect of Natives in their employ.

M. VILJOEN,
Deputy-Minister of Labour.

SCHEDULE.

INDUSTRIAL COUNCIL FOR THE BUILDING INDUSTRY
(TRANSVAAL).

RE-ENACTING AGREEMENT.

HOLIDAY FUND AGREEMENT.

AGREEMENT

in accordance with the provisions of the Industrial Conciliation Act, 1956, as amended, made and entered into by and between the

Master Builders' and Allied Trades Association (Witwatersrand);
Pretoria Master Builders' and Allied Trades Association;
Master Masons' and Quarry Owners' Association (South Africa)

(hereinafter referred to as "the employers" or "the employers' organisations"), of the one part, and the

Amalgamated Society of Woodworkers of South Africa;
Amalgamated Union of Building Trade Workers of South Africa;
Blanke Bouwerkersvakbond;
Operative Plasterers' Trade Union of South Africa

(hereinafter referred to as "the employees" or "the trade unions"), of the other part,

being parties to the Industrial Council for the Building Industry (Transvaal).

vir die tydperk wat 18 maande na genoemde eerste Maandag eindig, bindend is vir alle ander werkgewers en werknemers as dié genoem in paragraaf (a) van hierdie kennisgewing, wat betrokke is by of in diens is in genoemde Nywerhede in die landdrosdistrikte Alberton, Balfour, Benoni, Boksburg, Brakpan, Delmas, Germiston, Heidelberg (Transvaal), Johannesburg, Nigel en Springs; die gebiede binne 'n straal van 30 myl vanaf die Hoofposkantoor, Krugersdorp, 20 myl vanaf die Hoofposkantoor, Vereeniging, 20 myl vanaf die Hoofposkantoor, Pretoria [uitgesonderd daardie gedeelte van die Naturellegebied Uitvalgrond (J.Q. 4341) wat binne hierdie straal val]; die gebiede binne 'n straal van 10 myl vanaf die Hoofposkantore, Klerksdorp, Potchefstroom, Witbank en Middelburg (Transvaal) en in die landdrosdistrik Kempton Park (uitgesonderd enige gedeelte wat voor die publikasie van Goewermentskennisgewing No. 551 van 29 Maart 1956, binne die landdrosdistrik Pretoria, maar buite 'n straal van 20 myl vanaf die Hoofposkantoor, Pretoria, geval het); en

(c) kragtens paragraaf (a) van subartikel (3) van artikel agt-en-veertig van genoemde Wet dat die bepalings van genoemde Ooreenkoms, uitgesonderd dié vervat in klousule 2 vanaf die eerste Maandag na die datum van publikasie van hierdie kennisgewing en vir die tydperk wat 18 maande na genoemde eerste Maandag eindig, in die landdrosdistrikte Alberton, Balfour, Benoni, Boksburg, Brakpan, Delmas, Germiston, Heidelberg (Transvaal), Johannesburg, Nigel en Springs; die gebiede binne 'n straal van 30 myl vanaf die Hoofposkantoor, Krugersdorp, 20 myl vanaf die Hoofposkantoor, Vereeniging, 20 myl vanaf die Hoofposkantoor, Pretoria [uitgesonderd daardie gedeelte van die Naturellegebied Uitvalgrond (J.Q. 4341) wat binne hierdie straal val]; die gebiede binne 'n straal van 10 myl vanaf die Hoofposkantore, Klerksdorp, Potchefstroom, Witbank en Middelburg (Transvaal) en in die landdrosdistrik Kempton Park (uitgesonderd enige gedeelte wat voor die publikasie van Goewermentskennisgewing No. 551 van 29 Maart 1956, binne die landdrosdistrik Pretoria, maar buite 'n straal van 20 myl vanaf die Hoofposkantoor, Pretoria, geval het), *mutatis mutandis* bindend is vir alle Naturelle in diens in genoemde Nywerheid by dié werkgewers vir wie engeen van genoemde bepalings ten opsigte van werknemers bindend is en vir daardie werkgewers ten opsigte van Naturelle in hul diens.

M. VILJOEN,
Adjunk-minister van Arbeid.
R.N. 3/11/161.

BYLAE.

NYWERHEIDSRAAD VIR DIE BOUNYWERHEID
(TRANSVAAL).

HERBEKRAGTIGINGSOOREENKOMS.

VAKANSIEFONDSSOOREENKOMS.

OOREENKOMS

ingevolge die bepalings van die Wet op Nywerheidsversoening, 1956, soos gewysig, gesluit en aangegaan deur en tussen die

Master Builders' and Allied Trades Association (Witwatersrand);
Pretoria Master Builders' and Allied Trades Association;
Master Masons' and Quarry Owners' Association (South Africa)

(hieronder die "werkgewers" of die "werkgewersorganisasies" genoem), aan die een kant, en die

Amalgamated Society of Woodworkers of South Africa;
Amalgamated Union of Building Trade Workers of South Africa;
Blanke Bouwerkersvakbond;
Operative Plasterers' Trade Union of South Africa

(hieronder die "werknemers" of die "vakverenigings" genoem), aan die ander kant,

wat die partye is by die Nywerheidsraad vir die Bounywerheid (Transvaal).

1. SCOPE OF APPLICATION OF AGREEMENT.

The terms of this Agreement shall be observed in the Magisterial Districts of Alberton, Balfour, Benoni, Boksburg, Brakpan, Delmas, Germiston, Heidelberg (Transvaal), Johannesburg, Nigel and Springs; the area within a thirty-mile radius from the General Post Office, Krugersdorp; the area within a twenty-mile radius from the General Post Office, Vereeniging; the area within a twenty-mile radius from the General Post Office, Pretoria, but excluding that portion of the Native area Uitvalgrond (J.Q. 4341) which falls within the said radius; the area within a ten-mile radius from the General Post Offices, Klerksdorp, Potchefstroom, Witbank and Middelburg (Transvaal), respectively, and in the Magisterial District of Kempton Park (excluding that portion which falls outside a radius of twenty miles from the General Post Office, Pretoria, and which prior to the publication of Government Notice No. 551, dated 29th March, 1956, fell within the Magisterial District of Pretoria) by all employers in the Building and Monumental Masonry Industries who are members of the employers' organisations and by the employees of such employers who are members of the trade unions; provided that they shall—

- (a) apply to apprentices only insofar as they are not inconsistent with the provisions of the Apprenticeship Act, 1944, or any contract entered into or any conditions fixed thereunder;
- (b) not apply to trainees in terms of the Training of Artisans' Act, 1951, operators of a hoist, operatives Grade II, unskilled labourers and employees engaged on patrolling premises and guarding property.

2. PERIOD OF OPERATION OF AGREEMENT.

This Agreement shall come into operation on such date as may be fixed by the Minister of Labour in terms of section forty-eight of the Act, and shall remain in force for a period of eighteen months, or for such period as may be determined by him.

3. GENERAL PROVISIONS.

(i) The provisions contained in clauses 3 to 6 (inclusive) of the Agreement published under Government Notice No. 406, dated 9th March, 1956, Government Notice No. 2354, dated 21st December, 1956, Government Notice No. 516, dated 5th April, 1957, Government Notice No. 1273, dated 23rd August, 1957, Government Notice No. 1888, dated 6th December, 1957, Government Notice No. 611, dated 2nd May, 1958, Government Notice No. 612, dated 2nd May, 1958, Government Notice No. 1121, dated 8th August, 1958, Government Notice No. 1734, dated 23rd October, 1959, Government Notice No. 1534, dated 7th October, 1960, Government Notice No. 1149, dated 8th December, 1961, Government Notice No. 692, dated 4th May, 1962, and Government Notice No. 730, dated 11th May, 1962 (hereinafter referred to as the Holiday Fund Agreement), shall apply to all employers and employees.

(ii) Clause 4 of the Holiday Fund Agreement is hereby deleted and the following is substituted therefor:—

No employer shall perform, require or allow an employee to perform work and no employee shall undertake or perform work in the industry, unless the consent of the Council has first been obtained, in writing, during the periods—

1963: Between 4.54 p.m., 13th December, 1963, and 7.06 a.m., 6th January, 1964;
1964: Between 4.54 p.m., 11th December, 1964, and 7.06 a.m., 4th January, 1965,

or on Good Friday, Easter Monday and Ascension Day each year.

Signed at Johannesburg on behalf of the parties to the Building Industry (Transvaal) Holiday Fund Agreement on this 18th day of September, 1963.

F. L. A. BUCHANAN,
Chairman of the Council.
G. DE C. MALHERBE,
Vice-Chairman of the Council.
T. J. MARCHAND,
Secretary of the Council.

No. R. 1874.] [6 December 1963.

The following Government Notice is republished for general information:—

No. 130.] [2 February 1962.
INDUSTRIAL CONCILIATION ACT, 1956, AS AMENDED.

DETERMINATION No. 9 IN TERMS OF SECTION SEVENTY-SEVEN.

MOTOR VEHICLE DRIVING IN THE HEALTH DEPARTMENT OF THE MUNICIPAL UNDERTAKING OF SPRINGS.

I, ALFRED ERNEST TROLLIP, Minister of Labour, do hereby, in terms of paragraph (a) of sub-section (7) of section seventy-seven of the Industrial Conciliation Act, 1956, as amended, make a Determination in accordance with the Schedule hereto, and in terms of paragraph (b)

1. TOEPASSINGSBESTEK VAN OOREENKOMS.

Die bepalings van hierdie Ooreenkoms moet in die landdrosdistrikte Alberton, Balfour, Benoni, Boksburg, Brakpan, Delmas, Germiston, Heidelberg (Transvaal), Johannesburg, Nigel en Springs; die gebied binne 'n straal van dertig myl vanaf die Hoofposkantoor, Krugersdorp; die gebied binne 'n straal van twintig myl vanaf die Hoofposkantoor, Vereeniging; die gebied binne 'n straal van twintig myl vanaf die Hoofposkantoor, Pretoria, maar uitgesonderd daardie gedeelte van die Bantoegebied Uitvalgrond (J.Q. 4341) wat binne genoemde straal val; die gebied binne 'n straal van tien myl vanaf die Hoofposkantore, Klerksdorp, Potchefstroom, Witbank en Middelburg (Transvaal), en in die landdrosdistrik Kempton Park (uitgesonderd daardie gedeelte wat buite 'n straal van twintig myl vanaf die Hoofposkantoor, Pretoria, val en wat voor die publikasie van Goewermentskennissgewing No. 551 van 29 Maart 1956, in die landdrosdistrik Pretoria geval het) nagekom word deur alle werkgewers in die Bou- en Monumentklipreiselnywerheid wat lede van die werkgewersorganisasies is en deur die werknemers van sodanige werkgewers, wat lede van die vakverenigings is; met dien verstande dat dit—

- (a) op vakleerlinge van toepassing is slegs vir sover dit nie met die bepalings van die Wet op Vakleerling, 1944, of met 'n kontrak wat daarkragtens aangegaan of voorwaardes wat daarkragtens gestel is, onbestaanbaar is nie;
- (b) nie op kwekelinge ingevolge die Wet op Opleiding van Ambagsmanne, 1951, hyserbedieners, werksmanne graad II, ongeskoolde arbeiders en werknemers wat persele patroleer en eiendom bewaak, van toepassing is nie.

2. GELDIGHEDSDUUR VAN OOREENKOMS.

Hierdie Ooreenkoms tree in werking op dié datum wat die Minister van Arbeid kragtens artikel agt-en-veertig van die Wet mag vasstel en bly van krag vir 'n tydperk van agtien maande of vir dié tydperk wat hy mag bepaal.

3. ALGEMENE BEPALINGS.

(i) Die bepalings vervat in klousule 3 tot en met 6 van die Ooreenkoms gepubliseer by Goewermentskennissgewing No. 406 van 9 Maart 1956, Goewermentskennissgewing No. 2354 van 21 Desember 1956, Goewermentskennissgewing No. 516 van 5 April 1957, Goewermentskennissgewing No. 1273 van 23 Augustus 1957, Goewermentskennissgewing No. 1888 van 6 Desember 1957, Goewermentskennissgewing No. 611 van 2 Mei 1958, Goewermentskennissgewing No. 612 van 2 Mei 1958, Goewermentskennissgewing No. 1121 van 8 Augustus 1958, Goewermentskennissgewing No. 1734 van 23 Oktober 1959, Goewermentskennissgewing No. 1534 van 7 Oktober 1960, Goewermentskennissgewing No. 1149 van 8 Desember 1961, Goewermentskennissgewing No. 692 van 4 Mei 1962 en Goewermentskennissgewing No. 730 van 11 Mei 1962 (hieronder die "Vakansiefondsooreenkoms" genoem), is op alle werkgewers en werknemers van toepassing.

(ii) Klousule 4 van die Vakansiefondsooreenkoms word hierby geskrap en deur die volgende vervang:—

Tensy die skriftelike toestemming van die Raad vooraf verkry is, mag daar gedurende die tydperke—

1963: Tussen 4.54 nm., 13 Desember 1963, en 7.06 vm. 6 Januarie 1964;
1964: Tussen 4.54 nm., 11 Desember 1964 en 7.06 vm. 4 Januarie 1965;

of op Goeie Vrydag, Paasmaandag en Hemelvaartsdag elke jaar, geen werk in die Nywerheid deur 'n werkgewer verrig word nie en mag geen werkgewer van 'n werknemer vereis of hom toelaat om sodanige werk te verrig nie en mag geen werknemer sodanige werk onderneem of verrig nie.

Op hede die 18de dag van September 1963, namens die partye by die Vakansiefondsooreenkoms van die Bounywerheid (Transvaal) te Johannesburg onderteken.

F. L. A. BUCHANAN,
Voorsitter van die Raad.
G. DE C. MALHERBE,
Ondervoorsitter van die Raad.
T. J. MARCHAND,
Sekretaris van die Raad.

No. R. 1874.] [6 Desember 1963.

Onderstaande Goewermentskennissgewing word hierby herpubliseer vir algemene inligting:—

No. 130.] [2 Februarie 1962.
WET OP NYWERHEIDSVERSOENING, 1956, SOOS GEWYSIG.

VASSTELLING No. 9 KRAGTENS ARTIKEL SEWE-EN-SEWENTIG.

MOTORVOERTUIGBESTUURWERK IN DIE GESONDHEIDSDEPARTEMENT VAN DIE MUNISIPALE ONDERNEMING VAN SPRINGS.

Ek, ALFRED ERNEST TROLLIP, Minister van Arbeid, maak hierby kragtens paragraaf (a) van subartikel (7) van artikel sewe-en-sewentig van die Wet op Nywerheidsversoening, 1956, soos gewysig, 'n Vasstelling ooreenkomstig die Bylae hiervan en bepaal hierby, ooreenkomstig

of the said sub-section fix the 3rd day of August, 1962, as the date from which the said Determination shall be binding.

A. E. TROLLIP,
Minister of Labour.

SCHEDULE.

1. APPLICATION AND SCOPE OF THE DETERMINATION.

The work of motor vehicle driving in the refuse removal services of the Health Department of the municipal undertaking of the Town Council of Springs in any industrial area or area inhabited by White persons within the municipal area of Springs is hereby reserved for White persons, and no person other than a White person may perform the work.

2. DEFINITIONS.

The expression—

“motor vehicle” means any vehicle designed for propulsion by any power other than human or animal power;

“refuse removal services of the Health Department” means that section or part of the municipal undertaking charged with the transport, by means of a motor vehicle, of all rubbish, refuse or night soil, as well as with the lifting, collecting, loading, unloading and removal thereof.

No. R. 1875.] [6 December 1963.

The following Government Notice is republished for general information:—

No. 367.] [9 March 1962.

INDUSTRIAL CONCILIATION ACT, 1956, AS AMENDED.

DETERMINATION No. 10 IN TERMS OF SECTION SEVENTY-SEVEN.

ROAD PASSENGER TRANSPORT INDUSTRY IN THE MAGISTERIAL DISTRICTS OF THE CAPE, WYNBERG, SIMONSTOWN AND BELLVILLE.

I, ALFRED ERNEST TROLLIP, Minister of Labour, do hereby in terms of paragraph (a) of sub-section (7) of section seventy-seven of the Industrial Conciliation Act, 1956, as amended, make a Determination in accordance with the Schedule hereto, and in terms of paragraph (b) of the said sub-section fix the 11th day of September, 1962, as the date from which the said Determination shall be binding.

A. E. TROLLIP,
Minister of Labour.

SCHEDULE.

1. APPLICATION AND SCOPE OF DETERMINATION.

The employer City Tramways Company shall, in the Road Passenger Transport Industry in the Magisterial Districts of Cape, Wynberg, Simonstown and Bellville, on not less than twenty-four days in any one month have in its employ such number of drivers of vehicles and such number of conductors of vehicles, respectively, that are White persons, as constitute not less than eighty-four per cent of the total number of drivers and the total number of conductors, respectively, in its employ.

2. DEFINITION.

“Road Passenger Transport Industry” means the undertaking in which employer and employee are associated for the purpose of transporting for reward over any public road any person or persons by means of any vehicle (other than a vehicle controlled by the South African Railways and Harbours Administration) designed for propulsion otherwise than by human or animal power and designated to carry more than eight persons, including the driver of such vehicle.

paragraaf (b) van genoemde subartikel die 3de dag van Augustus 1962; as die datum waarop genoemde Vasstelling bindend word.

A. E. TROLLIP,
Minister van Arbeid.

BYLAE.

1. TOEPASSING EN BESTEK VAN DIE VASSTELLING.

Motorvoertuigbestuurwerk in die vullisverwyderingsdienste van die Gesondheidsdepartement van die munisipale onderneming van die Stadsraad van Springs in enige nywerheidsgebied of gebied deur Blankes bewoon binne die munisipale gebied van Springs, word hierby gereserveer vir Blanke persone en geen persoon wat nie 'n Blanke is nie, mag die werk doen nie.

2. WOORDBEPALINGS.

Die uitdrukking—

„motorvoertuig” beteken enige voertuig wat ontwerp is vir voortdrywing deur enige ander krag as die krag van mens of dier;

„vullisverwyderingsdienste van die Gesondheidsdepartement” beteken daardie afdeling of gedeelte van die munisipale onderneming wat belas is met die vervoer, deur middel van 'n motorvoertuig, van alle vullis, afval of nagvuil, asook met die optel, bymekaarmaak, oplaai, aflaai en verwydering daarvan.

No. R. 1875.] [6 Desember 1963.

Onderstaande Goewermentskennisgewing word hierby herpubliseer vir algemene inligting:—

No. 367.] [9 Maart 1962.

WET OP NYWERHEIDSVERSOENING, 1956, SOOS GEWYSIG.

VASSTELLING No. 10 KRAGTENS ARTIKEL SEWE-EN-SEWENTIG.

PADPASSASIEERSVEVOERBEDRYF IN DIE LANDDROSDISTRIKTE DIE KAAP, WYNBERG, SIMONSTAD EN BELLVILLE.

Ek, ALFRED ERNEST TROLLIP, Minister van Arbeid, maak hierby kragtens paragraaf (a) van subartikel (7) van artikel sewe-en-sewentig van die Wet op Nywerheidsversoening, 1956, soos gewysig, 'n Vasstelling ooreenkomstig die Bylae hiervan en bepaal hierby ooreenkomstig paragraaf (b) van genoemde subartikel die 11de dag van September 1962, as die datum waarop genoemde Vasstelling bindend word.

A. E. TROLLIP,
Minster van Arbeid.

BYLAE.

1. TOEPASSING EN BESTEK VAN VASSTELLING.

Die werkgewer City Tramways moet in die Padpassasiersvervoerbedryf in die landdrosdistrikte die Kaap, Wynberg, Simonstad en Bellville, op nie minder as vier-en-twintig dae in enige maand nie dié getal bestuurders van voertuie en dié getal kondukteurs van voertuie, wat Blankes is, in sy diens hê wat minstens vier-en-tagtig persent onderskeidelik van die totale getal bestuurders en die totale getal kondukteurs uitmaak.

2. WOORDBEPALING.

„Padpassasiersvervoerbedryf” beteken die onderneming waarin werkgewer en werknemer met mekaar gassosieer is vir die vervoer, teen vergoeding en oor enige openbare pad, van enige persoon of persone deur middel van enige voertuig (uitgesonderd 'n voertuig onder die beheer van die Suid-Afrikaanse Spoorwag en Hawens-administrasie) wat ontwerp is vir die voortdrywing deur 'n ander krag as die krag van mens of dier en vir die vervoer van meer as agt persone, met inbegrip van die bestuurder van sodanige voertuig.

No. R. 1867.]

[6 December 1963.]

The following Government Notice is republished for general information:—

No. 724.]

[23 May 1958.]

INDUSTRIAL CONCILIATION ACT, 1956.

DETERMINATION No. 2 IN TERMS OF SECTION SEVENTY-SEVEN.—DRIVERS OF MOTOR VEHICLES IN THE CLEANSING DEPARTMENT OF THE MUNICIPALITY OF DURBAN.

I, JOHANNES DE KLERK, Minister of Labour, do hereby in terms of paragraph (a) of sub-section (7) of section seventy-seven of the Industrial Conciliation Act, 1956, make a Determination in accordance with the Schedule hereto.

The said Determination shall be binding for a period of five years with effect from the second Monday after the date of publication of this notice.

J. DE KLERK,
Minister of Labour.

SCHEDULE.

1. APPLICATION AND SCOPE OF THE DETERMINATION.

The work of driver of a motor vehicle in the motor vehicle driving section of the cleansing department of the municipal undertaking of the City Council of Durban in the Durban Municipal Area is hereby reserved for White persons, and no persons other than White persons may perform this work.

2. DEFINITIONS.

Any term in this Determination which is defined in the Industrial Conciliation Act, 1956, has the same meaning as that attached to it in that Act, and furthermore—

- “motor vehicle” means any vehicle designed for propulsion by any power other than human or animal power;
- “motor vehicle driving section of the cleansing department” means the section or part of the municipal undertaking charged with the transport, by means of a motor vehicle, of all rubbish, refuse or night-soil, as well as with the lifting, collection, loading, unloading and removal thereof.

No. R. 1870.]

[6 December 1963.]

The following Government Notice is republished for general information:—

No. 979.]

[26 June 1959.]

INDUSTRIAL CONCILIATION ACT, 1956.

DETERMINATION No. 5 IN TERMS OF SECTION SEVENTY-SEVEN.—PASSENGER LIFT ATTENDANTS IN THE MUNICIPAL AREAS OF BLOEMFONTEIN, JOHANNESBURG AND PRETORIA.

I, JOHANNES DE KLERK, Minister of Labour, do hereby in terms of paragraph (a) of sub-section (7) of section seventy-seven of the Industrial Conciliation Act, 1956, as amended, make a Determination in accordance with the Schedule hereto, and in terms of paragraph (b) of the said sub-section fix the fourth day of January, 1960, as the date from which the said Determination shall be binding.

J. DE KLERK,
Minister of Labour.

SCHEDULE.

1. APPLICATION AND SCOPE OF THE DETERMINATION.

The work of operating a passenger lift in the municipal areas of Bloemfontein, Johannesburg and Pretoria and in the following undertakings, industries, trades and occupations, namely:—

- The letting of flats or business premises;
- Estate Agencies;
- Building Society Undertaking;
- Printing and Newspaper Industry;
- Commercial Distributive Trade;
- Banking Undertakings;
- Municipal Undertakings;
- Finance, Trust and Investment Undertakings;
- Mining Industry;
- Electricity Supply Undertaking;
- Educational Undertakings;

No. R. 1867.]

[6 Desember 1963.]

Onderstaande Goewermentskennisgewing word hierby herpubliseer vir algemene inligting:—

No. 724.]

[23 Mei 1958.]

WET OP NYWERHEIDSVERSOENING, 1956.

VASSTELLING No. 2 KRAGTENS ARTIKEL SEWE-EN-SEWENTIG.—MOTORVOERTUIGBESTUURERS IN DURBAN SE MUNISIPALE REINIGINGSDEPARTEMENT.

Ek, JOHANNES DE KLERK, Minister van Arbeid, maak hierby kragtens paragraaf (a) van subartikel (7) van artikel sewe-en-sewentig van die Wet op Nywerheidsversoening, 1956, 'n Vasstelling ooreenkomstig die Bylae hiervan.

Genoemde Vasstelling sal van die tweede Maandag na die datum van publikasie van hierdie kennisgewing af en vir 'n tydperk van vyf jaar van genoemde tweede Maandag af bindend wees.

J. DE KLERK,
Minister van Arbeid.

BYLAE.

1. TOEPASSING EN BESTEK VAN DIE VASSTELLING.

Die werk van bestuurder van 'n motorvoertuig in die afdeling motorvoertuigbestuur van die reinigingsdepartement van die munisipale onderneming van die Durbanse Stadsraad in die munisipale gebied van Durban word hierby vir Blanke persone gereserveer en niemand anders as Blanke persone mag hierdie werk verrig nie.

2. WOORDBEPALINGS.

Enige uitdrukking in hierdie Vasstelling wat in die Wet op Nywerheidsversoening, 1956, omskryf is, het dieselfde betekenis as in die Wet en verder beteken—

- „motorvoertuig”, enige voertuig wat ontwerp is vir voortbeweging deur ander as menslike of dierlike krag;
- „afdeling motorvoertuigbestuur van die reinigingsdepartement”, die afdeling of gedeelte van die munisipale onderneming wat belas is met die vervoer deur middel van 'n motorvoertuig, van alle vuilnis, afval of nagvuil, asook met toesig oor die optel, bymekaarmaak, oplaai, aflaai en verwydering daarvan.

No. R. 1870.]

[6 Desember 1963.]

Onderstaande Goewermentskennisgewing word hierby herpubliseer vir algemene inligting:—

No. 979.]

[26 Junie 1959.]

WET OP NYWERHEIDSVERSOENING, 1956.

VASSTELLING No. 5 KRAGTENS ARTIKEL SEWE-EN-SEWENTIG. — BEDIENING VAN PASSASIERSHYSERS IN DIE MUNISIPALE GEBIEDE VAN BLOEMFONTEIN, JOHANNESBURG EN PRETORIA.

Ek, JOHANNES DE KLERK, Minister van Arbeid, maak hierby kragtens paragraaf (a) van subartikel (7) van artikel sewe-en-sewentig van die Wet op Nywerheidsversoening, 1956, soos gewysig, 'n vasstelling ooreenkomstig die Bylae hiervan, en bepaal hierby ooreenkomstig paragraaf (b) van genoemde subartikel dat die Vasstelling vanaf 4 Januarie 1960 bindend is.

J. DE KLERK,
Minister van Arbeid.

BYLAE.

1. TOEPASSING EN BESTEK VAN DIE VASSTELLING.

Die werk van bediening van 'n passasiershysers binne die munisipale gebiede van Bloemfontein, Johannesburg en Pretoria en in die volgende ondernemings, nywerhede, bedrywe en beroepe, naamlik:—

- Die verhuur van woonstelle of besigheidspersele;
- Eiendomsagentskappe;
- Bougenootskaponderneming;
- Druk- en Nuusbladnywerheid;
- Kommersiële Distribusiebedryf;
- Bankwese-ondernemings;
- Munisipale ondernemings;
- Finansierings-, Trust- en Beleggingsondernemings;
- Mynbedryf;
- Elektrisiteitsvoorsieningsonderneming;
- Opvoedkundige ondernemings;

Employers' Organisation and Trade Union Undertakings;
Hospital and Nursing Trade;
Insurance Undertakings;

is hereby reserved for White persons and no person who is not a White person may perform this work; provided that a lift in which Coloured persons only or Natives only or Coloured persons and Natives only are conveyed, may be operated by a person who is not a White person.

2. DEFINITIONS.

All expressions in this Determination which are defined in the Industrial Conciliation Act, 1956, shall have the same meaning as in that Act, and, further, unless inconsistent with the text—

“passenger lift” does not include lifts in which goods only or goods and personnel only are conveyed; and

“personnel” means employees who are in the employ of the employer under whose control the lift and the lift attendant are, in which and by whom they are conveyed and includes the said employer.

No. R. 1876.] [6 December 1963.

The following Government Notice is republished for general information:—

No. 371.] [9 March 1962.

INDUSTRIAL CONCILIATION ACT, 1956, AS AMENDED.

DETERMINATION No. 11 IN TERMS OF SECTION SEVENTY-SEVEN.

MOTOR TRANSPORT DRIVING IN THE MAGISTERIAL DISTRICTS OF ODENDAALSRUS, VENTERSBURG, VIRGINIA AND WELKOM.

I, ALFRED ERNEST TROLLIP, Minister of Labour, do hereby in terms of paragraph (a) of sub-section (7) of section seventy-seven of the Industrial Conciliation Act, 1956, as amended, make a Determination in accordance with the Schedule hereto, and in terms of paragraph (b) of the said sub-section fix the first Monday following on the expiration of six months after the date of publication of this notice as the date from which the said Determination shall be binding.

A. E. TROLLIP,
Minister of Labour.

SCHEDULE.

1. SCOPE AND APPLICATION OF DETERMINATION.

Motor transport driving in the Cement Products Industry, Meat Trade, Mineral Water Manufacturing Industry, Quarrying Industry, Brickmaking Industry, Industry for the Sale and Delivery of Sand, Stonecrushing Industry, Goods Transportation Trade and Cement Manufacturing Industry in the Magisterial Districts of Odendaalsrus, Ventersburg, Virginia and Welkom is reserved for White persons and no one who is not a White person may perform such work.

2. DEFINITION.

In this Determination, unless otherwise defined in this section or unless the context otherwise indicates, any word or expression to which a meaning has been assigned in the Industrial Conciliation Act, 1956 (Act No. 28 of 1956), as amended, shall have the same meaning when used in this Determination, and—

“motor transport driving” means the driving of a vehicle used for the transportation of goods and not propelled by means of human or animal power, but it does not include the driving—

- of a vehicle the unladen weight of which, together with the unladen weight of any trailer or trailers attached to or drawn by such vehicle, is less than 10,000 lb. (ten thousand pounds);
- of a vehicle driven through the magisterial districts referred to in section 1 without loading or unloading any goods within the said districts;
- of a vehicle on the premises of an employer;
- of a vehicle from outside the magisterial districts referred to in section 1, which on unconnected, irregular and infrequent occasions unloads goods in the said districts or loads goods there for unloading outside such districts.

Werkgewersorganisasie- en Vakverenigingsondernemings;
Hospitaal- en Verplegingsbedryf;
Versekeringsondernemings;

word hierby gereserveer vir Blanke persone en geen persoon wat nie 'n Blanke is nie, mag die werk doen nie; met dien verstande dat 'n hyser waarin daar net gekleurde persone of net Naturelle of net gekleurde persone en Naturelle vervoer word, deur iemand bedien mag word wat nie 'n Blanke is nie.

2. WOORDBEPALING.

Alle uitdrukkings in hierdie Vasstelling wat in die Wet op Nywerheidsversoening, 1956, omskryf is, het dieselfde betekenis as in die Wet en verder, tensy dit strydig met die samehang is, sluit—

„passasiershysers” nie hysers in waarin daar net goedere of net goedere en personeel vervoer word nie; en beteken

„personeel” werknemers wat in diens is van die werkgever onder wie se beheer die hyser en die hyserbediener is waarin en deur wie hul vervoer word en sluit dit die genoemde werkgever in.

No. R. 1876.] [6 Desember 1963.

Onderstaande Goewermentskennisgewing word hierby herpubliseer vir algemene inligting:—

No. 371.] [9 Maart 1962.

WET OP NYWERHEIDSVERSOENING, 1956, SOOS GEWYSIG.

VASSTELLING No. 11 KRAGTENS ARTIKEL SEWE-EN-SEWENTIG.

MOTORVOERTUIGBESTUURWERK IN DIE LANDDROSDISTRIKTE ODENDAALSRUST, VENTERSBURG, VIRGINIA EN WELKOM.

Ek, ALFRED ERNEST TROLLIP, Minister van Arbeid, maak hierby kragtens paragraaf (a) van subartikel (7) van artikel sewe-en-sewentig van die Wet op Nywerheidsversoening, 1956, soos gewysig, 'n Vasstelling ooreenkomstig die Bylae hiervan en bepaal hierby ooreenkomstig paragraaf (b) van genoemde subartikel die eerste Maandag na die verstryking van ses maande na die datum van publikasie van hierdie kennisgewing as die datum waarop genoemde Vasstelling bindend word.

A. E. TROLLIP,
Minister van Arbeid.

BYLAE.

1. BESTEK EN TOEPASSING VAN DIE VASSTELLING.

Motorvoertuigbestuurwerk in die Sementproduktenywerheid, Vleisbedryf, Mineraalwaternywerheid, Klipgroefnywerheid, Baksteenvervaardigingsnywerheid, Nywerheid vir die verkoop en aflewering van sand, Klipbreeknywerheid, Bedryf vir die vervoer van goedere en Sementvervaardigingsnywerheid in die landdrosdistrikte Odendaalsrus, Ventersburg, Virginia en Welkom word vir Blankes gereserveer en geeneen wat nie 'n Blanke is nie mag die werk doen nie.

2. WOORDBEPALING.

In hierdie Vasstelling, tensy dit anders in hierdie artikel omskryf word of tensy dit uit die samehang anders blyk, het enige woord of uitdrukking waaraan 'n betekenis geheg is in die Wet op Nywerheidsversoening, 1956 (Wet No. 28 of 1956), soos gewysig, wanneer dit in hierdie Vasstelling gebesig word, dieselfde betekenis, en beteken—

„motorvoertuigbestuurwerk” die bestuur van 'n voertuig wat gebruik word vir die vervoer van goedere en wat nie deur menslike of dierlike krag aangedryf word nie, maar sluit nie in nie die bestuur van 'n voertuig—

- waarvan die ongelaaide gewig, tesame met die ongelaaide gewig van 'n sleepwa of sleepwaens wat aan sodanige voertuig geheg is of daardeur getrek word, minder as 10,000 lb. (tien duisend pond) is;
- wat deur die in artikel 1 gemelde landdrosdistrikte reis sonder om goedere daarin op te laai of af te laai;
- op die perseel van 'n werkgever;
- van buite die in artikel 1 vermelde landdrosdistrikte wat by geleentheid wat van mekaar losstaan en ongereeld en verspreid is goedere daarin aflaai of daarin oplaai en daarbuite aflaai.

No. R. 1868.]

[6 December 1963.]

The following Government Notice is republished for general information:—

No. 1066.]

[25 July 1958.]

INDUSTRIAL CONCILIATION ACT, 1956.

DETERMINATION No. 3 IN TERMS OF SECTION SEVENTY-SEVEN.—IRON, STEEL, ENGINEERING AND METALLURGICAL INDUSTRIES, UNION OF SOUTH AFRICA.

I, JOHANNES DE KLERK, Minister of Labour, do hereby, in terms of paragraph (a) of sub-section (7) of section seventy-seven of the Industrial Conciliation Act, 1956 (Act No. 28 of 1956), make the determination which appears in the Schedule hereto and which relates to the Iron, Steel, Engineering and Metallurgical Industries.

The said determination shall in terms of paragraph (b) of sub-section (7) of section seventy-seven of the said Act be binding for a period of five years with effect from the 1st day of November, 1958.

J. DE KLERK,
Minister of Labour.

SCHEDULE.

THE IRON, STEEL, ENGINEERING AND METALLURGICAL INDUSTRIES.

1. APPLICATION AND SCOPE OF THE DETERMINATION.

The following work connected with the manufacture of window or door metal surrounds, or with the manufacture of "Cliscoe" windows or "Airlite" louvres, in the Iron, Steel, Engineering and Metallurgical Industries in the Union of South Africa is hereby reserved for employees who are white persons and no employee who is not a white person shall perform any such work in the said industries in the Union of South Africa:—

- (1) Supervisory work.
- (2) Setting dies, stops, guides or other work locating devices.
- (3) Setting out and/or marking off.
- (4) Final straightening or adjusting by use of hammer, dolly or wrench bar.
- (5) Final adjusting or positioning in jigs before welding.
- (6) Guillotine operating for cutting or shearing.
- (7) Press brake operating for bending or forming.
- (8) Press operating for notching mitres.
- (9) Press operating for—

- | | |
|---|--|
| (i) punching..... | } other than when done to stops, guides, or other work locating devices. |
| (ii) blanking..... | |
| (iii) notching, other than notching referred to in 8 above..... | |
| (iv) slotting..... | |
| (v) morticing..... | |
| (vi) tenoning..... | |

- (10) Arc welding (but not spot welding).
- (11) Hand riveting.
- (12) Supervising bronze, copper, aluminium or zinc spraying.
- (13) Affixing or positioning vents into metal surrounds of Cliscoe windows.
- (14) Assembling of completed louver stiles into metal frames.
- (15) Hand or machine drilling (other than in jigs).

2. DEFINITIONS.

Any expression used in this determination which is defined in the Industrial Conciliation Act, 1956, or in the Agreement of the National Industrial Council for the Iron, Steel, Engineering and Metallurgical Industries published under Government Notice No. 1984 in *Government Gazette Extraordinary* No. 5762, dated the 29th October, 1956, shall have the same meaning as in the said Act or the said Agreement, as the case may be, and, further, unless inconsistent with the context—

"Airlite louver" means metal stiles to which are attached movable metal holders for glass or other slats and which are intended to be built into or to be otherwise affixed, either independently or as a component of a larger unit, to an aperture in any kind of wall, partition or roof;

"Cliscoe window" means a metal window of which the sheet metal surround forms an integral part, with mullion and transom bars sprung into or welded to the surround;

"window or door metal surrounds" means sheet metal frames intended to be built into or to be otherwise affixed to an aperture in any kind of wall, partition or roof and to which may be attached by means of hinges or otherwise or in which may slide, swivel or otherwise operate a door or a window.

No. R. 1868.]

[6 Desember 1963.]

Onderstaande Goewermmentskennisgewing word hierby herpubliseer vir algemene inligting:—

No. 1066.]

[25 Julie 1958.]

WET OP NYWERHEIDSVERSOENING, 1956.

VASSTELLING No. 3 INGEVOLGE ARTIKEL SEWE-EN-SEWENTIG. — YSTER-, STAAL-, INGENIEURS- EN METAALNYWERHEID, UNIE VAN SUID-AFRIKA.

Ek, JOHANNES DE KLERK, Minister van Arbeid, maak hierby, kragtens paragraaf (a) van subartikel (7) van artikel sewe-en-sewentig van die Wet op Nywerheidsversoening, 1956 (Wet No. 28 van 1956), die vasstelling wat in die Bylae hiervan verskyn en op die Yster-, Staal-, Ingenieurs- en Metaalnywerheid betrekking het.

Genoemde vasstelling is kragtens paragraaf (b) van subartikel (7) van artikel sewe-en-sewentig van die genoemde Wet bindend vir 'n tydperk van vyf jaar met ingang van die 1ste dag van November 1958.

J. DE KLERK,
Minister van Arbeid.

BYLAE.

DIE YSTER-, STAAL-, INGENIEURS- EN METAAL-NYWERHEID.

1. TOEPASSING EN BESTEK VAN VASSTELLING.

Die volgende werk in verband met die vervaardiging van „Cliscoe"-vensters of „Airlite"-hortjiesvensters of in verband met die vervaardiging van venster- en deuromhulsels van metaal in die Yster-, Staal-, Ingenieurs- en Metaalnywerheid in die Unie van Suid-Afrika, word hierby gereserveer vir werknemers wat blanke persone is, en geen werknemer wat nie 'n blanke persoon is nie, mag enige sodanige werk in genoemde Nywerhede in die Unie van Suid-Afrika verrig nie:—

- (1) Toesigwerk.
- (2) Stempels, stoppe, leipatrone, of ander werkbepalingstoestelle stel.
- (3) Rangskik en/of afmerk.
- (4) Finaal reguitmaak of pas deur 'n hamer, sethamer of skroefleutelstaaf te gebruik.
- (5) Finale pas of positionering in setmate voor sweising.
- (6) Valbyl gebruik vir afsny of afskeer.
- (7) Persrem gebruik vir buig of fatsueneer.
- (8) Pers gebruik om verstekke in te kerf.
- (9) Pers gebruik vir—

- | | |
|---|--|
| (i) pons..... | } inkerwing, uitgesonderd wanneer volgens stoppe, leipatrone of ander werkbepalingstoestelle gedoen. |
| (ii) ru-stukke bewerk..... | |
| (iii) inkerwing, uitgesonderd dié in 8 hierbo vermeld.... | |
| (iv) gleufwerk..... | |
| (v) tapgate maak..... | |
| (vi) met 'n tap voeg..... | |

- (10) Boogswearing (maar nie puntsweiring nie).
- (11) Klinkwerk met die hand.
- (12) Toesig hou oor brons-, koper-, aluminium- of sinkbespuiting.
- (13) Luggate in metaalomhulsels van „Cliscoe"-vensters maak of posisioneer.
- (14) Voltooiende hortjiesvensterstyle in metaalrame monteer.
- (15) Met die hand of masjien boor (uitgesonderd in setmate).

2. WOORDOMSKRYWINGS.

Enige uitdrukking wat in hierdie vasstelling gebesig word en omskryf is in die Wet op Nywerheidsversoening, 1956, of in die Ooreenkoms van die Nasionale Nywerheidsraad vir die Yster-, Staal-, Ingenieurs- en Metaalnywerheid, gepubliseer by Goewermmentskennisgewing No. 1984 in *Buitengewone Staatskoerant* No. 5762 van 29 Oktober 1956, het dieselfde betekenis as in genoemde Wet of genoemde Ooreenkoms, na gelang van die geval en, voorts, tensy strydig met die samehang, beteken—

„Airlite"-hortjiesvenster, metaalstyle waaraan beweegbare metaalhouers vir glas- of ander hortjies aangebring is en wat bedoel is om in 'n opening in enige soort muur, afskeiding of dak ingebou of andersins aangebring te word, hetsy alleen of as onderdeel van 'n groter eenheid;

„Cliscoe"-venster, 'n metaalvenster waarvan die plaatmetaal-omhulsel 'n integrerende deel vorm, met middelstyl en dwarslatte in die omhulsel ingelaat of daaraan gesweis;

„venster- of deuromhulsels van metaal", plaatmetaalrame wat bedoel is om in 'n opening in enige soort muur, of dak ingebou of andersins aangebring te word, en waaraan 'n deur of venster deur middel van skarniere of andersins vasgeheg kan word of waarin 'n deur of venster kan skuif, draai of andersins kan beweeg.

No. R. 1869.] [6 December 1963.]

The following Government Notice is republished for general information:—

No. 1659.] [7 November 1958.]

INDUSTRIAL CONCILIATION ACT, 1956.

DETERMINATION No. 4 IN TERMS OF SECTION SEVENTY-SEVEN.—TRAFFIC POLICE, AMBULANCE SERVICES AND FIRE BRIGADE DEPARTMENTS IN THE MUNICIPAL UNDERTAKING OF THE CITY COUNCIL OF CAPE TOWN.

I, JOHANNES DE KLERK, Minister of Labour, do hereby in terms of paragraph (a) of sub-section (7) of section seventy-seven of the Industrial Conciliation Act, 1956, make a Determination in accordance with the Schedule hereto.

The said Determination shall be binding as from the 7th November, 1958, and for the period ending the 6th November, 1963.

J. DE KLERK,
Minister of Labour.

SCHEDULE.

1. *Traffic Police in the Traffic Police Department.*—(a) The work of traffic police of any rank or in any post above that of constable in the Traffic Police Department is hereby reserved for white persons.

(b) The work of Traffic police constable in the Traffic Police Department is hereby reserved for white persons, to the extent that white persons shall be employed in not less than eighty-two per cent (82%) of the total number of posts at any time occupied by traffic police constables in the said department; provided that the work of traffic police constable in any post that is or becomes vacant or in any additional post that is created, is hereby reserved wholly for white persons.

2. *Ambulance Drivers/Attendants in the Ambulance Services Department.*—The work of ambulance driver/attendant in the Ambulance Services Department is hereby reserved for white persons.

3. *Firemen in the Fire Brigade Department.*—The work of fireman in the Fire Brigade Department is hereby reserved for white persons.

4. No person who is not a white person shall perform work reserved wholly, or to the extent to which it is reserved for white persons in paragraphs 1, 2 and 3 above.

5. *Area and Scope of Application of Determination.*—The determination applies to the City Council of Cape Town and its employees employed in the Municipal Area of Cape Town.

6. *Definitions.*—Any term in this determination which is defined in the Industrial Conciliation Act, 1956, has the same meaning as that in the Act, and further—

“ambulance driver/attendant” does not include a driver of a vehicle which conveys an infectious disease patient who is not a white person, to or from the City Hospital or the Brooklyn Chest Hospital;

“department” means a department or section of the municipal undertaking of the City Council of Cape Town;

“fireman” includes a person who holds a rank higher than that of fireman.

No. R. 1871.] [6 December 1963.]

The following Government Notice is republished for general information:—

No. 17.] [2 June 1961.]

INDUSTRIAL CONCILIATION ACT, 1956, AS AMENDED.

DETERMINATION No. 6 IN TERMS OF SECTION SEVENTY-SEVEN.—BUILDING INDUSTRY IN URBAN AREAS IN THE PROVINCES OF THE TRANSVAAL AND ORANGE FREE STATE.

I, JOHANNES DE KLERK, Minister of Labour, do hereby in terms of paragraph (a) of sub-section (7) of section seventy-seven of the Industrial Conciliation Act, 1956, as amended, make a determination in accordance with the

No. R. 1869.] [6 Desember 1963.]

Onderstaande Goewermenskennisgewing word hierby herpubliseer vir algemene inligting:—

No. 1659.] [7 November 1958.]

WET OP NYWERHEIDSVERSOENING, 1956.

VASSTELLING No. 4 INGEVOLGE ARTIKEL SEWE-EN-SEWENTIG.—AFDELINGS VERKEERS-POLISIE, AMBULANSDIENS EN BRANDWEER IN DIE MUNISIPALE ONDERNEMING VAN DIE KAAPSTADSE STADSRAAD.

Ek, JOHANNES DE KLERK, Minister van Arbeid, maak hierby ingevolge paragraaf (a) van subartikel 7 van artikel sewe-en-sewentig van die Wet op Nywerheidsversoening, 1956, 'n Vasstelling ooreenkomstig die Bylae hierby.

Genoemde Vasstelling is van krag vanaf 7 November 1958 en vir die tydperk wat op 6 November 1963 eindig.

J. DE KLERK,
Minister van Arbeid.

BYLAE.

1. *Verkeerspolisie in die verkeerspolisieafdeling.*—(a) Die werk van verkeerspolisie van enige rang of in enige pos bo dié van konstabel in die verkeerspolisieafdeling word hierby vir blanke persone gereserveer.

(b) Die werk van verkeerspolisiekonstabel in die verkeerspolisieafdeling word hierby gereserveer vir blanke persone, in dié mate wat blanke persone in diens moet wees in minstens twee-en-tagtig persent (82%) van die totale getal poste te eniger tyd beklee deur verkeerspolisiekonstables in genoemde afdeling; met dien verstande dat die werk van verkeerspolisiekonstabel in enige pos wat vakant is of word, of in enige bykomende pos wat geskep word, hierby uitsluitlik vir blanke persone gereserveer word.

2. *Ambulansdrywers/assistent in die Ambulansdiensafdeling.*—Die werk van ambulansdrywer/assistent in die ambulansdiensafdeling word hierby vir blanke persone gereserveer.

3. *Brandweermanne in die brandweerafdeling.*—Die werk van brandweerman in die brandweerafdeling word hierby vir blanke persone gereserveer.

4. Geen persoon wat nie 'n blanke persoon is nie mag werk wat uitsluitlik, of in die mate in paragrawe 1, 2 en 3 hierbo aangedui, vir blanke persone gereserveer is, verrig nie.

5. *Gebied en bestek van toepassing van die Vasstelling.*—Die Vasstelling is van toepassing op die munisipale gebied van die Stadsraad van Kaapstad en op genoemde Stadsraad en sy werknemers.

6. *Woordomskrywings.*—Enige uitdrukking in hierdie Vasstelling wat omskryf is in die Wet op Nywerheidsversoening, 1956, het dieselfde betekenis as in die Wet, en voorts omvat—

„ambulansdrywer/assistent” nie 'n drywer van 'n voertuig wat 'n pasiënt wat aan 'n aansteeklike siekte ly en wat nie 'n blanke persoon is nie, na en van die Stadshospitaal of die Brooklynse Borshospitaal vervoer; en beteken

„afdeling” 'n afdeling of seksie van die munisipale onderneming van die Stadsraad van Kaapstad; en omvat

„brandweerman” 'n persoon wat 'n hoër rang as dié van brandweerman beklee.

No. R. 1871.] [6 Desember 1963.]

Onderstaande Goewermenskennisgewing word hierby herpubliseer vir algemene inligting:—

No. 17.] [2 Junie 1961.]

WET OP NYWERHEIDSVERSOENING, 1956, SOOS GEWYSIG.

VASSTELLING No. 6 KRAGTENS ARTIKEL SEWE-EN-SEWENTIG.—BOUNYWERHEID IN DIE STADSGBIEDE VAN DIE PROVSINSIES TRANSVAAL EN ORANJE-VRYSTAAT.

Ek, JOHANNES DE KLERK, Minister van Arbeid, maak hierby kragtens paragraaf (a) van subartikel (7) van artikel sewe-en-sewentig van die Wet op Nywerheidsversoening, 1956, soos gewysig, 'n vasstelling ooreenkomstig die Bylae

Schedule hereto, and in terms of paragraph (b) of the said sub-section fix the 5th day of December, 1961, as the date from which the said determination shall be binding.

J. DE KLERK,
Minister of Labour.

[NOTE.—This notice replaces the notice published under Government Notice No. 1428 of the 18th September, 1959, which is of no force or effect as the date fixed therein is earlier than six months after the date of publication thereof and therefore not in compliance with section seventy-seven (7) (b) of the Act.]

SCHEDULE.

1. APPLICATION AND SCOPE OF DETERMINATION.

Work in the Building Industry in urban areas of the Provinces of the Orange Free State and the Transvaal is reserved for white persons and no persons other than white persons may perform such work.

2. DEFINITION.

Unless inconsistent with the context—

“white person” means a person as defined in section one of the Industrial Conciliation Act, 1956 (Act No. 28 of 1956), as amended;

“Building Industry” means, without in any way limiting the ordinary meaning of the expression, the industry in which employer and employee are associated for the purpose of erecting, completing, renovating, repairing, maintaining or altering buildings and structures and/or the making of articles for the use in the erection, completion or alteration of buildings and/or structures; whether the work is performed, the material is prepared, or the necessary articles are made on the sites of the building or structure or elsewhere, and shall include all work executed or carried out by persons therein who are engaged in the following trades or sub-divisions thereof, but shall not include clerical employees and administrative staffs:—

- (a) **Asphalting**, which includes covering floors, flat and/or sloping roofs, water proofing or damp proofing of basements or foundations whether or not with prepared roll roofing or asphalt sheeting having glazed or unglazed surfaces, whether or not using tar, macadam, neuchatel, limmer or any other type of solid or semi-solid asphalt, mastic or emulsified asphalt or bitumens, applied either hot or cold to such roofs, floors, basements or foundations;
- (b) **bricklaying**, which includes concreting and the fixing of concrete blocks, slabs or plates, tiling of walls and floors, joining of brickwork, pointing, paving, mosaic work, facing work in slate, in marble, and in composition, drainlaying, slating, roof tiling and cement caulking of earthenware drains;
- (c) **electric installation**, which includes electrical fitting and wiring and operations incidental thereto;
- (d) **french polishing**, which includes polishing with a brush or pad and spraying with any composition;
- (e) **glazing**, which includes the cutting and/or fixing of all kinds of glass or other like products into rebates, formed in wood or metal doors, windows, frames or like fixtures, and all operations incidental thereto;
- (f) **joinery**, which includes the fixing of all wooden fittings and the manufacturing of all articles of joinery incidental to such fittings whether or not the fixing in the building or structure is done by the person making or preparing the article used, and shall include cupboards, kitchen dressers and other kitchen fixtures which accrue to the building as a permanent portion thereof;
- (g) **light-making**, which includes the manufacture and/or fixing of lights and display signs, and which includes the manufacture and/or fixing of lead and/or metal lights and display signs and the glazing relating thereto;
- (h) **masonry**, which includes stone cutting and/or building (also the cutting and building of ornamental, monumental and memorial stone work), concreting and the fixing and/or building of precast and/or artificial stone and/or marble, paving mosaic work, pointing, wall and floor tiling, operating of a Mall and Biax or similar type of portable spinner, flexible cutting, finishing and other stone working machinery (other than stone polishing machinery), and sharpening of masons' tools, whether or not the fixing in the building or structure is done by the person making or preparing the article used;
- (i) **metal work**, which includes the fixing of steel ceilings, metal windows, metal doors, builders' smith work, metal frames and metal stairs and architectural metal work, the manufacture and/or fixing of drawn metal and sheet and extruded metal, whether or not the fixing in the building or structure is done by the person making or preparing the article used;

hiervan en bepaal hierby ooreenkomstig paragraaf (b) van genoemde subartikel die 5de dag van Desember 1961 as die datum waarop genoemde vasstelling bindend word.

J. DE KLERK,
Minister van Arbeid.

[NOTA.—Hierdie kennisgewing vervang die kennisgewing wat by Goewermentskennisgewing No. 1428 van 18 September 1959 gepubliseer is en wat van nul en gener waarde is nie aangesien die datum wat daarin bepaal is, vroeër as ses maande na die datum van publikasie daarvan is en daarom nie in ooreenstemming met artikel sewe-en-sewentig (7) (b) van die Wet is nie.]

BYLAE.

1. TOEPASSING EN BESTEK VAN VASSTELLING.

Werk in die bounywerheid in stadsgebiede van die Provinsies Oranje-Vrystaat en Transvaal word vir blanke persone gereserveer en geen persoon wat nie 'n blanke is nie mag die werk doen nie.

2. WOORDOMSKRYWING.

Tensy dit met die samehang strydig is, beteken—

“blanke” ’n persoon soos omskryf in artikel een van die Wet op Nywerheidsversoening, 1956 (Wet No. 28 van 1956), soos gewysig.

“Bounywerheid” sonder om die gewone betekenis van die uitdrukking te beperk, die nywerheid waarin werkgewer en werknemer geassosieer is om geboue en bouwerke op te rig, te voltooi, te vernuwe, te herstel, te onderhou of te verander, en/of die vervaardiging van artikels vir gebruik by die oprigting, voltooiing of verandering van geboue en/of bouwerke; of die werk verrig word, die materiaal voorberei word om die nodige artikels op die perseel van die gebou of bouwerk vervaardig word, of elders, en omvat alle werk deur persone daarin uitgevoer of verrig wat die volgende bedrywe uitoefen of onderafdelings daarvan, maar omvat nie klerklike werknemers en administratiewe personeel nie:—

- (a) **Asfaltwerk**, ook die bedekking van vloere, plat en/of skuins dakke, waterdigmaak of vogdigmaak van kelders of fondamente, hetsy met of sonder voorbereide rolle dakbedekkingsmateriaal of asfaltplate met of sonder geglasuurde oppervlaktes, met of sonder gebruik van teer, macadam, neuchatel, limmer of enige ander soort soliede of halfsoliede asfalte, mastiek of emulsie-asfalt of bitumen, of dit warm of koud op daardie dakke, vloere, kelders of fondamente aangebring word of nie;
- (b) **messelwerk**, ook betonwerk en die aanbring van betonblokke of -plate, beteeëing van mure en vloere, voegwerk, diepvoegwerk, plaveiwerk, mosaïekwerk, sigwerk in leiklip, in marmer en in komposisie, riool-aanleg, leidekking en dakpanne lê en sementkalfatering van erdewerkriole;
- (c) **elekttriese installering**, ook elektrotegniese montering en bedrading en werksaamhede daaraan verbonde;
- (d) **vernisswerk**, ook poleer met kwas of kussinkie en spuit met enige mengsel;
- (e) **die insit van glas**, ook die sny en/of insit van alle soorte glas of ander soortgelyke produkte in sponnings wat in hout- of metaaldeure, vensters, rame of soortgelyke vaste stukke gemaak is, en alle werksaamhede daaraan verbonde;
- (f) **skrynerwerk** sluit in die vassit van alle houttoebehore en die maak van alle skrynerwerkartikels wat daarmee saamgaan, hetsy die vassit in die gebou of konstruksie uitgevoer word deur die persoon wat die gebruikte artikel gemaak of voorberei het of nie, en sluit in muurkaste, kombuisaste en ander kombuis-toebehore wat as 'n permanente deel by die gebou behoort;
- (g) **glas in lood**, sluit in die vervaardiging en/of vassit van ligte en reklametekens, en omvat die vervaardiging en/of vassit van lood en/of ander metaalligte en reklametekens en die insit van glas wat daarmee saamgaan;
- (h) **klipmesselwerk** sluit in klip kap en/of bou (ook die kap en bou van ornamentele, monumentale en gedenktekenklipwerk) betonwerk en die vassit en/of bou van voorafgevormde en/of kunsklip en/of marmer, plaveiwerk, mosaïekwerk, voegwerk, beteeëing van mure en vloere, werk met 'n Mall en Biax- of soortgelyke draagbare draaiskuurskyf, verstelbare sny-, afwerk- en ander klipbewerkingsmasjiene (behalwe klippoleermasjiene) en skerpmaak van klipmesselaarsgereedskap, hetsy die vassit in die gebou of bouwerk deur die persoon wat die gebruikte artikel maak of voorberei, gedoen word, of nie;
- (i) **metaalwerk** sluit in die insit van staalplafonne, metaalvensters, metaaldeure, bousmidwerke, metaalrame en metaaltrappe en boukundige metaalwerk, tesame met die maak en/of insit van getrokke metaalwerk en plaat- en uitgestote metaal, hetsy die insit in die gebou of bouwerk deur die persoon wat die gebruikte artikel maak of voorberei, gedoen word of nie;

- (j) painting, which includes decorating, paper-hanging, glazing, distempering, lime or colour washing, staining, varnishing, graining, marbling and spraying, spray painting, signwriting and wall decoration, the use of tar and its products, and shall include sandpapering and all work preparatory to the operations aforementioned; sandpapering of walls and woodwork, filling cracks in walls and puttying of woodwork;
- (k) plastering, which includes modelling, model making, mould making, facing of casts to moulds, making and fixing plaster board ceilings and fibrous plaster or other compositions, granolithic, terazzo and composition floor-laying, composition wall covering and polishing, operating a Mall and Biax or similar type of spinner, and flexible cutting and finishing machine, precast or artificial stone work, wall and floor tiling, paving and mosaic work, metal lathing, acoustic spraying and all processes incidental to the completion of ceilings and walls, whether or not the fixing in the building or structure is done by the person making or preparing the articles used;
- (l) plumbing, which includes brazing and welding, lead burning, gas fittings, sanitary and domestic engineering, drainlaying, caulking, ventilating, heating, hot and cold water fitting, fire installation, and the manufacture and fitting of all sheet metal work, whether or not the fixing on the building or structure is done by the person making or preparing the article used;
- (m) shop, office and bank fittings, which includes the manufacture and/or fixing of shop fronts, window enclosure, show cases, counters, screens and interior fittings and fixtures;
- (n) steel reinforcing, steel construction, which includes the fixing of all classes of steel or other metal columns, girders, steel joists, sheeting or metal in any other form which form part of a building or structure;
- (o) woodworking, which includes carpentry, veneer panelling, and polishing and sandpapering of same, woodworking machining, turning, carving, fixing of corrugated iron, sound and acoustic material, cork and asbestos insulation, woodlathing, composition ceiling and wall covering, drilling and plugging of walls, covering of woodwork with metal, block and other flooring including wood, linoleum, rubber composition on asphalt based floor coverings or cork, including the sandpapering of same, operating a Mall and Biax or similar type of portable spinner, flexible, cutting, finishing and polishing machine, shuttering and/or preparation of forms or moulds for concrete, whether or not the fixing in the building or structure is done by the person making or preparing the article used; provided, however, that the laying of linoleum by a supplier whose main business is in the commercial distributive trade shall be excluded from this definition when such laying is incidental to the sale of such linoleum and forms no portion of the direct cost to the customer;

"licensing authority" means any authority empowered by law to issue licences in respect of vehicles and/or trailers;

"under supervision" means under supervision of a white person;

"unladen weight" means the weight of any vehicle or trailer as expressed in a licence or certificate issued by a licensing authority in respect of such vehicle or trailer;

"urban areas" means any urban area as defined in section one of the Native Building Workers Act, 1951 (Act No. 27 of 1951), and which includes—

- (i) any area which after the date of this determination becomes an urban area or is added to an urban area, as defined in section one of the Native (Urban Areas) Consolidation Act, 1945 (Act No. 25 of 1945); and
- (ii) any area which the Minister after the date of this determination declares to be an urban area in terms of paragraph (xix) of section one of the said Native Building Workers Act, 1951,

but excluding any Native area, as defined in paragraph (xi) of section one of the said Native Building Workers Act, 1951, which on the date of this determination is a Native area or which becomes a Native Area after the said date;

"work" means all work excluding the following:—

A. In the Provinces of the Orange Free State and Transvaal—

- (1) outdoor paving in broken slate, granite or stone and grouting in joints;
- (2) operating a sandpapering and spinning machine on flooring;
- (3) being in charge of unskilled labourers mixing concrete and operating power driven concrete mixers;
- (4) caulking of joints in drains under supervision;
- (5) being in charge of the stripping of shuttering when done under supervision;

(j) verf sluit in dekoreer, plak, ruite insit, met distemper kalk, wit- of kleurkalk, beits, vernis, vlamverf, marmerverf en spuit, spuitverf, bordjeskilder en muurdekorasie, die gebruik van teer en sy produkte, en sluit ook in skuurpapierbehandeling en alle voorbereidingswerk vir die voornoemde werksaamhede; skuurpapierbehandeling van mure en houtwerk, opvul van krake in mure, en stofverf in houtwerk;

(k) pleister sluit in modelleer, modelle maak, gietvorms maak, maak van afgietsels aan lyste, maak en bevestiging van pleisterplafonne en veselpleister of ander komposisies, lê van granoliet-, terrazzo- en komposisie-vloere, komposisiemuurbedekking aanbring en poleer, werk met 'n Mall en Biax- of soortgelyke draaiskuurskyf en verstelbare sny- en afwerkingsmasjiën, voorafgevoormde of kunsklipwerk, beteeëling van vloere en mure, playei- en mosaiekwark, metaallatjies aansit, akoestiekspuitwerk en alle bykomstige werksaamhede vir die voltooiing van plafonne en mure, hetsy die insit in die gebou of bouwerk deur die persoon wat die gebruikte artikel maak of voorberei, gedoen word, of nie;

(l) loodgieterswerk sluit in hardsoldeer en sweis, lood-sweis, gasaanleg, sanitêre en huishoudelike ingenieurswerk, rioolaanleg, kalfater, ventilasie, verwarming, warm- en kouwateraanleg, brandblusaanleg en die maak en bevestiging van alle metaalplaatwerk, hetsy die insit in die gebou of bouwerk deur die persoon wat die gebruikte artikel maak of voorberei, gedoen word of nie;

(m) uitrus van winkels, kantore en banke, sluit in die maak en/of aanbring van winkelfronte, vensterkaste, uitstalkaste, toonbanke, skerms en binnetoebehoere en binnenshuise vaste installasies;

(n) staalversterking, staalkonstruksie, sluit in die aanbring van alle soorte staal- of ander metaalkolomme, -hoofbalke, -dwarsbalke, plate of metaal in enige ander vorm wat deel uitmaak van 'n gebou of bouwerk;

(o) houtbewerking sluit in timmermanswerk, fineerpaneelwerk en poleer en skuurpapierbewerking daarvan, werk met houtbewerkingsmasjiën, houtdraai, hout-sny, bevestiging van gegolfde plaatyster, geluid en akoestiek materiaal, kurk- en asbesisolasie, houtlatjies aansit, komposisiebedekking van plafonne en mure, mure boor en muurproppe insit, bedekking van houtwerk met metaal, blokkies- en ander vloere maak met inbegrip van hout, linoleum, rubberkomposisies, op asfaltvloerbedekkings of kurk, met inbegrip van die skuurpapierbewerking daarvan, werk met 'n Mall en Biax- of soortgelyke draagbare draaiskuurskyf, verstelbare sny-, afwerk- en poleermasjiën, bekisting en/of bereiding van vorms of gietvorms vir beton, hetsy die aanbring in die gebou of bouwerk deur die persoon wat die gebruikte artikel maak of voorberei, gedoen word of nie; met dien verstande egter dat die lê van linoleum deur 'n leweransier wie se hoofbesigheid die kommersiële distribusiebedryf is, van hierdie woordbepaling uitgesluit word as die lê saamgaan met die verkoop van die linoleum en geen deel van die regstreekse koste vir die klant vorm nie;

"lisensieowerheid" 'n owerheid wat by wet bevoeg is om lisensies uit te reik ten opsigte van voertuie en/of sleepwaens;

"onder toesig" onder toesig van 'n blanke;

"ongelaaide gewig" die gewig van 'n voertuig of sleepwa soos aangegee op die lisensie of sertifikaat wat ten opsigte van die voertuig of sleepwa deur 'n lisensieowerheid uitgereik word;

"stadsgebiede" 'n stadsgebied soos omskryf in artikel een van die Wet op Naturellebouwerkers, 1951 (Wet No. 27 van 1951), en sluit dit in—

- (i) enige gebied wat na die datum van hierdie vasstelling 'n stadsgebied word of bygevoeg word tot 'n stadsgebied, soos omskryf in artikel een van die Naturelle (Stadsgebiede) Konsolidasiewet, 1945 (Wet No. 25 van 1945); en
- (ii) enige gebied wat die Minister na die datum van hierdie vasstelling tot 'n stadsgebied kragtens paragraaf (xv) van artikel een van bedoelde Wet op Naturellebouwerkers, 1951, verklaar,

maar sluit dit uit 'n Naturellegebied, soos omskryf in paragraaf (xii) van artikel een van bedoelde Wet op Naturellebouwerkers, 1951, wat op die datum van hierdie vasstelling 'n Naturellegebied is of na gesegde datum 'n Naturellegebied word;

"werk" alle werk met uitsluiting van die volgende:—

A. In die Provinsies Oranje-Vrystaat en Transvaal—

- (1) buiteplayeiwerk in brokkelleiklip, graniet of steenslag doen en voer sementeer;
- (2) skuur- en draaiskuurskyfmasjiën op vloere bedien;
- (3) in bevel wees van ongeskoolde arbeiders wat beton meng en kragbetonmengers bedien;
- (4) lasse in riole onder toesig kalfater;
- (5) in beheer wees van die aftakeling van bekisting wanneer dit onder toesig gedoen word;

- (6) driving of a mechanical vehicle, the unladen weight of which together with the unladen weight of any trailer or trailers attached to or drawn by such vehicle, is 3 tons or less;
- (7) operating a hoist, but not operating a power crane;
- (8) guarding premises;
- (9) operating a power driven grinding machine on metal, and filing by hand;
- (10) operating swing saws, stone polishing machinery and compressors for stone work;
- (11) feeding material to roller fed wood-working machines under supervision;
- (12) stripping shuttering under supervision;
- (13) assisting artisans or journeymen by grain filling preparatory to polishing of wood surfaces with fabric;
- (14) assisting artisans or journeymen in the application of glue to tenons or wood surfaces prior to cramping or pressing;
- (15) assisting artisans or journeymen in placing of steel props and fixing to bearers and adjusting to heights;
- (16) attending swing saws under supervision, assisting in setting stone and fixing saw blades for the purpose of the operation of swing saws, polishing machinery and working grindstone machinery;
- (17) applying of floor polish;
- (18) bagging down walls and ceilings;
- (19) baling waste or scrap metal by hand or machine;
- (20) binding and tying with wire, steel reinforcing materials and cutting, bending and assembling, erecting and fixing such materials, under supervision;
- (21) carrying mortar, bricks, stone, concrete and other materials;
- (22) cleaning mortices;
- (23) cleaning off glass after glazing;
- (24) cleaning complete frames in preparation for puttying;
- (25) cleaning of moulds, work benches, yard premises, tools, etc.;
- (26) cleaning down of teak and other hard woods by using solvents or steel wools;
- (27) coupling steel windows and door frames under supervision;
- (28) cutting, screwing, threading and bending of steel rods and piping other than copper piping by hand under supervision;
- (29) cutting scaffold poles and props by two-handed saw;
- (30) cutting dampcourse and placing in position;
- (31) cutting of toothings and indents for bonding brick-work;
- (32) cutting hoop iron, bending and holding;
- (33) cutting up scrap metal by hand;
- (34) cutting, drilling, chasing and plugging in brick and concrete;
- (35) cutting of roofing tiles with tile hand-cutting machine;
- (36) digging and taking out stone or soil for foundations, trenches, drains and channels;
- (37) drawing off material from all woodworking machines;
- (38) drilling or punching metal by power or hand machine under supervision;
- (39) erecting hoists under supervision;
- (40) excavating in ground, soft and hard rock and using a jackhammer and removing excavated stone and soil;
- (41) filling in blemishes on the face of finished articles using a cement mixture and rubbing the face with a piece of sack;
- (42) filling in joints between joint of brick and concrete beam under supervision;
- (43) filling in joints and cleaning off all wall tiles, but not jointing and pointing;
- (44) filling of moulds with a facing mixture or concrete mixture, using a shovel;
- (45) fixing hoop iron, steel and wire stiffeners to strengthen shuttering;
- (46) fixing asphalt sheeting to sides of steel and wood frames;
- (47) fixing lugs to steel windows and door frames under supervision;
- (48) gauging sand, stone and cement;
- (49) gauging sizes of wall and floor tiles;
- (50) hoisting shuttering and placing in position but not fixing;
- (51) hoisting of steel and laying into position under supervision;
- (52) kneading of putty to correct consistency;
- (53) laying and levelling of concrete, operating a concrete vibrator, and assisting in screeding, under supervision;
- (54) laying loose tiles on surfaces without bedding, provided no tools are used;
- (55) lime washing and the use of tar or similar products on buildings and latrines occupied and used by natives and on rough timber such as joists and underside of floors, but not lime washing in connection with such buildings and latrines during their erection or within sixty days of the completion;
- (6) 'n meganiese voertuig dryf, waarvan die ongelaaiide gewig, tesame met die ongelaaiide gewig van 'n sleepwa of sleepwaens wat aan sodanige voertuig geheg is of daardeur getrek word, 3 ton of minder is;
- (7) 'n hystoestel bedien, uitgesonderd 'n kragange-drewe hyskraan;
- (8) persele bewaak;
- (9) 'n masjiernaangedrewe slypmasjiën op metaal bedien, en met die hand vyl;
- (10) hangsaë, klippoleermasjinerie en kompressors vir klipwerk bedien;
- (11) stowwe onder toesig aan houtwerkmasjiëne voer wat rollers vir dié doel gebruik;
- (12) bekisting onder toesig aftakel;
- (13) vakmanne of ambagsmanne help om die draad te vul voordat houtoppervlaktes met doek opgevryf word;
- (14) vakmanne of ambagsmanne help om gom aan tappe of houtoppervlaktes te smeer voordat dit vasgekleem of gepepers word;
- (15) vakmanne of ambagsmanne help om staalstutte in posisie te plaas en dit aan stutte vas te sit en op die regte hoogte te stel;
- (16) hangsaë onder toesig bedien, help om klippe te stel, en saaglemme vassit om hangsaë in werking te stel, masjinerie opvryf, en met slypmasjinerie werk;
- (17) vloerpolitoer aansmeer;
- (18) mure en plafonne smeer;
- (19) afvalmetaal met die hand of masjiën in bale op-maak;
- (20) staalversterkingsmateriaal onder toesig met draad aanmekearbind en vasbind en sodanige materiaal onder toesig afsny, buig en monteer, oprig en vassit;
- (21) dagha, stene, klip, beton en ander materiaal dra;
- (22) tapgate skoonmaak;
- (23) glas skoonmaak nadat dit ingesit is;
- (24) voltooië rame skoonmaak om dit vir die insit van stopverf voor te berei;
- (25) gietvorms, werkbanke, werfpersele, gereedskap, ens., skoonmaak;
- (26) teak en ander harde houtsoorte skoonmaak deur oplosmiddels of staalwol te gebruik;
- (27) staalvensters en deurrame onder toesig koppel;
- (28) staalstawe en pype, uitgesonderd koperpype, met die hand onder toesig afsny, van draad voorsien, inmeekaarskroef en buig;
- (29) steierpale en -stutte met 'n treksaag afsaag;
- (30) voglaag sny en dit in posisie plaas;
- (31) vertandings en intandings inkap vir verbandwerk by stene;
- (32) hoepelyster afsny, buig, en gate daarin maak;
- (33) afvalmetaal met die hand opsny;
- (34) in steen en beton sny, boor, gleuwe kap en opvul;
- (35) dakteëls met handbediende teëlaafsnymasjiën afsny;
- (36) spitwerk en klip of grond uithaal vir fondamente, slote, riole en uithollings;
- (37) materiaal van alle houtwerkmasjiëne afhaal;
- (38) metaal van 'n krag- of handmasjiën onder toesig boor of pons;
- (39) hystoestelle onder toesig oprig;
- (40) in grond, sagte en harde rots uitgrawings maak en 'n hamerboor gebruik, en uitgegrawe klip en grond verwyder;
- (41) holtes op die oppervlakte van afgewerkte artikels met 'n sementmengsel opvul en die oppervlakte met 'n stuk sakmateriaal vryf;
- (42) voë by die voegplek van steen- en betonbalke onder toesig opvul;
- (43) voë opvul en alle muurteëls skoonmaak, uitge-sonderd voegstryking en spitswerk;
- (44) vorms met 'n bekledings- of 'n betonmengsel vul deur van 'n skopgraaf gebruik te maak;
- (45) hoepelyster-, staal-, en draadverstewigers vassit om bekisting te versterk;
- (46) asfaltstrokke aan die kante van staal- en houtrame vassit;
- (47) kloue onder toesig aan staalvensters en -deurrame vassit;
- (48) sand, klip en sement afmeet;
- (49) groottes van muur- en vloerteëls meet;
- (50) bekisting ophys en in posisie plaas, maar dit nie vassit nie;
- (51) onder toesig staal ophys en in posisie neerlê;
- (52) stopverf brei totdat dit die regte stewigheid het;
- (53) beton onder toesig lê en gelykmaak, 'n beton-vibrator onder toesig bedien en onder toesig help met afvlakking;
- (54) los teëls op oppervlaktes neerlê sonder om dit te lê met dien verstande dat geen gereedskap gebruik word nie;
- (55) afwitting en die aanwending van teer en dergelike produkte aan geboue en latrines wat deur Natu-relle betrek en gebruik word, en aan ruwe tim-merhout soos bv. balke en die onderkant van vloere, maar nie afwitting in verband met so-danige gebou en latrines gedurende die oprigting of binne sestig dae na voltooiing daarvan nie;

- (56) loading and unloading materials and goods;
- (57) mixing mastic asphalt in pots, attending to fires, carrying mixed materials to site of laying, rubbing up laid mastic until cold, and cleaning up under supervision;
- (58) mixing asphalt macadam, dumping and placing material at laying site, and rolling with hand-rollers;
- (59) mixing concrete by hand or machine, under supervision;
- (60) oiling and greasing machinery when not in operation;
- (61) painting and spraying of asphaltic and other composition sheeting and roofs with bituminous based aluminium paint, under supervision;
- (62) priming of surfaces with bitumastic and waterproofing solutions;
- (63) preparing roofs, including scraping and wire-brushing prior to painting;
- (64) painting of joints and backs of stone with waterproofing compound;
- (65) preservative painting of all builders' plant;
- (66) removing rust and scale from iron and steel surfaces, provided no chemicals are used;
- (67) removing loose and flaking paint from gutters, downpipes and other surfaces, but not when a blowlamp or paint solvent is being used, unless it is done under supervision;
- (68) removing plaster from steel and wood surfaces in new buildings prior to painting;
- (69) scraping and rubbing down previously limewashed and other surfaces, but not the repairing of such surfaces;
- (70) scraping and washing of walls and any surfaces for painting, provided that no tools ordinarily employed by painters are used, and that no artisan's or journeyman's work is done;
- (71) washing down new galvanised surfaces prior to painting, and treating new galvanised surfaces, but not when a blowlamp or paint solvent is being used, unless it is done under supervision;
- (72) using abrasives of all kinds by hand, including rubbing compound and sandpaper of a grade not finer than Oakley's No. 2 strong, or equivalent on cleaning processes on preparatory work in painting and spraying, but not brushes other than scrubbing brushes or wire brushes;
- (73) raking out of brick joints and preparation of surfaces for plastering, but not slushing-up;
- (74) removing stains and cement on stone, artificial stone, slate, terracotta and similar surfaces with carborundum blocks or rubbing machines;
- (75) scraping down finished faces of products by hand using a wire steel brush or a scrubbing brush;
- (76) shovelling materials into, or removing them from mortar or concrete mixing machines, sieving sand and mixing mortar by hand with shovels;
- (77) stopping of joints of moulds with plaster of paris by hand or with the use of a piece of tin, under supervision;
- (78) setting up of moulds and stripping of casings and castings;
- (79) tamping of the filling in moulds, but not using plasterer's trowels;
- (80) treating timber with preservative under supervision;
- (81) tying of roof tiles with wire;
- (82) washing down brick and concrete with 'scrubbing brushes and cleaning used bricks;
- (83) working jack-hammers and using hammer and punch for splitting stone, and drilling dowel holes;
- (84) chasing and cutting of walls and concrete floors for conduits, and drilling concrete and brickwork in connection with electrical installation;
- (85) operations not covered by the specific exclusions in this Determination, and not coming within the scope of skilled work as defined in the Native Building Workers Act, 1951, and requiring a degree of skill or experience not exceeding that required for the performance of any of the operations enumerated in (12) to (84) above; and

B. In the Province of Transvaal—

- (86) being in charge of unskilled labourers levelling and assisting in screeding concrete under supervision;
- (87) the application of back putty and cleaning of excess tags thereto under supervision;
- (88) grouting in joints and filling backs of stone work after fixing;
- (89) grouting of joints in bricks and tile floors and cleaning off;
- (90) wedging up wood props under supervision."

- (56) materiaal en goedere op- en aflaai;
- (57) mastiekasfalt onder toesig in potte aanmaak, vure onder toesig instandhou, aangemaakte materiaal onder toesig na plek vervoer waar dit gelê moet word, mastiek wat aangebring is onder toesig vryf totdat dit koud is, en onder toesig skoonmaak;
- (58) asfaltmacadam aanmaak, materiaal by aanwend-plek aflaai en plaas en met handrollers rol;
- (59) beton onder toesig met die hand of masjien meng;
- (60) masjinerie olie en smeer wanneer nie in gebruik nie;
- (61) asfalt- en ander komposisiestroke en dakke onder toesig met aluminiumverf met 'n bitumenbasis verf en spuitverf;
- (62) oppervlaktes met bitumastiek en waterdigte oplossings voorberei;
- (63) dakke voorberei, met inbegrip van afskraap en bewerking met 'n draadborsel voordat dit geverf word;
- (64) voeë en agterkante van klip met 'n waterdigte samestelling verf;
- (65) alle bouerininstallasie met beskermende verf behandel;
- (66) roes en skilfer van yster- en staaloppervlaktes verwyder, met dien verstande dat geen chemikalieë gebruik word nie;
- (67) los en geskilferde verf van geute, afvoerpype en ander oppervlaktes verwyder, maar nie wanneer 'n blaaslamp of verpopsmiddel gebruik word nie, tensy dit onder toesig gedoen word;
- (68) pleister van staal- en houtoppervlaktes by nuwe geboue verwyder voordat dit geverf word;
- (69) oppervlaktes wat voorheen afgewit is en ander oppervlaktes afskrap en afvryf, maar omvat nie die herstel van sodanige oppervlaktes nie;
- (70) mure en enige ander oppervlaktes afskraap of afwas om geverf te word, met dien verstande dat geen gereedskap gebruik word wat verwers gewoonlik gebruik nie, en dat geen vakmanwerk of ambagswerk gedoen word nie;
- (71) nuwe gegalvaniseerde oppervlaktes afwas voordat dit geverf word en nuwe gegalvaniseerde oppervlaktes behandel, maar nie wanneer 'n blaaslamp of verpopsmiddel gebruik word nie, tensy dit onder toesig gedoen word;
- (72) gebruik met die hand van alle soorte skuurmiddels, met inbegrip van vryfsamestellings, en skuurpapier van 'n graad wat nie fyner is as „Oakley's No. 2 strong" nie, of 'n ekwivalent vir skoonmaak-prosesse in voorbereidingswerk by verf en spuitverf, maar geen ander borsels as skrop- of draadborsels nie;
- (73) steenvoë uitkrap en oppervlaktes vir pleistering voorberei, maar omvat nie brysmere nie;
- (74) vlekke en sement, van klip, kunsklip, leiklip, terracotta en dergelike oppervlaktes met karborundsteen of skuurmasjiene verwyder;
- (75) bewerkte vlakke van produkte met die hand afskraap deur 'n staaldraadborsel of skropborsel te gebruik;
- (76) stowwe met 'n skopgraaf in dagha- of betonmengmasjiene skep of dit daaruit neem, sand sif en dagha met die hand met skopgrawe meng;
- (77) lasse van vorms met die hand of met 'n stukkie blik onder toesig met gips digmaak;
- (78) vorms monteer en raamwerk en gietwerk aftakel;
- (79) die vulsel in vorms vasstamp, uitgesonderd deur pleisterstroffels te gebruik;
- (80) timmerhout onder toesig met 'n verduursamingsmiddel behandel;
- (81) dakteëls met draad vasbind;
- (82) steen- en betonwerk met skropborsels afwas en gebruikte stene skoonmaak;
- (83) met hamerbore werk en hamer en pons gebruik om klip te breek, en taggate boor;
- (84) gleuwe in mure en betonvloere vir pype uitkap en gate in beton en stene boor in verband met elektriese installasie;
- (85) werksaamhede wat nie gedek word deur die spesifieke uitsluitings in hierdie Vastelling nie en nie binne die bestek van geskoolde werk, soos omskryf in die Wet op Naturellebouwerkers, 1951, val nie, en wat 'n graad van geskooldheid of ondervinding vereis wat nie dié te bowe gaan wat vereis word vir die verrigting van enige van die werksaamhede in (12) tot (84) hierbo genoem nie; en

B. In die Provinsie Transvaal—

- (86) in beheer wees van ongeskoolde arbeiders wat beton onder toesig gelykmaak en help afvlak;
- (87) stopverfbed aansit en oorskietstukies daarvan onder toesig verwyder;
- (88) voeë sementeer en agterkant van klipwerk opvul nadat dit vasgesit is;
- (89) voeë in stene en teëlvloere sementeer en skoonmaak;
- (90) houtstutte onder toesig opwig."

No. R. 1872.]

[6 December 1963.]

The following Government Notice is republished for general information:—

No. 671.]

[15 September 1961.]

INDUSTRIAL CONCILIATION ACT, 1956, AS AMENDED.

DETERMINATION No. 7 IN TERMS OF SECTION SEVENTY-SEVEN.—IRON, STEEL, ENGINEERING AND METALLURGICAL INDUSTRIES, REPUBLIC OF SOUTH AFRICA.

I, JOHANNES DE KLERK, Minister of Labour, do hereby in terms of paragraph (a) of sub-section (7) of section seventy-seven of the Industrial Conciliation Act, 1956, as amended, make a determination in accordance with the Schedule hereto, and in terms of paragraph (b) of the said sub-section fix the date of publication of this notice as the date from which the provisions of clause 1 (c) of the said determination shall be binding and the 20th day of March, 1962, as the date from which the other provisions of the said determination shall be binding.

J. DE KLERK,

Minister of Labour.

[NOTE.—This notice replaces the notice published under Government Notice No. 1771 of the 30th October, 1959, which is of no force or effect as the date fixed therein is earlier than six months after the date of publication thereof and therefore not in compliance with section seventy-seven (7) (b) of the Act.]

SCHEDULE.

THE IRON, STEEL, ENGINEERING AND METALLURGICAL INDUSTRIES.

1. APPLICATION AND SCOPE OF THE DETERMINATION.

- (a) (i) In the area of the Republic of South Africa, excluding the areas set out in paragraph (ii) below, the work set out in paragraph (b); and
- (ii) in the Magisterial Districts of the Cape, Wynberg, Simonstown, Bellville and Stellenbosch and in the municipal areas of Paarl, Wellington, Strand, Somerset West and Worcester the work set out in paragraph (b), excluding items 11, 12, 13, 19 and 20;

is hereby reserved for white persons and no person who is not a white person shall perform such work in that section or portion of the Iron, Steel, Engineering and Metallurgical Industries in which and to the extent to which the undermentioned articles, intended or suitable for domestic use, or parts or components thereof if such parts or components are manufactured by the employer that assembles, finishes or completes the said articles, are manufactured, assembled, finished or completed (excluding finishing or completion by means of electroplating):—

Cupboards, shelves and sinks made exclusively or mainly of metal, hollowware generally, pressed from sheet metal of 10 gauge or thinner, refrigerators, washing machines, electric stoves (including hot plates), electric water storage heaters (geysers), electric kettles, pots, stewpans or other container-heaters;

excluding the manufacture, wholly or partly, or the assembling of electric, gas, paraffin or chemical refrigerating units as such, and the manufacture of electric wire, heating elements and electric stove or other heating plates, but including the fitting or mounting of such refrigerating units, electric wire, heating elements, stove or other heating plates in the aforesaid articles.

(b) The work of—

- (1) foreman;
- (2) chargehand or assistant foreman;
- (3) supervisor or overseer;
- (4) journeyman;
- (5) templet maker;
- (6) setting dies, guides, stops and/or other work locating devices, excluding the affixing of dies, guides, stops and/or other work locating devices where positive location is provided;
- (7) setting out or marking off, excluding repetition marking off to jigs and/or templates;

No. R. 1872.]

[6 Desember 1963.]

Onderstaande Goewermentskennisgewing word hierby herpubliseer vir algemene inligting:—

No. 671.]

[15 September 1961.]

WET OP NYWERHEIDSVERSOENING, 1956, SOOS GEWYSIG.

VASSTELLING No. 7 KRAGTENS ARTIKEL SEWE-EN-SEWENTIG.—YSTER-, STAAL-, INGENIEURS- EN METAALNYWERHEID, REPUBLIEK VAN SUID-AFRIKA.

Ek, JOHANNES DE KLERK, Minister van Arbeid, maak hierby kragtens paragraaf (a) van subartikel (7) van artikel sewe-en-sewentig van die Wet op Nywerheidsversoening, 1956, soos gewysig, 'n vasstelling ooreenkomstig die Bylae hiervan en bepaal hierby ooreenkomstig paragraaf (b) van genoemde subartikel die datum van publikasie van hierdie kennisgewing as die datum waarop die bepalings van klousule 1 (c) van genoemde vasstelling bindend word en die 20ste dag van Maart 1962 as die datum waarop die ander bepalings van genoemde vasstelling bindend word.

J. DE KLERK,

Minister van Arbeid.

[NOTA.—Hierdie kennisgewing vervang die kennisgewing wat by Goewermentskennisgewing No. 1771 van 30 Oktober 1959 gepubliseer is en wat van nul en gener waarde is nie aangesien die datum wat daarin bepaal is vroeër as ses maande na die datum van publikasie daarvan is en daarom nie in ooreenstemming met artikel sewe-en-sewentig (7) (b) van die Wet is nie.]

BYLAE.

DIE YSTER-, STAAL-, INGENIEURS- EN METAALNYWERHEID.

1. TOEPASSING EN BESTEK VAN DIE VASSTELLING.

- (a) (i) In die gebied van die Republiek van Suid-Afrika, uitgesonderd die gebiede in paragraaf (ii) hieronder uiteengesit; die werk in paragraaf (b) uiteengesit; en
- (ii) in die landdrostdistrikte Kaap, Wynberg, Simonstad, Bellville en Stellenbosch en in die munisipale gebiede die Paarl, Wellington, Strand, Somerset-Wes en Worcester, die werk in paragraaf (b) uiteengesit uitgesonderd items 11, 12, 13, 19 en 20;

word hierby vir blanke persone gereserveer en geen persoon wat nie 'n blanke persoon is moet sodanige werk verrig in die afdeling of gedeelte van die Yster-, Staal-, Ingenieurs- en Metaalnywerheid waarin en vir sover ondergenoemde artikels, bedoel of geskik vir huislike gebruik, of onderdele of samestellende dele daarvan, as sulke onderdele of samestellende dele deur die werkgewer vervaardig word wat genoemde artikels inmeekaarsit, afwerk of voltooi, vervaardig, inmeekaarsit, afgewerk of voltooi (uitgesonderd afwerking of voltooiing deur middel van elektroplatering):—

Kaste, rakke en opwasbakke wat uitsluitlik of hoofsaaklik van metaal vervaardig is, holware in die algemeen, gepers uit plaatmetaal met 'n diktemaat van 10 of dunner, koelkaste, wasmasjiene, elektriese stowe (met inbegrip van warmplate), elektriese wateropbergverwarmers (waterverwarmers), elektriese ketels, potte, stoofpanne of ander houerverwarmers;

uitgesonderd die uitsluitlike of gedeeltelike vervaardiging of die inmeekaarsit van elektriese, gas-, paraffien of chemiese verkoelingseenhede as sodanig en die vervaardiging van elektriese kabel, verwarmingselemente en elektriese stoof- of ander warmplate, maar met inbegrip van die pas of montering van sodanige verkoelingseenhede, elektriese kabel, verwarmingselemente, stoof- of ander warmplate in voornoemde artikels.

(b) Die werk van—

- (1) voorman;
- (2) onderbaas of assistent-voorman;
- (3) opsigter of opsiener;
- (4) vakman;
- (5) sjabloonmaker;
- (6) stempels, leipatrone, stoppe en/of ander plekbepalings-toestelle stel, uitgesonderd die aansit van stempels, leipatrone, stoppe en/of ander plekbepalings-toestelle waar 'n positiewe plek bepaal word;
- (7) uitsit of afmerk, uitgesonderd herhalingsafmerking volgens setmate en/of sjablone;

- (8) electric or gas welding or brazing, excluding resistance welding;
- (9) arc or gas cutting;
- (10) hand or machine drilling, other than in jigs;
- (11) metal spinning, excluding the spinning of hollowware when formers are used;
- (12) final assembling, i.e. the uniting of sub-assemblies and/or parts to form a complete refrigerator, washing machine, electric stove, electric hot plate, electric water storage heater (geyser), or cupboard or shelf other than office and industrial equipment;
- (13) assembling and/or connecting of electric wires in the manufacture of refrigerators, washing machines, electric stoves, electric hot plates or electric water storage heaters (geysers) or parts thereof, excluding the connecting of external cords to connectors and the preparation of electric wires for assembling or connecting;
- (14) mill room attendant (enamel work);
- (15) tester;
- (16) inspection, including visual inspection;
- (17) final knocking out of dents or straightening by use of hammer, spoon, dolly or wrench bar;
- (18) operating a power operated crane, excluding operating a hoist;
- (19) driving a vehicle authorised to carry a pay load of over three tons;
- (20) operating mechanised internal transporters;
- (21) security officer or gatekeeper, other than a night watchman or a person employed solely to open and close gates;
- (22) clerk in charge of despatch;
- (23) storeman in general charge of stores or finished products and responsible for receiving, storing, packing or unpacking goods in a store and/or delivering goods from a store to the consuming departments in an establishment or for despatch;
- (24) assistant storeman, i.e. the work of performing any of the duties of storeman under the storeman's supervision;
- (25) operating a power operated guillotine for cutting or shearing, other than in the manufacture of hollowware and office or industrial equipment;
- (26) operating a power operated press brake or power operated folding machine for bending, forming or folding, other than in the manufacture of hollowware and office or industrial equipment;
- (27) operating a power operated press for—
 - (a) pressing parts of refrigerators, washing machines, electric stoves, electric hot plates, electric water storage heaters (geysers) or sinks;
 - (b) (i) pressing, other than (a) above;
 - (ii) punching;
 - (iii) blanking;
 - (iv) notching;
 - (v) slotting;

other than when done to stops, guides and/or other work locating devices.
- (c) No employer in the Republic of South Africa shall replace any white person employed by him on any work set out in paragraph (b) or any other work in that section or portion of the iron, steel, engineering and metallurgical industries to which paragraph (a) applies, by an employee who is not a white person.

2. DEFINITIONS.

Any expression used in this Determination which is defined in the Industrial Conciliation Act, 1956, as amended, shall have the same meaning as in the Act and, further, unless inconsistent with the context—

“Iron, Steel, Engineering and Metallurgical Industries” means the industries as defined in the Agreement of the National Industrial Council for the Iron, Steel, Engineering and Metallurgical Industries, published under Government Notice No. 1984 in *Government Gazette Extraordinary* No. 5762 of the 29th October, 1956, namely the industries concerned with the production of iron and/or steel and/or alloys and/or the processing and/or recovery and/or refining of metals (other than precious metals) and/or alloys from dross and/or scrap and/or residues; the maintenance, fabrication, erection or assembly, construction, alteration, replacement or repair of any machine, vehicle (other than a motor vehicle) or article consisting mainly of metal (other than precious metal) or parts or components thereof and structural metal work, including steel reinforcement work; the manufacture of metal goods principally from such iron and/or steel and/or other metals (other than precious metals) and/or alloys and/or the finishing of metal goods; the building and/or alteration and/or repair of boats and/or ships, including the scraping, chipping and/or scaling and/or painting of the hulls of boats and/or ships and general woodwork undertaken in connection with ship repairs, and includes the Electrical Engineering Industry, Lift and Escalator Industry and Plastics Industry but does not include the Motor Industry;

- (8) elektriese of gassweising of hardsoldering, uitgesonderd weerstandswesing;
- (9) met die booglamp of met gas sny;
- (10) met die hand of masjien boor, uitgesonderd in setmate;
- (11) metaalspinwerk, uitgesonderd die spin van holware as vormers gebruik word;
- (12) finale inmeekaarsit, d.w.s. die vereniging van submonterings en/of onderdele om 'n volledige koelkas, wasmasjien, elektriese stoof, elektriese warmplaat, elektriese wateropbergverwarmer (waterverwarmer), of kas of rak te vorm, uitgesonderd kantoor- en nywerheids-uitrusting;
- (13) montering en/of verbinding van elektriese kables in die vervaardiging van koelkaste, wasmasjiene, elektriese stowe, elektriese warmplate of elektriese wateropbergverwarmers (waterverwarmers) of onderdele daarvan, uitgesonderd die verbinding van buitekoorde aan aansluiters en die voorbereiding van elektriese kables vir montering of verbinding;
- (14) walskamerbediener (emaljewerk);
- (15) toetser;
- (16) inspeksie, met inbegrip van visuele inspeksie;
- (17) finale uitklop van duike of reguit maak deur middel van 'n hamer, lepelguts, sethamer of skroefslutel;
- (18) 'n kraghyskraan bedien, uitgesonderd die bediening van 'n hystoestel;
- (19) voertuie bestuur wat gemagtig is om 'n loonvrag van swaarder as 3 ton te vervoer;
- (20) gemeganiseerde vervoermiddels binne 'n inrigting bedien;
- (21) sekerheidsbeampte of hekweg, uitgesonderd 'n nagweg of 'n persoon wat in diens geneem word slegs vir die oop- en toemaak van hekke;
- (22) klerk in bevel van versending;
- (23) magasynman met algemene beheer oor magasyn of afgewerkte produkte en wat verantwoordelik is vir die ontvang, opberging, verpakking of uitpak van goedere in 'n magasyn en/of wat goedere uit 'n magasyn aflewer aan die verbruikersafdelings in 'n inrigting of vir versending;
- (24) assistent-stoomman, d.w.s. die uitvoer van enigeen van die pligte van 'n magasynman onder die magasynman se toesig;
- (25) 'n kragvalmes bedien vir die afsny of afskeur, uitgesonderd in die vervaardiging van holware en kantoor- of nywerheidsuitrusting;
- (26) 'n kragpersrem bedien of kragvoumasjien vir buig, vorm of vou, uitgesonderd in die vervaardiging van holware en kantoor- of nywerheidsuitrusting;
- (27) 'n kragpers bedien vir—
 - (a) die pers van koelkasonderdele, wasmasjienonderdele, onderdele vir elektriese stowe, onderdele vir elektriese warmplate, onderdele vir elektriese wateropbergverwarmers (waterverwarmers) of opwasbakke;
 - (b) (i) pers, uitgesonderd (a) hierbo;
 - (ii) ponswerk;
 - (iii) blinde stukke uitslaan;
 - (iv) uitkerwing;
 - (v) uitgleuwing;

uitgesonderd wanneer verrig volgens stoppe, leipatrone en/of ander plekbeplagingstoestelle.
- (c) Geen werkgewer in die Republiek van Suid-Afrika mag enige blanke persoon in sy diens op enige werk soos uiteengesit in paragraaf (b) of enige ander werk in daardie afdeling of gedeelte van die yster-, staal-, ingenieurs- en metallurgiese nywerhede waarop paragraaf (a) van toepassing is, vervang deur 'n werknemer wat nie 'n blanke persoon is nie.

2. WOORDOMSKEYWINGS.

Enige uitdrukking wat in hierdie Vasstelling gebesig word en wat in die Wet op Nywerheidsversoening, 1956, soos gewysig, omskryf is, het dieselfde betekenis as in dié Wet en, voorts, tensy strydig met die samehang, beteken—

„Yster-, Staal-, Ingenieurs- en Metaalnywerheid” die nywerhede soos omskryf in die Ooreenkoms van die Nasionale Nywerheidsraad vir die Yster-, Staal-, Ingenieurs- en Metaalnywerheid, gepubliseer by Goewermentskennisgewing No. 1984 in *Buitengewone Staatskoerant* No. 5762 van 29 Oktober 1956, naamlik die nywerhede wat te doen het met die vervaardiging van yster en/of staal en/of allooie en/of die verwerking en/of herwinning en/of raffinering van metale (uitgesonderd edelmetale) en/of allooie uit metaalskuim en/of afval en/of oorblyfsels; die onderhoud, fabrisering, oprigting of inmeekaarsit, bou, verandering, vervanging of herstel van enige masjien, voertuig (uitgesonderd 'n motorvoertuig) of artikel hoofsaaklik van metaal (uitgesonderd edelmetale) of dele of bestanddele daarvan en metaalbouwerk, met inbegrip van staalversterkings; die vervaardiging van metaalgoedere, hoofsaaklik van sodanige yster en/of staal en/of ander metale (uitgesonderd edelmetale) en/of allooie en/of die afwerking van metaalgoedere; die bou en/of verandering en/of herstel van bote en/of skepe, met inbegrip van die afskraap, afkap en/of afskaaf en/of verf van die rompe van bote en/of skepe en algemene houtwerk wat in verband met skeepsherstelwerk onderneem word, en dit omvat die elektrotegniese ingenieursnywerheid, hysers- en roltrapnywerheid en die plastieknywerheid, maar nie die motornywerheid nie;

"pay load" means the net carrying capacity or the net load which a vehicle may carry or haul in terms of any motor carrier's certificate or certificate of exemption issued in respect of such vehicle by a local road transportation board, in terms of the Motor Carrier Transportation Act, 1930, including any trailer while attached thereto, or in the absence of such stipulation in any such certificate, the load specified in a certificate issued by the National Industrial Council for the Iron, Steel, Engineering and Metallurgical Industries;

"vehicle" means a conveyance propelled by other than human or animal power and includes a tractor.

No. R. 1873.] [6 December 1963.]

The following Government Notice is republished for general information:—

No. 19.] [2 June 1961.]

INDUSTRIAL CONCILIATION ACT, 1956, AS AMENDED.

DETERMINATION No. 8 IN TERMS OF SECTION SEVENTY-SEVEN.

CLOTHING INDUSTRY, REPUBLIC OF SOUTH AFRICA.

I, JOHANNES DE KLERK, Minister of Labour, do hereby in terms of paragraph (a) of sub-section (7) of section seventy-seven of the Industrial Conciliation Act, 1956, as amended, make a Determination in accordance with the Schedule hereto, and in terms of paragraph (b) of the said sub-section fix—

- (a) the 2nd day of June, 1961, as the date from which the provisions of sub-paragraphs (aa) and (bb) of sub-section (3) (d) (iv) of section one, and of sub-section (4) of section one to the extent to which they relate to the matters dealt with in the said sub-paragraphs (aa) and (bb), of the said Determination shall be binding;
- (b) the 4th day of August, 1961, as the date from which the provisions of paragraphs (a) and (b) of sub-sections (1), (2) and (3), respectively, of section one, of paragraph (d) (i) of sub-section (3) of section one [save in so far as the provisions of the said paragraph (d) (i) are made subject to the provisions of paragraph (c) of the said sub-section (3)] and of sub-section (4) of section one to the extent to which they relate to the matters dealt with in the said paragraphs (a), (b) and (d) (i), of the said Determination shall be binding; and
- (c) the 5th day of December, 1961, as the date from which the remaining provisions of the said Determination shall be binding.

J. DE KLERK,
Minister of Labour.

[NOTE.—This notice replaces the notice published under Government Notice No. 651 of the 6th May, 1960, which is of no force or effect as the date fixed in paragraph (c) thereof is earlier than six months after the date of publication thereof and therefore not in compliance with section seventy-seven (7) (b) of the Act.]

SCHEDULE.

1. SCOPE AND APPLICATION OF THE DETERMINATION.

(1) In the Clothing Industry in the area comprising the Magisterial Districts of the Cape, Bellville, Bredasdorp, Caledon, Ceres, Heidelberg (Cape), Hopefield, Malmesbury, Montagu, Paarl, Piketberg, Robertson, Simonstown, Somerset West, Stellenbosch, Swellendam, Tulbagh, Wellington, Worcester, Wynberg, Kimberley, East London, King William's Town, Port Elizabeth, Durban, Inanda, Lower Tugela, Pietermaritzburg and Pinetown—

- (a) (i) subject to the provisions of sub-paragraph (ii), no employer shall on more than five working days during any calendar month have in his employ a smaller percentage of white employees, in proportion to the total number of his employees, than the percentage or the higher of the percentages which existed on the 28th August, 1959, and on the date of publication of this Determination;

„loonvrag", die netto dravermoë of die netto vraag wat 'n voertuig mag dra of trek ingevolge dit enige motorvervoersertifikaat of vrystellingsertifikaat, uitgereik ten opsigte van sodanige voertuig deur 'n plaaslike padvervoerraad ingevolge die Motortransportwet, 1930, met inbegrip van enige sleepwa terwyl dit daaraan aangeheg is, of by die afwesigheid van sodanige stipulasie in enige sodanige sertifikaat, die vraag gespesifiseer in 'n sertifikaat uitgereik deur Nasionale Nywerheidsraad vir die Yster-, Staal-, Ingenieurs- en Metaalnywerheid;

„voertuig", 'n vervoermiddel aangedryf deur 'n ander krag as menslike of dierekracht, en omvat 'n trekker.

No. R. 1873.] [6 Desember 1963.]

Onderstaande Goewermentskennisgewing word hierby herpubliseer vir algemene inligting:—

No. 19.] [2 Junie 1961.]

WET OP NYWERHEIDSVERSOENING, 1956, SOOS GEWYSIG.

VASSTELLING No. 8 KRAGTENS ARTIKEL SEWE-EN-SEWENTIG.

KLERASIENYWERHEID, REPUBLIEK VAN SUID-AFRIKA.

Ek, JOHANNES DE KLERK, Minister van Arbeid, maak hierby kragtens paragraaf (a) van subartikel (7) van artikel sewe-en-sewentig van die Wet op Nywerheidsversoening, 1956, soos gewysig, 'n Vasstelling ooreenkomstig die Bylae hiervan en bepaal hierby ooreenkomstig paragraaf (b) van genoemde subartikel—

- (a) die 2de dag van Junie 1961 as die datum met ingang waarvan die bepalings van subparagraawe (aa) en (bb) van subartikel (3) (d) (iv) van artikel een en van subartikel (4) van artikel een in dié mate waarin hulle op die aangeleenthede wat in genoemde subparagraawe (aa) en (bb) behandel word, betrekking het, van genoemde Vasstelling, bindend is;
- (b) die 4de dag van Augustus 1961 as die datum met ingang waarvan die bepalings van paragraawe (a) en (b) van onderskeidelik subartikels (1), (2) en (3) van artikel een, van paragraaf (d) (i) van subartikel (3) van artikel een [behalwe vir sover die bepalings van genoemde paragraaf (d) (i) onderworpe gemaak word aan die bepalings van paragraaf (c) van genoemde subartikel (3)] en van subartikel (4) van artikel een in dié mate waarin hulle op die aangeleenthede wat in genoemde paragraawe (a), (b) en (d) (i) behandel word, betrekking het, van genoemde Vasstelling bindend is; en
- (c) die 5de dag van Desember 1961 as die datum met ingang waarvan die oorblywende bepalings van genoemde Vasstelling bindend is.

J. DE KLERK,
Minister van Arbeid.

[NOTA.—Hierdie kennisgewing vervang die kennisgewing wat by Goewermentskennisgewing No. 651 van 6 Mei 1960 gepubliseer is en wat van nul en gener waarde is nie aangesien die datum wat in paragraaf (c) daarvan bepaal is vroeër as ses maande na die datum van publikasie daarvan is en daarom nie in ooreenstemming met artikel sewe-en-sewentig (7) (b) van die Wet is nie.]

BYLAE.

1. BESTEK EN TOEPASSING VAN DIE VASSTELLING.

(1) In die Klerasienywerheid in die gebied bestaande uit die landdrostdistrikte die Kaap, Bellville, Bredasdorp, Caledon, Ceres, Heidelberg (Kaap), Hopefield, Malmesbury, Montagu, Paarl, Piketberg, Robertson, Simonstad, Somerset-Wes, Stellenbosch, Swellendam, Tulbagh, Wellington, Worcester, Wynberg, Kimberley, Oos-Londen, King William's Town, Port Elizabeth, Durban, Inanda, Lower Tugela, Pietermaritzburg en Pinetown—

- (a) (i) mag geen werkgewer behoudens die bepalings van subparagraaf (ii), op meer as vyf werkdae gedurende enige kalendermaand 'n kleiner persentasie blanke werknemers, in verhouding tot sy totale getal werknemers, in sy diens hê nie as die persentasie of die hoogste van die persentasies wat op 28 Augustus 1959 en op die datum van publikasie van hierdie Vasstelling bestaan het;

(ii) if on the dates referred to in sub-paragraph (i) or on either of the said dates any employer had in his employ a number of white employees which constituted more than ten per cent of the total number of his employees on such dates or date, the provisions of the said sub-paragraph shall not apply to such employer during any period during which such employer has in his employ a number of white employees, which is not smaller than the number of white employees in his employ on the 28th August, 1959, nor smaller than the number of white employees in his employ on the date of publication of this Determination, and which constitutes not less than ten per cent of the total number of his employees;

(b) no employer shall on more than five working days in any calendar month have in his employ a smaller percentage of white employees and coloured employees, in proportion to the total number of his employees, than the percentage or the higher of the percentages which existed on the 28th August, 1959, and on the date of publication of this Determination;

(c) subject to the provisions of paragraph (a), whenever any post of an employee is for any reason whatsoever vacated by such employee, or whenever any post for the employment of any person as an employee of an employer or new employer is created, the work attaching to any such post is reserved for white employees and coloured employees, and no employee who is not a white person or a coloured person may perform such work.

(2) In the Clothing Industry in the area comprising the Republic of South Africa excluding the areas referred to in sub-sections (1) and (3)—

(a) no employer shall on more than five working days during any calendar month have in his employ a smaller percentage of white employees, in proportion to the total number of his employees, than the percentage or the higher of the percentages which existed on the 28th August, 1959, and on the date of publication of this Determination;

(b) no employer shall on more than five working days during any calendar month have in his employ a smaller percentage of white employees and coloured employees, in proportion to the total number of his employees, than the percentage or the higher of the percentages which existed on the 28th August, 1959, and on the date of publication of this Determination.

(3) In the Clothing Industry in the area comprising the Transvaal Province—

(a) subject to the provisions of paragraph (d), no employer shall on more than five working days during any calendar month have in his employ a smaller percentage of white employees, in proportion to the total number of his employees, than the percentage or the higher of the percentages which existed on the 28th August, 1959, and on the date of publication of this Determination;

(b) subject to the provisions of paragraph (d), no employer shall on more than five working days during any calendar month have in his employ a smaller percentage of white employees and coloured employees, in proportion to the total number of his employees, than the percentage or the higher of the percentages which existed on the 28th August, 1959, and on the date of publication of this Determination;

(c) (i) whenever any post of a chopper-out, marker-in, foreman, forewoman or supervisor is for any reason whatsoever vacated by such employee, or whenever any post for the employment of a chopper-out, marker-in, foreman, forewoman or supervisor as an employee of an employer or a new employer is created, the work attaching to any such post is reserved for white employees, and no employee who is not a white person may perform such work;

(ii) for the purpose of sub-paragraph (i)—

“chopper-out” means an employee engaged in cutting out garments or portions of garments by hand or machine from one or more layers of material;

“foreman” or “forewoman” means an employee in charge of employees in a factory, who exercises control over such employees or is charged with the responsibility of engaging or terminating the employment of such employees or is responsible for the efficient performance by them of their duties;

“marker-in” means an employee engaged in chalking or marking-in outlines of garments or portions of garments prior to chopping out;

“set or team” means a group of employees numbering three or more engaged in performing sectional operations in the making up of garments;

“set or team leader” means an employee in a set or team who is generally responsible for the work executed by the employees comprising such a set or team;

(ii) indien 'n werkgewer op die datums in subparagraaf (i) genoem of op enigen van genoemde datums 'n getal blanke werknemers in sy diens gehad het wat meer as tien persent van sy totale getal werknemers op sodanige datums of datum uitgemaak het, is die bepalings van genoemde subparagraaf nie op so 'n werkgewer van toepassing gedurende enige tydperk waarin dié werkgewer 'n getal blanke werknemers in sy diens het wat nie minder is nie as die getal blanke werknemers in sy diens op 28 Augustus 1959, ook nie minder nie as die getal blanke werknemers in sy diens op die datum van publikasie van hierdie Vasstelling, en wat minstens tien persent van sy totale getal werknemers uitmaak;

(b) mag geen werkgewer op meer as vyf werkdade in enige kalendermaand 'n kleiner persentasie blanke werknemers en gekleurde werknemers, in verhouding tot sy totale getal werknemers in sy diens hê nie as die persentasie of die hoogste van die persentasies wat op 28 Augustus 1959 en op die datum van publikasie van hierdie Vasstelling bestaan het;

(c) wanneer enige pos van 'n werknemer om watter rede ook al deur sodanige werknemer ontruim word, of wanneer enige pos vir die indiensneming van enige persoon as 'n werknemer van 'n werkgewer of nuwe werkgewer geskep word, word die werk wat aan enige sodanige pos verbonde is, behoudens die bepalings van paragraaf (a), vir blanke werknemers en gekleurde werknemers gereserveer, en geen werknemer wat nie 'n blanke of 'n gekleurde is, mag sodanige werk verrig nie.

(2) In die Klerasiensywerheid in die gebied bestaande uit die Republiek van Suid-Afrika, uitgesonderd die gebiede in subartikels (1) en (3) genoem—

(a) mag geen werkgewer op meer as vyf werkdade in enige kalendermaand 'n kleiner persentasie blanke werknemers in sy diens hê nie, in verhouding tot sy totale getal werknemers, as die persentasie of die hoogste van die persentasies wat op 28 Augustus 1959 en op die datum van publikasie van hierdie Vasstelling bestaan het;

(b) mag geen werkgewer op meer as vyf werkdade gedurende enige kalendermaand 'n kleiner persentasie blanke werknemers en gekleurde werknemers, in verhouding tot sy totale getal werknemers, in sy diens hê nie as die persentasie of die hoogste van die persentasies wat op 28 Augustus 1959 en op die datum van publikasie van hierdie Vasstelling bestaan het.

(3) In die Klerasiensywerheid in die gebied bestaande uit die Provinsie Transvaal—

(a) mag geen werkgewer, behoudens die bepalings van paragraaf (d), op meer as vyf werkdade gedurende enige kalendermaand 'n kleiner persentasie blanke werknemers, in verhouding tot sy totale getal werknemers, in diens hê nie as die persentasie of die hoogste van die persentasies wat op 28 Augustus 1959 en op die datum van publikasie van hierdie Vasstelling bestaan het;

(b) mag geen werkgewer, behoudens die bepalings van paragraaf (d) op meer as vyf werkdade gedurende enige kalendermaand 'n kleiner persentasie blanke werknemers en gekleurde werknemers, in verhouding tot sy totale getal werknemers, in sy diens hê nie as die persentasie of die hoogste van die persentasies wat op 28 Augustus 1959 en op die datum van publikasie van hierdie Vasstelling bestaan het;

(c) (i) wanneer enige pos van 'n uitkapper, afmerker, voorman, voorvrou of toesighouer om watter rede ook al deur sodanige werknemer ontruim word, of wanneer enige pos vir die indiensneming van 'n uitkapper, afmerker, voorman, voorvrou of toesighouer as 'n werknemer van 'n werkgewer of 'n nuwe werkgewer geskep word, word die werk wat aan enige sodanige pos verbonde is, gereserveer vir blanke werknemers en geen werknemer wat nie 'n blanke is, mag sodanige werk verrig nie;

(ii) vir die toepassing van subparagraaf (i) beteken—

„uitkapper” 'n werknemer wat kledingstukke of gedeeltes van kledingstukke met die hand of met 'n masjien uit een of meer lae materiaal sny;

„voorman” of „voorvrou” 'n werknemer wat toesig hou oor werknemers in 'n fabriek, beheer oor sodanige werknemers uitoefen of belas is met die verantwoordelikheid om sodanige werknemers in diens te neem of hul diens te beëindig of verantwoordelik is vir die doeltreffende verrigting deur hulle van hul werk;

„afmerker” 'n werknemer wat buitelyne van kledingstukke of gedeeltes van kledingstukke met kryt trek of afmerk voordat dit uitgekapt of -gesny word;

„groep of span” 'n groep werknemers van drie of meer wat werksaamhede stuksgegewys verrig in verband met die opmaak van kledingstukke;

„groep- of spanleier” 'n werknemer in 'n groep of span wat oor die algemeen verantwoordelik is vir die werk wat verrig word deur die werknemers waaruit so 'n groep of span bestaan;

"supervisor" means any female employee who, under supervision, is responsible for the efficient performance of the duties of the employees or a section of the employees in a factory, but does not include a set or team leader;

(d) (i) subject to the provisions of paragraph (c), if any employer on the dates referred to in paragraph (a) or on either of the said dates had in his employ a number of white employees which constituted more than twenty-five per cent of the total number of his employees on such dates or date, the provisions of the last-mentioned paragraph shall not apply to such employer during any period during which such employer has in his employ a number of white employees which is not smaller than the number of white employees in his employ on the 28th August, 1959, nor smaller than the number of white employees in his employ on the date of publication of this Determination, and which constitutes not less than twenty-five per cent of the total number of his employees;

(ii) whenever the number of employees in the employ of an employer referred to in paragraph (a) whose percentage of white employees determined in terms of the said paragraph was smaller than twenty-five per cent, exceeds the total number of the employees in proportion to which such percentage was determined, at least twenty-five per cent of the employees in excess of the said total number shall be white employees and at least fifty per cent of the balance of the employees in excess of the said total number shall be coloured employees: Provided that any such employer shall not be deemed to have contravened the provisions of this sub-paragraph if on not more than five working days during any calendar month less than twenty-five per cent of his employees in excess of the said total number were white employees or less than fifty per cent of the balance of his employees in excess of the said total number were coloured employees;

(iii) a new employer shall employ such number of—

(aa) white employees as constitutes at least twenty-five per cent of the total number of his employees;

(bb) coloured employees as constitutes at least fifty per cent of the total number of his coloured employees and native employees:

Provided that where a new employer—

(a) operates under an agreement of partnership and the parties to such agreement include any person who, or any person who was a partner in a firm or partnership which owing to any change in its membership or for any other reason ceased to be an employer in the Clothing Industry in the said area on or after the date of publication of this Determination; or

(b) is a private company in which a controlling interest is held by or on behalf of or in the interest of any person who, or any person who was a partner in a firm or partnership which, ceased to be an employer in the Clothing Industry in the said area on or after the date of publication of this Determination;

such new employer shall also not have in his employ on more than five working days during any calendar month a smaller percentage of white employees and of white employees and coloured employees than the percentage which the said person, firm or partnership, as the case may be, would have been obliged to employ in terms of paragraphs (a) and (b) of this sub-section if he or the said firm or partnership had not so ceased to be an employer in the Clothing Industry in the said area: Provided further that if the provisions of sub-paragraph (i) of paragraph (d) applied to the said person, firm or partnership, the provisions of the said sub-paragraph shall also apply to such new employer;

(iv) (aa) no employer shall replace a white employee who is in his employ as a machinist by an employee of another race;

(bb) no employer shall replace a coloured employee who is in his employ as a machinist by a native employee;

(cc) no employer who has in his employ machinists belonging to different races shall reduce the number of—

(a) white employees in his employ as machinists while he employs coloured persons or natives as machinists;

„toesighouer" enige vroulike werknemer wat, onder toesig, verantwoordelik is vir die deeglike uitvoering van die pligte van die werknemers of 'n seksie van die werknemers in 'n fabriek, maar omvat nie 'n groep- of spanleier nie;

(d) (i) behoudens die bepalings van paragraaf (c), indien enige werkgever op die datums in paragraaf (a) genoem of op enigeen van die genoemde datums 'n getal blanke werknemers in sy diens gehad het wat meer as vyf-en-twintig persent van sy totale getal werknemers op genoemde datums of datum uitgemaak het, is die bepalings van laasgenoemde paragraaf nie van toepassing op sodanige werkgever gedurende enige tydperk waarin sodanige werkgever in sy diens 'n getal blanke werknemers het wat nie minder is nie as die getal blanke werknemers in sy diens op 28 Augustus 1959, ook nie minder as die getal blanke werknemers in sy diens op die datum van publikasie van hierdie Vastelling nie, en wat minstens vyf-en-twintig persent van sy totale getal werknemers uitmaak;

(ii) wanneer die getal werknemers in diens by 'n werkgever in paragraaf (a) genoem, wie se persentasie blanke werknemers, ooreenkomstig genoemde paragraaf vasgestel kleiner as vyf-en-twintig persent was, meer is as die totale getal werknemers in verhouding waartoe sodanige persentasie bepaal is, moet minstens vyf-en-twintig persent van die werknemers wat die genoemde totale getal oorskry, blanke werknemers wees en moet minstens vyftig persent van die orige werknemers wat die genoemde totale getal oorskry, gekleurde werknemers wees: Met dien verstande dat enige sodanige werkgever nie geag moet word die bepalings van hierdie subparagraaf te oortree het nie indien op nie meer nie as vyf werkdag in enige kalendermaand minder as vyf-en-twintig persent van sy werknemers bo die genoemde totale getal, blanke werknemers was of minder as vyftig persent van die res van sy werknemers bo die genoemde totale getal gekleurde werknemers was;

(iii) moet 'n nuwe werkgever so 'n getal—

(aa) blanke werknemers in diens hê as wat minstens vyf-en-twintig persent van sy totale getal werknemers uitmaak;

(bb) gekleurde werknemers in diens hê as wat minstens vyftig persent van sy totale getal gekleurde werknemers en naturellewerknemers uitmaak:

Met dien verstande dat wanneer 'n nuwe werkgever—

(a) sake doen kragtens 'n vennootskapsooreenkoms en die partye by sodanige ooreenkoms enige persoon insluit wat, of enige persoon wat 'n vennoot in 'n firma of vennootskap was wat as gevolg van enige verandering in sy lidmaatskap of om enige ander rede, opgehou het om 'n werkgever in die Klerasiennywerheid in genoemde gebied te wees op of na die datum van publikasie van hierdie Vastelling; of 'n private maatskappy is waarin 'n beherende aandeel gehou word deur of namens of in belang van enige persoon wat, of enige persoon wat 'n vennoot was in 'n firma of vennootskap wat, opgehou het om 'n werkgever te wees in die Klerasiennywerheid in genoemde gebied op of na die datum van publikasie van hierdie Vastelling;

sodanige nuwe werkgever ook nie op meer as vyf werkdag in enige kalendermaand 'n kleiner persentasie blanke werknemers en of blanke werknemers en gekleurde werknemers in diens mag hê nie as die persentasie wat genoemde persoon, firma of vennootskap, na gelang van die geval, verplig sou gewees het om in diens te neem ooreenkomstig paragraaf (a) en (b) van hierdie subartikel indien hy of die genoemde firma of vennootskap nie aldus opgehou het om 'n werkgever in die Klerasiennywerheid in die genoemde gebied te wees nie: Voorts met dien verstande dat indien die bepalings van subparagraaf (1) van paragraaf (d) van toepassing op genoemde persoon, firma of vennootskap was, die bepalings van genoemde subparagraaf ook op sodanige nuwe werkgever van toepassing is;

(iv) (aa) mag geen werkgever 'n blanke werknemer wat as masjinis in sy diens is, deur 'n werknemer van 'n ander ras vervang nie;

(bb) mag geen werkgever 'n gekleurde werknemer wat as masjinis in sy diens is, deur 'n naturellewerknemer vervang nie;

(cc) mag geen werkgever wat masjiniste in sy diens het wat aan verskillende rasse behoort, die getal—

(a) blanke werknemers, in sy diens as masjiniste, verminder terwyl hy gekleurdes of naturelle as masjiniste in sy diens het nie;

- (b) coloured employees in his employ as machinists while he employs natives as machinists;

and for the purpose of this sub-paragraph "machinist" means any employee who by means of a hand, treadle or power-driven machine performs any sewing operation in the making of any garment, including the sewing of seams and hems, the attachment of trimmings, tapes, buttons, braids, lace or other accessories or embellishments, and the making of button-holes.

(4) If any employer—

- (a) who conducts a factory in any area referred to in sub-section (1), (2) or (3) opens one or more new factories in the same area, such new factory or factories shall for the purposes of the application of this Determination to such employer in relation to such new factory or factories, be deemed to be part and parcel of such first-mentioned factory;
- (b) who conducts two or more factories in any area referred to in sub-section (1), (2) or (3), opens one or more new factories in the same area, such new factory or factories shall for the purposes of the application of this Determination to such employer in relation to such new factory or factories, be deemed to be part and parcel of such of the first-mentioned factories in relation to which he employs the highest percentage of white employees;
- (c) who conducts a factory in any area referred to in sub-section (1), (2) or (3) closes such factory and at any time thereafter opens one or more new factories in the same area, such new factory or such new factories together shall for the purpose of the application of this Determination to such employer in relation to such new factory or factories, be deemed to be such first-mentioned factory;
- (d) who conducts two or more factories in any area referred to in sub-section (1), (2) or (3), closes one or more or all of such factories and at any time thereafter opens one or more new factories in the same area, such new factory or such new factories together shall for the purposes of the application of this Determination to such employer in relation to such new factory or factories—
- (i) in any case in which such employer has closed such of the first-mentioned factories in relation to which he employed the highest percentage of white employees, be deemed to be such factory; or
- (ii) in any case in which such employer has not closed such of the first-mentioned factories in relation to which he employs the highest percentage of white employees, be deemed to be part and parcel of such factory.

2. MEANING OF "28TH AUGUST, 1959".

(1) In this Determination the expression "28th August, 1959" shall, in relation to an employer who was not an employer in the Clothing Industry in the area concerned on the 28th August, 1959, be deemed to refer to the first Friday after the said date on which such employer was an employer in the Clothing Industry in such area.

(2) If in the case of any particular employer it is not possible to obtain for the purposes of the relative provisions of this Determination information relating to the 28th August, 1959, or to any Friday to which the expression "28th August, 1959," is in terms of sub-section (1) deemed to refer, the expression "28th August, 1959," shall in such case be deemed to refer to the first Friday after the 28th August, 1959, in respect of which such information is obtainable: Provided that if in the case of an employer in the area referred to in sub-section (3) of section one such first Friday falls on a date after the date of publication of this Determination, the minimum percentage of white employees and the minimum percentage of coloured employees to be employed by such employer, shall in such case be not smaller than that prescribed in sub-paragraph (iii) of paragraph (d) of sub-section (3) of section one for a new employer.

3. DEFINITIONS.

(1) In this Determination, unless otherwise defined in this section or unless the context otherwise indicates, any word or expression to which a meaning has been assigned in the Industrial Conciliation Act, 1956 (Act No. 28 of 1956), as amended, shall when used in this Determination, have the same meaning, and—

"Clothing Industry" means the industry in which employers and employees are associated for the purpose of making any one or more of the following classes of wearing apparel, namely—

- (a) outer garments, underwear or nightwear;
- (b) ties;
- (c) men's or boys' tweed or linen hats or caps;

- (b) gekleurde werknemers, in sy diens as masjiniste, verminder terwyl hy natuurlike as masjiniste in sy diens het nie;

en vir die toepassing van hierdie subparagraaf beteken "masjinis" enige werknemer wat met 'n hand-, trap- of kragaangedrewe masjien enige naaiwerk verrig in die maak van enige kledingstuk, met inbegrip van die naai van nate en some, die aanhegting van belegsels, bandjies, knope, omboorsels, kant of ander bybehore of versierings, en die maak van knoopsgate.

(4) Indien enige werkgever—

- (a) wat 'n fabriek dryf in enige gebied in subartikel (1), (2) of (3) genoem, een of meer nuwe fabriek in dieselfde gebied open, moet sodanige nuwe fabriek of fabriek vir die doeleindes van die toepassing van hierdie Vasstelling op sodanige werkgever met betrekking tot sodanige nuwe fabriek of fabriek, as part en deel van sodanige eersgenoemde fabriek beskou word;
- (b) wat twee of meer fabriek dryf in enige gebied in subartikel (1), (2) of (3) genoem, een of meer nuwe fabriek in dieselfde gebied open, moet sodanige nuwe fabriek of fabriek vir die doeleindes van die toepassing van hierdie Vasstelling op sodanige werkgever met betrekking tot sodanige nuwe fabriek of fabriek, as part en deel van sodanige van die eersgenoemde fabriek beskou word met betrekking tot welke hy die hoogste persentasie blanke werknemers in diens het;
- (c) wat 'n fabriek dryf in enige gebied in subartikel (1), (2) of (3) genoem, sodanige fabriek sluit en te eniger tyd daarna een of meer nuwe fabriek in dieselfde gebied open, moet sodanige nuwe fabriek of sodanige nuwe fabriek tesame vir die doeleindes van die toepassing van hierdie Vasstelling op sodanige werkgever met betrekking tot sodanige nuwe fabriek of fabriek as sodanige eersgenoemde fabriek beskou word;
- (d) wat twee of meer fabriek dryf in enige gebied in subartikel (1), (2) of (3) genoem, een of meer of al sodanige fabriek sluit en te eniger tyd daarna een of meer nuwe fabriek in dieselfde gebied open, moet sodanige nuwe fabriek of sodanige nuwe fabriek tesame vir die doeleindes van die toepassing van hierdie Vasstelling op sodanige werkgever met betrekking tot sodanige nuwe fabriek of fabriek—
- (i) in enige geval waarin sodanige werkgever sodanige van die eersgenoemde fabriek gesluit het met betrekking tot welke hy die hoogste persentasie blanke werknemers in diens gehad het, as sodanige fabriek beskou word; of
- (ii) in enige geval waarin sodanige werkgever nie sodanige van eersgenoemde fabriek gesluit het nie met betrekking tot welke hy die hoogste persentasie blanke werknemers in diens het, as part of deel van sodanige fabriek beskou word.

2. BETEKENIS VAN „28 AUGUSTUS 1959“.

(1) In hierdie Vasstelling word die uitdrukking „28 Augustus 1959“ met betrekking tot 'n werkgever wat nie op 28 Augustus 1959 'n werkgever in die Klerasienywerheid in die betrokke gebied was nie, geag te verwys na die eerste Vrydag na die genoemde datum waarop sodanige werkgever 'n werkgever in die Klerasienywerheid in sodanige gebied was.

(2) Indien dit in die geval van enige bepaalde werkgever nie moontlik is om vir die toepassing van die toepaslike bepalinge van hierdie Vasstelling inligting te verkry met betrekking tot 28 Augustus 1959 of tot enige Vrydag waarna die uitdrukking „28 Augustus 1959“ ooreenkomstig subartikel (1) geag word te verwys nie, moet die uitdrukking „28 Augustus 1959“ in sodanige geval geag word te verwys na die eerste Vrydag ná 28 Augustus 1959 ten opsigte waarvan sodanige inligting verkrygbaar is: Met dien verstande dat indien sodanige eerste Vrydag in die geval van 'n werkgever in die gebied genoem in subartikel (3) van artikel een op 'n datum na die datum van publikasie van hierdie Vasstelling val, die minimum persentasie blanke werknemers en die minimum persentasie gekleurde werknemers wat sodanige werkgever in diens moet hê, in sodanige geval nie kleiner mag wees as dié wat in subparagraaf (iii) van paragraaf (d) van subartikel (3) van artikel een vir 'n nuwe werkgever voorgeskryf is nie.

3. WOORDBEPALINGS.

(1) In hierdie Vasstelling, tensy dit anders in hierdie artikel omskryf word of tensy dit uit die samehang anders blyk, het enige woord of uitdrukking waaraan 'n betekenis geheg is in die Wet op Nywerheidsversoeniging, 1956 (Wet No. 28 van 1956), soos gewys, wanneer dit in hierdie Vasstelling gebesig word, dieselfde betekenis, en beteken—

„klerasienywerheid“ die nywerheid waarin werkgevers en werknemers geassosieer is met die doel om een of meer van die volgende klasse klere te maak, naamlik—

- (a) boklere, onderklere of nagklere;
- (b) dasse;
- (c) tweed- of linnehoede of -pette vir mans of seuns;

but does not include the making of—

- (i) garments to the measurements of individual persons except in the execution of orders from any Government Department, Provincial Administration, the South African Railways and Harbours, or local authorities;
 - (ii) knitted garments; and
 - (iii) wearing apparel from furs or pelts;
- “coloured employee” means an employee who is a coloured person;
- “employee” means—

(a) in the Cape Province—

- (i) in the Magisterial Districts of Barkly West, Beaufort West, Bellville, Bredasdorp, Britstown, Caledon, Calitzdorp, Calvinia, the Cape, Carnarvon, Ceres, Clanwilliam, De Aar, Fraserburg, George, Gordonias, Hay, Heidelberg (Cape), Herbert, Hopefield, Hopetown, Kenhardt, Knysna, Kuruman, Ladismith (Cape), Laingsburg, Mafeking, Malmesbury, Montagu, Mossel Bay, Namaqualand, Oudtshoorn, Paarl, Philipstown, Piketberg, Postmasburg, Prieska, Prince Albert, Riversdale, Robertson, Simonstown, Somerset West, Stellenbosch, Sutherland, Swellendam, Taung, Tulbagh, Uniondale, Vanrhynsdorp, Victoria West, Vredenburg, Vryburg, Warrenton, Wellington, Williston, Worcester and Wynberg—

an employee falling within the class of employees referred to in clause 4 (1), Parts A, B and D, read with clause 3, of the Agreement of the Industrial Council for the Clothing Industry (Cape), published under Government Notice No. 238 in *Extraordinary Government Gazette* No. 6182, of the 13th February, 1959, except that such class does not include—

errand boy, messenger, storeman, tea girl, and unskilled labourer;

- (ii) in the rest of the Magisterial Districts, excluding the Magisterial District of Kimberley—

an employee falling within the class of employees referred to in clause 4 (1) (a), (b), (c), (d), (e), (f), (g), (h), (i), (j) and (m), read with clause 3, of the agreement of the Industrial Council for the Clothing Industry, Eastern Province, published under Government Notice No. 987 in *Extraordinary Government Gazette* No. 6246 of the 26th June, 1959;

(b) in the Province of Natal—

an employee falling within the class of employees referred to in clause 4 (1), read with clause 3, of the agreement of the Industrial Council for the Clothing Industry (Natal), published under Government Notice No. 1911 in *Extraordinary Government Gazette* No. 5759 of the 19th October, 1956, except that such class does not include—

assistant storeman, storeman, labourer and office employee;

(c) in the Province of the Transvaal and the Orange Free State and in the Magisterial District of Kimberley—

an employee falling within the class of employees referred to in clause 4 (1) (a), (b), (c), (d), (e), (f), (g), (h), (i) and (j), read with clause 3, of the agreement of the Industrial Council for the Clothing Industry (Transvaal), published under Government Notice No. 2360 in *Extraordinary Government Gazette* No. 5791 of the 21st December, 1956, and such class includes a boiler-attendant, despatch packer and night watchman, but does not include a person employed on making tea or similar beverages;

and in paragraphs (a), (b) and (c) the expression “class of employees” includes male employees whenever female employees only are referred to, and female employees whenever male employees only are referred to;

“employer” in relation to any area referred to in sub-section (1), (2) or (3) of section one, means any person who is an employer in the Clothing Industry in such area on the date of publication of this Determination;

“native employee” means an employee who is a native;

“new employer” in relation to any area referred to in sub-section (1), (2) or (3) of section one, means any person who becomes an employer in the Clothing Industry in such area after the date of publication of this Determination;

“white employee” means an employee who is a white person.

(2) Any reference in this Determination to a percentage of white employees or coloured employees or white employees and coloured employees of an employer or a new employer, in proportion to the total number of the employees of such employer or new employer, shall be read and construed as a reference to the percentage of white employees or coloured employees or white employees and coloured employees, as the case may be, employed by such employer or new employer in relation to any particular factory, in proportion to the total number of employees employed by such employer or new employer in relation to such particular factory.

maar omvat nie die maak van die volgende nie:—

- (i) Klere op die maat van individuele persone, behalwe in die uitvoering van bestellings van enige Staatsdepartemente, Provinsiale Administrasie, die Suid-Afrikaanse Spoorweë en Hawens of plaaslike owerhede;
 - (ii) gebreide kledingstukke; en
 - (iii) klere van pelse of velle;
- „gekleurde werknemer” ’n werknemer wat ’n gekleurde is; „werknemer” —

(a) in Kaapland—

- (i) in die landdrostdistrikte Barkly-Wes, Beaufort-Wes, Bellville, Bredasdorp, Britstown, Caledon, Calitzdorp, Calvinia, die Kaap, Carnarvon, Ceres, Clanwilliam, De Aar, Fraserburg, George, Gordonias, Hay, Heidelberg (Kaap), Herbert, Hopefield, Hopetown, Kenhardt, Knysna, Kuruman, Ladismith (Kaap), Laingsburg, Mafeking, Malmesbury, Montagu, Mosselbaai, Namakwaland, Oudtshoorn, Paarl, Philipstown, Piketberg, Postmasburg, Prieska, Prince Albert, Riversdal, Robertson, Simonstad, Somerset-Wes, Stellenbosch, Sutherland, Swellendam, Taung, Tulbagh, Uniondale, Vanrhynsdorp, Victoria-Wes, Vredenburg, Vryburg, Warrenton, Wellington, Williston, Worcester en Wynberg—

’n werknemer wat ressorteer in die klas werknemers genoem in klousule 4 (1), Dele A, B en D, gelees met klousule 3, van die ooreenkoms van die Nywerheidsraad vir die Klerasiennywerheid (Kaap), gepubliseer by Goewermentskennisgewing No. 238 in *Buitengewone Staatskoerant* No. 6182 van 13 Februarie 1959, behalwe dat sodanige klas nie die volgende insluit nie:—

Bode, boodskapper, stoorman, teemaakster, en ongeskoolde arbeider;

- (ii) in die orige landdrostdistrikte, met uitsondering van die landdrostdistrik Kimberley—

’n werknemer wat ressorteer in die klas werknemers genoem in klousule 4 (1) (a), (b), (c), (d), (e), (f), (g), (h), (i), (j), en (m), gelees met klousule 3, van die ooreenkoms van die Nywerheidsraad vir die Klerasiennywerheid, Oostelike Provinsie, gepubliseer by Goewermentskennisgewing No. 987 in *Buitengewone Staatskoerant* No. 6246 van 26 Junie 1959;

(b) in die Provinsie Natal—

’n werknemer wat ressorteer in die klas werknemers genoem in klousule 4 (1), gelees met klousule 3, van die ooreenkoms van die Nywerheidsraad vir die Klerasiennywerheid (Natal), gepubliseer by Goewermentskennisgewing No. 1911 in *Buitengewone Staatskoerant* No. 5759 van 19 Oktober 1956, behalwe dat sodanige klas nie die volgende insluit nie:—

Assistent-magasyneester, magasyneester, arbeider en kantoorwerker;

(c) in die Provinsie Transvaal en die Oranje-Vrystaat en in die landdrostdistrik Kimberley—

’n werknemer wat ressorteer in die klas werknemers genoem in klousule 4 (1) (a), (b), (c), (d), (e), (f), (g), (h), (i) en (j), gelees met klousule 3, van die ooreenkoms van die Nywerheidsraad vir die Klerasiennywerheid (Transvaal), gepubliseer by Goewermentskennisgewing No. 2360 in *Buitengewone Staatskoerant* No. 5791 van 21 Desember 1956, en sodanige klas omvat keteloppasser, versendingsverpakker en nagaw, maar omvat nie ’n persoon wat in diens is om tee of dergelike drank te maak nie;

en in paragrawe (a), (b) en (c) omvat die uitdrukking „klas werknemers” manlike werknemers wanneer slegs na vroulike werknemers verwys word, en vroulike werknemers wanneer slegs na manlike werknemers verwys word;

„werkgever” met betrekking tot enige gebied genoem in sub-artikel (1), (2) of (3) van artikel een, enige persoon wat ’n werkgever in die Klerasiennywerheid in sodanige gebied op die datum van publikasie van hierdie Vasstelling is;

„naturellewerknemer” ’n werknemer wat ’n naturel is;

„nuwe werkgever” met betrekking tot enige gebied genoem in subartikel (1), (2) of (3) van artikel een, enige persoon wat ’n werkgever in die Klerasiennywerheid in sodanige gebied word ná die datum van publikasie van hierdie Vasstelling;

„Blanke werknemer” ’n werknemer wat ’n Blanke is.

(2) Enige verwysing in hierdie Vasstelling na ’n persentasie Blanke werknemers of gekleurde werknemers of Blanke werknemers en gekleurde werknemers van ’n werkgever of ’n nuwe werkgever, in verhouding tot die totale getal werknemers van sodanige werkgever of nuwe werkgever, moet gelees en uitgelê word as ’n verwysing na die persentasie Blanke werknemers of gekleurde werknemers of blanke werknemers en gekleurde werknemers, na gelang van die geval, in diens by sodanige werkgever of nuwe werkgever met betrekking tot enige bepaalde fabriek, in verhouding tot die totale getal werknemers in diens by sodanige werkgever of nuwe werkgever met betrekking tot sodanige bepaalde fabriek.

DEPARTMENT OF JUSTICE.

DEPARTEMENT VAN JUSTISIE.

No. R. 1866.] [6 December 1963.
PUBLICATION OF PARTICULARS IN TERMS OF
SECTION *TEN TER* OF THE SUPPRESSION OF
COMMUNISM ACT, 1950 (ACT No. 44 OF 1950),
AS AMENDED.

No. R. 1866.] [6 Desember 1963.
AFKONDIGING VAN BESONDERHEDE
INGEVOLGE ARTIKEL *TEN TER* VAN DIE
WET OP DIE ONDERDRUKKING VAN KOM-
MUNISME, 1950 (WET No. 44 VAN 1950), SOOS
GEWYSIG.

The Minister of Justice has, by virtue of the powers
vested in him by section *ten ter* of the Suppression of
Communism Act, 1950 (Act No. 44 of 1950), as amended,
approved the publication in the *Government Gazette* of
the undermentioned particulars of a notice issued in terms
of sub-section (1) of section *nine* of the said Act whereby
the undermentioned person was prohibited from attending
gatherings:—

Die Minister van Justisie het kragtens die bevoegdheid
hom verleen by artikel *ten ter* van die Wet op die Onder-
drukking van Kommunisme, 1950 (Wet No. 44 van 1950),
soos gewysig, sy goedkeuring geheg aan die afkondiging
in die *Staatskoerant* van onderstaande besonderhede van
'n kennisgewing wat ingevolge subartikel (1) van artikel
nege van genoemde Wet uitgereik is waarby onder-
genoemde persoon verbied is om byeenkomste by te
woon:—

Name. <i>Naam.</i>	Address mentioned in Notice. <i>Adres in kennisgewing vermeld.</i>	Date on which Notice was delivered. <i>Datum waarop kennisgewing oorhandig is.</i>	Date on which Notice expires. <i>Datum waarop kennisgewing verstryk.</i>
Lekoto, Meremetsi.....	1925 Moroka Location/-lokasie, Johannesburg.....	1/11/63	30/9/68

DEPARTMENT OF CUSTOMS AND EXCISE.

DEPARTEMENT VAN DOEANE EN AKSYNS.

No. R. 1900.] [6 December 1963.
CUSTOMS ACT, 1955.—AMENDMENT OF THE
THIRD SCHEDULE (No. 3/111).

No. R. 1900.] [6 Desember 1963.
DOEANEWET, 1955.—WYSIGING VAN DIE DERDE
BYLAE (No. 3/111).

I, THEOPHILUS EBENHAEZER, DÖNGES, Minister of
Finance, acting in terms of the powers vested in me by
section *one hundred* of the Customs Act, 1955, hereby
amend the Third Schedule to the said Act to the extent
set out in the Schedule hereto.

Ek, THEOPHILUS EBENHAEZER DÖNGES, Minister van
Finansies, handelende kragtens die bevoegdheid my ver-
leen by artikel *honderd* van die Doeane wet, 1955, wysig
hierby die Derde Bylae van genoemde Wet in die mate
in die Bylae hiervan aangetoon.

T. E. DÖNGES,
Minister of Finance.

T. E. DÖNGES,
Minister van Finansies.

SCHEDULE.

Item.	Article.	Rebate.	Refund.
966	By the addition, after sub-paragraph (77) of paragraph (a), of the following sub-paragraph:— “(78) fur and press fasteners used, in the manufacture of leather gloves;	—	The whole duty.”

NOTE.—The effect of this notice is to provide for a refund of the whole duty on fur and press
fasteners when used in the manufacture of leather gloves, on export of the manufactured products
to territories other than Basutoland and the Protectorates of Bechuanaland and Swaziland.

BYLAE.

Item.	Artikel.	Korting.	Terug- betaling.
966	Deur na subparagraaf (77) van paragraaf (a) die volgende subparagraaf by te voeg:— „ (78) pels en drukknoppe, gebruik by die vervaardiging van leerhandskoene;	—	Die hele reg.”

OPMERKING.—Die uitwerking van hierdie kennisgewing is dat voorsiening vir 'n terug-
betaling van die hele reg gemaak word op pels en drukknoppe wanneer gebruik by die vervaardiging
van leerhandskoene, by uitvoer van die vervaardigde produkte na ander gebiede as Basoetoland
en die Protektorate Betsjoeanaland en Swaziland.

No. R. 1899.]

[6 December 1963.]

CUSTOMS ACT, 1955.—AMENDMENT OF THE
SECOND SCHEDULE (No. 2/368).

I, THEOPHILUS EBENHAEZER DÖNGES, Minister of Finance, acting in terms of the powers vested in me by section *ninety-eight* of the Customs Act, 1955, hereby amend the Second Schedule to the said Act to the extent set out in the Schedule hereto.

T. E. DÖNGES,
Minister of Finance.

No. R. 1899.]

[6 Desember 1963.]

DOEANEWET, 1955.—WYSIGING VAN DIE
TWEDE BYLAE (No. 2/368).

Ek, THEOPHILUS EBENHAEZER DÖNGES, Minister van Finansies, handelende kragtens die bevoegdheid my verleen by artikel *agt-en-negentig* van die Doeane wet, 1955, wysig hierby die Tweede Bylae van genoemde Wet in die mate in die Bylae hiervan aangetoon.

T. E. DÖNGES,
Minister van Finansies.

SCHEDULE.

Item.	Article.	Duty rebated as under.
416	By the addition, after item 415, of the following item:— “416 <i>Egg Powder manufacturing industry.</i> — Enzymic catalysts.....	To the extent of the intermediate duty.”
468	By the deletion of the item.	
504	By the substitution, for the heading to the item, of the following heading:— “ <i>Industry for the manufacture of articles of fur (including karosses and floor coverings) and articles of imitation fur (excluding carpets and mats).</i> —”	
506	By the substitution, for the item, of the following item:— “506 <i>Industry for the manufacture of padded or stuffed bedding and similar furnishings.</i> — (1) Printed woven fabrics, commonly known as downproof sateen, containing 50 per cent or more by weight of cotton..... (2) Printed woven fabrics, commonly known as downproof sateen, containing more than 50 per cent by weight of rayon or cellulose acetate or mixtures thereof..... (3) Woven fabrics containing 50 per cent or more by weight of man-made fibre, excluding rayon or cellulose acetate..... (4) Plain coloured unprinted rayon fabrics manufactured from 50 per cent or more by weight of filament yarn..... (5) Woven unprinted fabrics, commonly known as downproof sateen, containing 50 per cent or more by weight of cotton, for the manufacture of sleeping bags.....	The whole duty. The whole duty. The whole duty. The whole duty. To the extent of the intermediate duty.”
508	By the substitution, for the item, of the following item:— “508 (No paragraph.)”	
567	By the substitution, for the item, of the following item:— “567 <i>Paper yarn manufacturing industry.</i> — Paper for spinning paper yarn.....	To the extent of the intermediate duty.”
591	By the addition, after paragraph (23), of the following paragraph:— “(24) Waxed paper and woven jute fabrics, for the printing of banknotes.....	To the extent of the intermediate duty.”
721	By the addition, after paragraph (8), of the following paragraph:— “(9) Unplasticised polyvinyl chloride sheets or plates, for the manufacture of bottles and similar containers..	To the extent of the intermediate duty.”
758	By the addition, after paragraph (21), of the following paragraph:— “(22) N, N-di-n-butyl-p-chlorobenzene-sulphonamide, for use in the manufacture of insecticides with dichlorodiphenyl trichloro-ethane (D.D.T.) as basis.....	To the extent of the intermediate duty.”
767	By the addition, after paragraph (2), of the following paragraphs:— “(3) Salicylic acid (technical grade), for the manufacture of salicylic acid and acetylsalicylic acid, of pharmaceutical grade..... (4) Acetic anhydride, for the manufacture of acetylsalicylic acid and other chemicals, of pharmaceutical grade	The whole duty. To the extent of the intermediate duty.”

NOTE.—The effect of this notice is—

- to provide for a rebate of duty, to the extent indicated, on the goods mentioned in items 416, 591 (24), 721 (9), 758 (22) and 767 (3) and (4), when imported or taken out of bond by registered manufacturers for use in certain industries,
- to amend the heading to item 504,
- to extend the existing provisions of item 506,
- to combine the provisions of items 468, 506 and 508 into one item, No. 506; and
- to extend the provision of item 567 to provide for a rebate to the extent of the intermediate duty on paper when imported or taken out of bond by registered manufacturers for use in the spinning of paper yarn.

BYLAE.

Item.	Artikel.	Korting op reg toege- staan soos hieronder aangedui.
416	Deur na item 415 die volgende item by te voeg:— „416 <i>Eierpoeiervervaardigingsnywerheid.</i> — Ensiemiese katalisators.....	Tot die bedrag van die intermediêre reg.”
468	Deur die item te skrap.	
504	Deur die opskrif van die item deur die volgende opskrif te vervang:— „ <i>Nywerheid vir die vervaardiging van pelsartikels (met inbegrip van karosse en vloerbedekkings) en artikels van nagmaakte pels (uitgesonderd matte en tapyte).</i> —”	
506	Deur die item deur die volgende item te vervang:— „506 <i>Nywerheid vir die vervaardiging van opgedikte of opgestopte beddegoed en dergelike meublement.</i> — (1) Bedrukte weefstowwe, gewoonlik bekend as dons- digte satyn, bevattende 50 persent of meer katoen volgens gewig..... (2) Bedrukte weefstowwe, gewoonlik bekend as dons- digte satyn, bevattende volgens gewig meer as 50 persent rayon of sellulose-asetaat of mengsels daarvan..... (3) Weefstowwe bevattende volgens gewig meer as 50 persent gefabrisseerde vesel, uitgesonderd rayon of sellulose-asetaat..... (4) Effekleurige onbedrukte rayonstowwe vervaardig uit 50 persent of meer, volgens gewig, kontinugare- draad..... (5) Onbedrukte weefstowwe, gewoonlik bekend as donsdigte satyn, bevattende 50 persent of meer katoen, volgens gewig, vir die vervaardiging van slaapsakke.....	Die hele reg. Die hele reg. Die hele reg. Die hele reg. Tot die bedrag van die intermediêre reg.”
508	Deur die item deur die volgende item te vervang:— „508 (Geen paragraaf.)”	
567	Deur die item deur die volgende item te vervang:— „567 <i>Papiergaringvervaardigingsnywerheid.</i> — Papier vir die spin van papiergaring.....	Tot die bedrag van die intermediêre reg.”
591	Deur na paragraaf (23) die volgende paragraaf by te voeg:— „(24) Bewaste papier en geweefde jutestowwe vir die druk van banknote.....	Tot die bedrag van die intermediêre reg.”
721	Deur na paragraaf (8) die volgende paragraaf by te voeg:— „(9) Ongeplastiseerde polivinielchloriedvelle of -plate, vir die vervaardiging van bottels en soortgelyke houers	Tot die bedrag van die intermediêre reg.”
758	Deur na paragraaf (21) die volgende paragraaf by te voeg:— „(22) N, N-di-n-butiel-p-chloorbenseensulfonamied, vir gebruik by die vervaardiging van insekdoders met dichloordifenieltrichlooretaan (D.D.T.) as basis....	Tot die bedrag van die intermediêre reg.”
767	Deur na paragraaf (2) die volgende paragrawe by te voeg:— „(3) Salisielsuur (tegniese graad), vir die vervaardiging van salisielsuur en asietisalielsuur, van farmaseutiese graad..... (4) Asynsuuranhidried, vir die vervaardiging van asietis- salisielsuur en ander chemikalieë, van farmaseutiese graad.....	Die hele reg. Tot die bedrag van die intermediêre reg.”

OPMERKING.—Die uitwerking van hierdie kennisgewing is—

- dat voorsiening vir 'n korting van reg, in die mate aangetoon, gemaak word op die goedere genoem in items 416, 591 (24), 721 (9), 758 (22) en 767 (3) en (4), wanneer ingevoer of uit entrepot geneem deur geregistreerde vervaardigers vir gebruik in sekere nywerhede,
- dat die opskrif van item 504 gewysig word,
- dat die bestaande voorsienings van item 506 uitgebrei word,
- dat die voorsienings van items 468, 506 en 508 in een item, No. 506, saamgevat word; en
- dat die voorsiening van item No. 567 uitgebrei word om voorsiening te maak vir 'n korting tot die bedrag van die intermediêre reg op papier, wanneer ingevoer of uit entrepot geneem deur geregistreerde vervaardigers vir die spin van papiergaring.

DEPARTMENT OF EDUCATION, ARTS
AND SCIENCE.

No. R. 1896.] [6 December 1963.

DEPARTMENT OF EDUCATION, ARTS AND
SCIENCE.

UNIVERSITIES ACT, 1955.

UNIVERSITY OF STELLENBOSCH.—
AMENDMENT OF STATUTE.

Under and by virtue of the powers vested in me by
sub-section (2) of section *seventeen* of the Universities
Act, 1955 (Act No. 61 of 1955), I, JOHANNES DE KLERK,

DEPARTEMENT VAN ONDERWYS, KUNS
EN WETENSKAP.

No. R. 1896.] [6 Desember 1963.

DEPARTEMENT VAN ONDERWYS, KUNS EN
WETENSKAP.

WET OP UNIVERSITEITE, 1955.

UNIVERSITEIT VAN STELLENBOSCH.—
WYSIGING VAN STATUUT.

Kragtens die bevoegdheid my verleen by subartikel (2)
van artikel *sewentien* van die Wet op Universiteite, 1955
(Wet No. 61 van 1955), het ek, JOHANNES DE KLERK,

Minister of Education, Arts and Science, have approved the following amendments to the Statute of the University of Stellenbosch published in Government Notice No. R. 387 of 11th August, 1961, as amended by Government Notices No. R. 748 of 18th May, 1962, and No. R. 1597 of 28th September, 1962:—

1. The following paragraph is substituted for paragraph 48:—

“48. Subject to the provisions of this statute, the University may confer the following degrees:—

Degrees.	Denoted by the Letters.
(a) In the Faculty of Arts—	
(i) In Arts—	
Bachelor of Arts.....	B.A.
Honours Bachelor of Arts.....	B.A. Hons.
Bachelor of Arts in Social Work...	B.A. in Social Work.
Honours Bachelor of Arts in Social Work	B.A. Hons in Social Work.
Master of Arts.....	M.A.
Master of Arts in Social Work.....	M.A. in Social Work.
Doctor in Literature.....	D.Litt.
Doctor in Philosophy.....	D.Phil.
(ii) In Music—	
Bachelor of Music.....	B.Mus.
Master of Music.....	M.Mus.
Doctor of Music.....	D.Mus.
(iii) In Drama—	
Bachelor of Drama.....	B.Dram.
(iv) In Fine Arts—	
Bachelor of Arts in Fine Arts.....	B.A. in Fine Arts.
(v) In Librarianship—	
Bachelor of Arts in Librarianship..	B.A. Lib.
(b) In the Faculty of Science—	
Bachelor of Science.....	B.Sc.
Honours Bachelor of Science.....	B.Sc. Hons.
Bachelor of Science in Home Economics	B.Sc. in Home Economics.
Honours Bachelor of Science in Home Economics	B.Sc. Hons. in Home Economics.
Master of Science.....	M.Sc.
Master of Science in Home Economics	M.Sc. in Home Economics.
Doctor of Science.....	D.Sc.
(c) In the Faculty of Education—	
Bachelor of Education.....	B.Ed.
Bachelor of Physical Education.....	B.Ed.Ph.
Master of Education.....	M.Ed.
Master of Physical Education.....	M.Ed.Ph.
Doctor of Education.....	D.Ed.
Doctor of Physical Education.....	D.Ed.Ph.
(d) In the Faculty of Agriculture—	
Bachelor of Science in Agriculture.....	B.Sc. in Agriculture.
Honours Bachelor of Science in Agriculture	B.Sc. Hons. in Agriculture.
Bachelor of Science in Food Science....	B.Sc. in Food Science.
Honours Bachelor of Science in Food Science	B.Sc. Hons. in Food Science.
Master of Science in Agriculture.....	M.Sc. in Agriculture.
Master of Science in Food Science.....	M.Sc. in Food Science.
Doctor of Science in Agriculture.....	D.Sc. in Agriculture.
Doctor of Science in Food Science.....	D.Sc. in Food Science.
(e) In the Faculty of Law—	
Bachelor of Laws.....	LL.B.
Doctor of Laws.....	LL.D.

Minister van Onderwys, Kuns en Wetenskap, my goedkeuring geheg aan onderstaande wysigings van die Statuut van die Universiteit van Stellenbosch afgekondig by Goewermentskennisgewing No. R. 387 van 11 Augustus 1961, soos gewysig by Goewermentskennisgewings No. R. 748 van 18 Mei 1962, en No. R. 1597 van 28 September 1962:—

1. Paragraaf 48 word deur onderstaande paragraaf vervang:—

„48. Behoudens die bepalings van hierdie statuut, kan die Universiteit die volgende grade toeken:—

Grade.	Aangedui deur die letters.
(a) In die Fakulteit van Lettere en Wysbegeerte—	
(i) In die Lettere en Wysbegeerte—	
Baccalaureus in die Lettere en Wysbegeerte	B.A.
Honneurs-Baccalaureus in die Lettere en Wysbegeerte	Hons.-B.A.
Baccalaureus in die Lettere en Wysbegeerte in Maatskaplike Werk	B.A. in Maatskaplike Werk.
Honneurs-Baccalaureus in die Lettere en Wysbegeerte in Maatskaplike Werk	Hons.-B.A. in Maatskaplike Werk.
Magister in die Lettere en Wysbegeerte	M.A.
Magister in die Lettere en Wysbegeerte in Maatskaplike Werk	M.A. in Maatskaplike Werk.
Doktor in die Letterkunde.....	D.Litt.
Doktor in die Wysbegeerte.....	D.Phil.
(ii) In die Musiek—	
Baccalaureus in die Musiek.....	B.Mus.
Magister in die Musiek.....	M.Mus.
Doktor in die Musiek.....	D.Mus.
(iii) In die Drama—	
Baccalaureus in die Drama.....	B.Dram.
(iv) In die Beeldende Kunste—	
Baccalaureus in die Lettere en Wysbegeerte in Beeldende Kunste	B.A. in Beeldende Kunste.
(v) In die Biblioteekkunde—	
Baccalaureus in die Lettere en Wysbegeerte in Biblioteekkunde	B.A.Bibl.
(b) In die Fakulteit van Natuurwetenskappe—	
Baccalaureus in die Natuurwetenskappe	B.Sc.
Honneurs-Baccalaureus in die Natuurwetenskappe	Hons.-B.Sc.
Baccalaureus in die Natuurwetenskappe in Huishoudkunde	B.Sc. in Huishoudkunde.
Honneurs-Baccalaureus in die Natuurwetenskappe in Huishoudkunde	Hons.-B.Sc. in Huishoudkunde.
Magister in die Natuurwetenskappe....	M.Sc.
Magister in die Natuurwetenskappe in Huishoudkunde	M.Sc. in Huishoudkunde.
Doktor in die Natuurwetenskappe.....	D.Sc.
(c) In die Fakulteit van Opvoedkunde—	
Baccalaureus in die Opvoedkunde.....	B.Ed.
Baccalaureus in Liggaamlike Opvoeding	B.Ed.Ph.
Magister in die Opvoedkunde.....	M.Ed.
Magister in Liggaamlike Opvoeding....	M.Ed.Ph.
Doktor in die Opvoedkunde.....	D.Ed.
Doktor in Liggaamlike Opvoeding.....	D.Ed.Ph.
(d) In die Fakulteit van Landbou—	
Baccalaureus in die Natuurwetenskappe in Landbou	B.Sc. in Landbou.
Honneurs-Baccalaureus in die Natuurwetenskappe in Landbou	Hons.-B.Sc. in Landbou.
Baccalaureus in die Natuurwetenskappe in Voedselwetenskap	B.Sc. in Voedselwetenskap.
Honneurs-Baccalaureus in die Natuurwetenskappe in Voedselwetenskap	Hons.-B.Sc. in Voedselwetenskap.
Magister in die Natuurwetenskappe in Landbou	M.Sc. in Landbou.
Magister in die Natuurwetenskappe in Voedselwetenskap	M.Sc. in Voedselwetenskap.
Doktor in die Natuurwetenskappe in Landbou	D.Sc. in Landbou.
Doktor in die Natuurwetenskappe in Voedselwetenskap	D.Sc. in Voedselwetenskap.
(e) In die Fakulteit van Regsgeleerdheid—	
Baccalaureus in die Regsgeleerdheid....	LL.B.
Doktor in die Regsgeleerdheid.....	LL.D.

(f) In the Faculty of Divinity—

Bachelor of Divinity.....	B.D.
Doctor of Divinity.....	D.D.

(g) In the Faculty of Commerce—

Bachelor of Commerce.....	B. Comm.
Honours Bachelor of Commerce.....	B. Comm. Hons.
Master of Commerce.....	M. Comm.
Doctor of Commerce.....	D. Comm.

(h) In the Faculty of Engineering—

Bachelor of Engineering.....	B. Eng.
Master of Engineering.....	M. Eng.
Doctor of Philosophy (Engineering)....	Ph.D. (Eng.).
Doctor of Engineering.....	D. Eng.

(i) In the Faculty of Medicine—

Bachelor of Medicine and Bachelor of Surgery.....	M.B., Ch.B.
Bachelor of Arts in Nursing.....	B.A. in Nursing.
Bachelor of Science in Occupational Therapy.....	B.Sc. in Occupational Therapy.
Bachelor of Science in Physiotherapy..	B.Sc. in Physiotherapy.
Master of Medicine.....	M. Med.
Doctor of Philosophy (Medicine).....	Ph.D. (Med.).
Doctor of Medicine.....	M.D.

(j) In the Faculty of Forestry—

Bachelor of Science in Forestry.....	B.Sc. in Forestry.
Honours Bachelor of Science in Forestry	B.Sc. Hons. in Forestry.
Master of Science in Forestry.....	M.Sc. in Forestry.
Doctor of Science in Forestry.....	D.Sc. in Forestry.

(k) In the Faculty of Military Science—

Bachelor of Military Science.....	B. Mil.
Honours Bachelor of Military Science..	B. Mil. Hons.
Master of Military Science.....	M. Mil.
Doctor of Military Science.....	D. Mil."

(f) In die Fakulteit van Godgeleerdheid—

Baccalaureus in die Godgeleerdheid....	B.D.
Doktor in die Godgeleerdheid.....	D.D.

(g) In die Fakulteit van Handel—

Baccalaureus in die Handelswetenskappe	B. Comm.
Honneurs-Baccalaureus in die Handelswetenskappe	Hons.-B. Comm.
Magister in die Handelswetenskappe....	M. Comm.
Doktor in die Handelswetenskappe.....	D. Comm.

(h) In die Fakulteit van Ingenieurswese—

Baccalaureus in die Ingenieurswese....	B. Ing.
Magister in die Ingenieurswese.....	M. Ing.
Doktor in die Wysbegeerte (Ingenieurswese)	Ph.D. (Ing.).
Doktor in die Ingenieurswese.....	D. Ing.

(i) In die Fakulteit van Geneeskunde—

Baccalaureus in die Geneeskunde en Baccalaureus in die Snykunde	M.B., Ch.B.
Baccalaureus in die Lettere en Wysbegeerte in Verpleegkunde	B.A. in Verpleegkunde.
Baccalaureus in die Natuurwetenskappe in Arbeidsterapie	B.Sc. in Arbeidsterapie.
Baccalaureus in die Natuurwetenskappe in Fisioterapie	B.Sc. in Fisioterapie.
Magister in die Geneeskunde.....	M. Med.
Doktor in die Wysbegeerte (Geneeskunde)	Ph.D. (Med.).
Doktor in die Geneeskunde.....	M.D.

(j) In die Fakulteit van Bosbou—

Baccalaureus in die Natuurwetenskappe in Bosbou	B.Sc. in Bosbou.
Honneurs-Baccalaureus in die Natuurwetenskappe in Bosbou	Hons.-B.Sc. in Bosbou.
Magister in die Natuurwetenskappe in Bosbou	M.Sc. in Bosbou.
Doktor in die Natuurwetenskappe in Bosbou	D.Sc. in Bosbou.

(k) In die Fakulteit van Krygskunde—

Baccalaureus in die Krygskunde.....	B. Mil.
Honneurs-Baccalaureus in die Krygskunde	Hons.-B. Mil.
Magister in die Krygskunde.....	M. Mil.
Doktor in die Krygskunde.....	D. Mil."

2. Paragraaf 49 word deur onderstaande paragraaf vervang:—

Baccalaureusgraad.

„49. Behoudens andersluidende bepalinge van hierdie statuut of die gemeenskaplike statute, word niemand tot die graad van baccalaureus toegelaat nie tensy hy ná sy eerste inskrywing as 'n gematrikuleerde student van die Universiteit onderstaande minimum tydperk van bywoning wat vir sodanige graad vereis word, voltooi het:—

<i>Graad.</i>	<i>Minimum tydperk van bywoning vereis.</i>
Baccalaureus in die Lettere en Wysbegeerte....	3 jaar.
Baccalaureus in die Lettere en Wysbegeerte in Maatskaplike Werk	3 jaar.
Baccalaureus in die Musiek.....	4 jaar.
Baccalaureus in die Drama.....	4 jaar.
Baccalaureus in die Lettere en Wysbegeerte in Beeldende Kunste	4 jaar.
Baccalaureus in die Lettere en Wysbegeerte in Biblioteekkunde	4 jaar.
Baccalaureus in die Natuurwetenskappe.....	3 jaar.
Baccalaureus in die Natuurwetenskappe in Huishoudkunde	4 jaar.
Baccalaureus in die Opvoedkunde.....	5 jaar.
Baccalaureus in Liggaamlike Opvoeding.....	5 jaar.
Baccalaureus in die Natuurwetenskappe in Landbou	4 jaar.
Baccalaureus in die Natuurwetenskappe in Voedselwetenskap	4 jaar.
Baccalaureus in die Regsgeleerdheid.....	5 jaar.
Baccalaureus in die Godgeleerdheid.....	6 jaar.
Baccalaureus in die Handelswetenskappe.....	3 jaar.
Baccalaureus in die Ingenieurswese.....	5 jaar.
Baccalaureus in die Geneeskunde en Baccalaureus in die Snykunde	6 jaar.
Baccalaureus in die Lettere en Wysbegeerte in die Verpleegkunde	4 jaar.
Baccalaureus in die Natuurwetenskappe in Arbeidsterapie	4 jaar.
Baccalaureus in die Natuurwetenskappe in Fisioterapie	4 jaar.
Baccalaureus in die Natuurwetenskappe in Bosbou	4 jaar.
Baccalaureus in die Krygskunde.....	3 jaar.

2. The following paragraph is substituted for paragraph 49:—

Degree of Bachelor.

“49. Save as may be otherwise provided by this statute or the joint statutes, no person shall be admitted to the degree of bachelor unless he has completed, subsequent to his first registration, as a matriculated student of the University, the under-mentioned minimum period of attendance required for such degrees:—

<i>Degree.</i>	<i>Minimum Period of Attendance required.</i>
Bachelor of Arts.....	3 years.
Bachelor of Arts in Social Work.....	3 years.
Bachelor of Music.....	4 years.
Bachelor of Drama.....	4 years.
Bachelor of Arts in Fine Arts.....	4 years.
Bachelor of Arts in Librarianship.....	4 years.
Bachelor of Science.....	3 years.
Bachelor of Science in Home Economics.....	4 years.
Bachelor of Education.....	5 years.
Bachelor of Physical Education.....	5 years.
Bachelor of Science in Agriculture.....	4 years.
Bachelor of Science in Food Science.....	4 years.
Bachelor of Laws.....	5 years.
Bachelor of Divinity.....	6 years.
Bachelor of Commerce.....	3 years.
Bachelor of Engineering.....	5 years.
Bachelor of Medicine and Bachelor of Surgery	6 years.
Bachelor of Arts in Nursing.....	4 years.
Bachelor of Science in Occupational Therapy..	4 years.
Bachelor of Science in Physiotherapy.....	4 years.
Bachelor of Science in Forestry.....	4 years.
Bachelor of Military Science.....	3 years.

Provided that for admission to the degree of bachelor of education or bachelor of physical education, a candidate shall also satisfy one of the following requirements—

- (i) he must have been admitted not less than two years before the completion of the aforesaid period of attendance to the degree of bachelor of arts or of science or to a degree accepted by the senate as equivalent thereto; or
- (ii) he must have obtained not less than one year before the completion of the aforesaid period of attendance the degree of bachelor of arts or of science, or any other degree accepted by the senate as equivalent thereto, and also an approved diploma or certificate in education."

[Amendment Slip No. 9.]

Met dien verstande dat vir toelating tot die graad van baccalaureus in die opvoedkunde of die graad van baccalaureus in liggaamlike opvoeding 'n kandidaat—

- (i) minstens twee jaar voor die voltooiing van voormelde tydperk van bywoning tot die graad van baccalaureus in die lettere en wysbegeerte of in die natuurwetenskappe of tot enige ander graad deur die senaat as gelykwaardig daarmee aanvaar, toegelaat moes gewees het; of
- (ii) minstens een jaar voor die voltooiing van voormelde tydperk van bywoning die graad van baccalaureus in die lettere en wysbegeerte of in die natuurwetenskappe of enige ander graad deur die senaat as gelykwaardig daarmee aanvaar, asook 'n goedgekeurde diploma of sertifikaat in die opvoedkunde, moes behaal het."

[Wysigingstrokie No. 9.]

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wat

'n staatswaarborg, strenge geheimhouding en ongeëwenaarde fasiliteite in verband met inlaes en opvragings verskaf.

Die rentekoers op inlaes in gewone rekenings is $2\frac{1}{2}\%$ per jaar.

Op bedrae wat in Spaarbanksertifikate belê word, is die rente 4% per jaar.

R20,000 kan in Spaarbanksertifikate belê word.

OPEN VANDAG 'N REKENING!