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[No. 698.]

GOEWERMENSKENNISGEWINGS.**DEPARTEMENT VAN ARBEID.**

No. R. 76.] [17 Januarie 1964.

LOONWET, No. 5 VAN 1957.

LOONVASSTELLING No. 247.

CHEMIESE EN VERWANTE PRODUKTE-NYWERHEID, REPUBLIEK VAN SUID-AFRIKA.

In opdrag van die Minister van Arbeid word hierby ingevolge subartikel (2) van artikel *veertien* van die Loonwet, 1957, bekendgemaak dat die Minister, kragtens die bevoegdheid hom verleen, by subartikel (1) van artikel *veertien* van genoemde Wet, die Vastelling wat in die Bylae hiervan verskyn ten opsigte van die Chemiese en Verwante Produkte-nywerheid gemaak het en die 10de dag van Februarie 1964, bepaal het as die datum waarop die bepaling van genoemde Vastelling bindend word.

BYLAE.**1. GEBIED EN BESTEK VAN DIE VASSTELLING**

Hierdie vasstelling is in die Republiek van Suid-Afrika, uitgesonderd die volgende gebiede, naamlik—

- die gebiede wat deur African Explosives and Chemical Industries, Limited, in die landdrosdistrikte Durban, Kempton Park en Somerset-Wes geokkupeer word;
- die gebied wat deur United Paints, Limited, in die landdrosdistrik Somerset-Wes geokkupeer word;
- die gebied wat deur S.A. Titan Products (Pty.), Limited, in die landdrosdistrik Durban geokkupeer word; en
- die landdrosdistrikte Johannesburg, Alberton, Germiston, Boksburg, Springs, Pretoria, dié gedeeltes van die landdrosdistrik Delmas wat voor die publikasie van Goewermentskennisgewing No. 2881 van 12 Desember 1952 binne die landdrosdistrik Springs geval het en dié gedeeltes van die landdrosdistrik Kempton Park wat voor die publikasie van Goewermentskennisgewing No. 556 van 29 Maart 1956 binne die landdrosdistrikte Johannesburg, Germiston, Boksburg en Benoni geval het—

op alle werknemers in die Chemiese en Verwante Produkte-nywerheid en op die werkgewers van sodanige werknemers van toepassing: Met dien verstande dat dit nie van toepassing is nie op—

- bestuurders;
- handelsreisigers wat uitsluitlik bestellings in Bantoegebiede, soos omskryf in subartikel (1) van artikel *een* van die Wet op Nywerheidsversoening, 1956, vra, werf of aanvra;
- werknemers op wie 'n loonvasstelling (gemaak ingevolge die Loonwet, 1957), vir die Kommersiële Distribusiebedryf van toepassing is.

A—4821235

GOVERNMENT NOTICES.**DEPARTMENT OF LABOUR.**

No. R. 76.] [17 January 1964.

WAGE ACT, No. 5 OF 1957.

WAGE DETERMINATION No. 247.

CHEMICAL AND ALLIED PRODUCTS INDUSTRY, REPUBLIC OF SOUTH AFRICA.

By direction of the Minister of Labour it is hereby notified in terms of sub-section (2) of section *fourteen* of the Wage Act, 1957, that the Minister, under the powers vested in him, by sub-section (1) of section *fourteen* of the said Act, has made the Determination in the Schedule hereto in respect of the Chemical and Allied Products Industry and has fixed the 10th day of February, 1964, as the date from which the said Determination shall be binding.

SCHEDULE.**1. AREA AND SCOPE OF THE DETERMINATION**

This Determination shall apply in the Republic of South Africa excluding the following areas:—

- The areas occupied by African Explosives and Chemical Industries, Limited, in the magisterial districts of Durban, Kempton Park and Somerset West;
- the area occupied by United Paints, Limited, in the magisterial district of Somerset West;
- the area occupied by S.A. Titan Products (Pty.), Limited, in the magisterial district of Durban; and
- the magisterial districts of Johannesburg, Alberton, Germiston, Boksburg, Springs, Pretoria, those portions of the magisterial district of Delmas which, prior to the publication of Government Notice No. 2881 of the 12th December, 1952, fell within the magisterial district of Springs and those portions of the magisterial district of Kempton Park which, prior to the publication of Government Notice No. 556 of the 29th March, 1956, fell within the magisterial districts of Johannesburg, Germiston, Boksburg and Benoni;

to all employees in the Chemical and Allied Products Industry and to the employers of such employees: Provided that it shall not apply to—

- managers;
- travellers, who are exclusively engaged in inviting, canvassing or soliciting orders in Native areas as defined in sub-section (1) of section *one* of the Industrial Conciliation Act, 1956;
- employees to whom a wage determination (made in terms of the Wage Act, 1957), for the Commercial Distributive Trade applies.

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2. WOORDOMSKRYWING.

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

„ambagsman” ’n werknemer wat werk doen wat in die reël deur ’n geskoolde ambagsman verrig word, en by die toepassing van hierdie woordomskrywing beteken die uitdrukking „geskoolde ambagsman” iemand wat sy leertyd uitgedien het in ’n bedryf wat kragtens die Wet op Vakleerlinge, 1944, aangewys is of geag word aangewys te gewees het of wat in besit is van ’n vaardigheidsertifikaat deur die Registrateur van Vakleerlinge aan hom uitgereik ingevolge artikel ses van die Wet op Opleiding van Ambagsmanne, 1951, of ’n sertifikaat deur genoemde Registrateur ingevolge of artikel twee (7) of artikel sewe (3) van gemelde Wet aan hom uitgereik; „assistent-voorman” ’n werknemer wat onder die algemene toesig van ’n voorman enigeen van die pligte van ’n voorman verrig en wat tydens sy afwesigheid in sy plek kan waarneem; „motorchemikalieë” remvloeistof, skokbrekerolies of -vloeistowwe, koppelaarmengsels, rubberharsmeermiddels, verkoelerpreparate, vriesweermengsels, motorpolitoere of -skoonmaakmiddels, vryfmengsels, ghriesverwyderingsmiddels, roesverwyderingsmiddels, soldeervloeistowwe, dryfbandsmengsels (d.w.s. mengsels wat aan dryfbande gesmeer word sodat hulle nie kan gly nie) of mengsels vir gebruik in sweiswerk; „stoomketelbediener” ’n werknemer wat onder algemene toesig die waterpeil en stoomdruk in ’n stoomketel in stand hou, wat die vuur in so ’n stoomketel in stand hou en wat die vuur in so ’n stoomketel kan maak, stook of daaruit kan haal; „los werknemer” ’n werknemer wat op hoogstens drie dae in ’n week by dieselfde werknemer in diens is; „onderbaas” ’n werknemer in beheer van ’n groep arbeiders; „chauffeur” ’n werknemer wat ’n voertuig bestuur wat vir die vervoer van passasiers bedoel is en wat vir die vervoer van sy werkgewer of van personeel, klante of besoekers gebruik word en waarmee ook dokumente of pakkette wat nie die produkte van die bedryfsinrigting bevat nie, vervoer mag word, uitgesonderd waar sulke produkte as monsters gebruik word of bedoel is om daarvoor gebruik te word; „Chemiese en Verwante Produkte-nywerheid” die nywerheid waarin werkgewers en werknemers met mekaar geassosieer is in bedryfsinrigtings wat geregistreer is of aan registrasie onderworpe is ingevolge die Wet op Fabriek, Masjinerie en Bouwerk, 1941, met die doel om een of meer van die volgende werksaamhede te verrig, naamlik die bereiding, vervaardiging, bottel, toedraai of verpakking van—

- geneeskundige preparate vir menslike of dierlike gebruik, kiemwerende middels, reukverdrywers, ont-smettingsmiddels, insekgif, farmaseutiese preparate, blousel, bytsoda of chemiese produkte vir fotografiese doeleindes;
- toiletpreparate, skoonheidsmiddels, parfuum of reukwater;
- bakpoeier, bestanddele van bakpoeier, gis, stysel (met inbegrip van verwerkte stysel), gelatien, geurmiddels, ekstrakte, kleurmiddels vir voedselware of asyn;
- verf, pigmente, distempers, lakvernisse, vernisse, afwerkvernisse, onderlaagstryksels, wasse, politoere, stopverf, verdunmiddels, emaljes, dubbin of drukkersink;
- kantoorym, gom of skryfink;
- nywerheidsalkohol, gerektifiseerde of absolute alkohol, brandspiritus, bensien, eter of ammoniak;
- kleefmiddels (uitgesonderd rubberlym) of verseëlmiddels;
- enige motorchemikalieë;

en omvat dit ook—

- die aflewering, distribusie of verkoop vanuit enige perseel van water aard ook al van enigeen of meer van die produkte genoem in paragrawe (a) tot (h) hierbo, indien sodanige aflewering, distribusie of verkoop onderneem word deur dieselfde werkgewer wat sodanige produkte berei, vervaardig, gebottel, toegedraai of verpak het;
- alle werksaamhede wat met enigeen van voornoemde bedrywighede in verband staan of daaruit voortspruit;

maar dit omvat nie die werksaamhede nie gespesifiseer in die woordomskrywing van „Chemikalieënywerheid” soos vervat in die Nywerheidsraadooreenkoms vir die Chemikalieënywerheid (Kaap) gepubliseer by Goewermentskennisgewing No. 72 van 19 Januarie 1962, waar sodanige werksaamhede uitgeoefen word deur werkgewers en werknemers in die gebiede gespesifiseer in voornoemde Goewermentskennisgewing;

„chemitegnikus” ’n werknemer, uitgesonderd ’n apteker of ’n apteker en drogis, wat chemiese werk verrig; „chemitegnikus, gekwalifiseer,” ’n chemitegnikus met minstens ses jaar ondervinding; „chemitegnikus, ongekwalifiseer,” ’n chemitegnikus met minder as ses jaar ondervinding; „chemiese werk”—

- die waarneem van chemiese manipulasies;
- die opstel of aanpassing van die formules van stowwe;
- die analitiese beheer van die chemiese verwerking van grondstowwe of klaargemaakte of gedeeltelik klaargemaakte produkte;

2. DEFINITIONS.

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

„artisan” means an employee who is engaged in work normally performed by a skilled artisan and for the purpose of this definition the expression „skilled artisan” means a person who has served his apprenticeship in a trade designated or deemed to have been designated under the Apprenticeship Act, 1944, or who holds a certificate of proficiency issued to him by the Registrar of Apprenticeship in terms of section six of the Training of Artisans Act, 1951, or a certificate issued to him by the said Registrar in terms of either section two (7) or section seven (3) of the said Act; „assistant foreman” means an employee who, under the general supervision of a foreman, performs any of the duties of a foreman and who may act for him during his absence; „automotive chemicals” means brake fluid, shock absorber oils or fluids, clutch compounds, rubber shackle lubricants, radiator preparations, anti-freeze mixtures, car polishes or cleaners, rubbing compounds, degreasing agents, rust removing compounds, soldering fluids, belt dressing compounds (i.e. compounds rubbed on belts to prevent them from slipping) or compounds for use in welding; „boiler attendant” means an employee who, under general supervision, maintains the water level and steam pressure in a boiler and who may make, maintain and draw the fire in such boiler; „casual employee” means an employee who is employed by the same employer on not more than three days in any week; „chargehand” means an employee who is in charge of a group of labourers; „chauffeur” means an employee who is engaged in driving a motor vehicle which is intended to carry passengers and used for the conveyance of his employer or of staff, clients or visitors and which may be used for the conveyance of documents or parcels not containing the products of the establishment, except where such products are used or intended for use as samples; „Chemical and Allied Products Industry” means the industry in which employers and employees are associated in establishments which are registered or liable for registration, in terms of the Factories, Machinery and Building Work Act, 1941, for the purpose of carrying on any one or more of the following activities, namely, the preparation, manufacture, bottling, wrapping or packing of—

- medicinal preparations for human or animal uses, antiseptics, deodorants, disinfectants, insecticides, pharmaceutical preparations, washing blue, caustic soda or chemical products for photographic purposes;
- toilet preparations, cosmetics, perfumes or scents;
- baking powder, constituents of baking powder, yeast, starch (including processed starch), gelatine, flavourings, essences, colouring matter for foodstuffs or vinegar;
- paints, pigments, distempers, lacquers, varnishes, finishers, bottom fillers, waxes, polishes, putty, thinners, enamels, dubbin or printing ink;
- office paste, gum or writing ink;
- industrial alcohol, rectified or absolute alcohol, methylated spirits, benzene, ether or ammonia;
- adhesives (excluding rubber solution) or sealing compounds;
- any automotive chemicals;

and includes—

- delivery, distribution or sale from any premises whatsoever of any one or more of the products mentioned in paragraphs (a) to (h) above, if such delivery, distribution or sale is carried on by the same employer who prepared, manufactured, bottled, wrapped or packed such products;
- all operations incidental to or consequent on any of the aforesaid activities;

but does not include the activities specified in the definition of „Chemical Industry” as contained in the Industrial Council Agreement for the Chemical Industry (Cape), published under Government Notice No. 72 of the 19th January, 1962, where such activities are carried on by employers and employees in the areas specified in the aforementioned Government Notice;

„chemical technician” means an employee, other than a chemist or a chemist and druggist, who is engaged in chemical work;

„chemical technician, qualified,” means a chemical technician who has had not less than six years’ experience;

„chemical technician, unqualified,” means a chemical technician who has had less than six years’ experience;

„chemical work” means—

- the performance of chemical manipulations;
- the devising or adjusting of the formulae of substances;
- the analytical control of the chemical processing of raw materials or finished or partly finished products;

„aptekier” ’n werknemer, uitgesonderd ’n apteker en drogis wat ’n graad in skeikunde of ’n gelykstaande diploma besit en wat daarbenewens minstens drie jaar ondervinding het in chemiese werk en dit verrig;

„aptekier en drogis” ’n werknemer wat kragtens die Wet op Geneesherre, Tandartse en Aptekers, 1928, as ’n apteker en drogis geregistreer is en wat chemiese werk verrig;

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

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

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

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

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

„kleurvergelyker” ’n werknemer wat betrokke is by en verantwoordelik is vir die toevoeging van kleure tot gemengde verf om vooraf bepaalde skakerings te verkry;

„kleurvergelyker, gekwalifiseer,” ’n kleurvermenger met minstens drie jaar ondervinding;

„kleurvergelyker, ongekwalifiseer,” ’n kleurvermenger met minder as drie jaar ondervinding;

„kommissiewerk” ’n stelsel waarvolgens ’n handelsreisiger se besoldiging bereken word op die getal of waarde van die bestellings wat hy aan sy werkgewer voorleë en wat laasgenoemde aanvaar;

„deurlopende proses-werker” ’n werknemer wat ’n werksaamheid verrig waarby deurlopende werk by wyse van drie agtereenvolgende skofte per dag op sewe dae per week nodig is;

„dag” die tydperk van vier-en-twintig uur vanaf middernag tot middernag: Met dien verstande dat in die geval van ’n deurlopende proses-werker of ’n skofwerker dit ’n tydperk van vier-en-twintig uur beteken, gereken vanaf die tydstop waarop so ’n werknemer gewoonlik begin werk;

„versendingsklerk” ’n werknemer wat verantwoordelik vir die versending of verpakking van goedere vir vervoer of aflewering, en wat toesig oor die byeenbring, nagaan, weeg, verpakking, adresseer of versending van sodanige goedere of pakkies mag hou;

„motorvoertuigbestuurder” ’n werknemer wat ’n motorvoertuig bestuur, en by die toepassing van hierdie woord-omskrywing omvat die uitdrukking „’n motorvoertuig bestuur” alle tyd wat hy vir bestuur gebruik, alle tyd wat die bestuurder aan werk in verband met die voertuig of die vraag bestee en alle tyd wat hy verplig is om op sy pos gereed te bly vir bestuur;

„noodwerk” —

- (1) alle werk wat weens onvoorsiene omstandighede soos ’n brand, storm, ongeluk, epidemie, geweldsdaad, diefstal of ’n onklaarmaking van installasie of masjinerie sonder versuim gedoen moet word;
- (2) alle werk in verband met die laai of aflaai van—

- (i) trokke of voertuie van die Suid-Afrikaanse Spoorweë en Hawens; of

- (ii) voertuie wat gebruik word deur ’n vervoer-kontrakteur in die nakoming van sy kontrak as sodanig met die Suid-Afrikaanse Spoorweë en Hawens; of

- (3) alle werk in verband met die skoonmaak, opknapping of herstel van installasie of masjinerie wat nie gedurende gewone werkure verrig kan word nie;

„masjienkamerwerker” ’n werknemer wat onder die toesig van ’n ambagsman, voorman of skofman ’n strooppomp of of ’n waspomp aansit of stopsit en wat dryfbande kan verstel of vervang;

„bedryfsinrigting” ’n perseel waarin of in verband waarmee een of meer werknemers in die Chemiese en Verwante Produkte-nywerheid in diens is;

„ondervinding” —

- (1) in verband met ’n chemitegnikus of ’n apteker, die totale tydperk of tydperke wat ’n werknemer in chemiese werk in diens was;

- (2) in verband met ’n klerk, ’n fabrieksklerk, ’n bediener van ’n mobiele hystoestel, ’n winkelassistent of ’n handelsreisiger, die totale tydperk of tydperke wat ’n werknemer in diens was in enige bedryf of in die diens van die Staat onderskeidelik as ’n klerk, ’n fabrieksklerk, ’n bediener van ’n mobiele hystoestel, ’n winkelassistent of ’n handelsreisiger;

- (3) met betrekking tot enige ander klas werknemer, die totale tydperk of tydperke wat ’n werknemer in sy klas in die Chemiese en Verwante Produkte-nywerheid in diens was;

„fabrieksklerk” ’n werknemer wat onder die toesig van ’n voorman of ’n gekwalifiseerde manlike klerk enigeen of meer van die volgende werksaamhede verrig:—

- (1) Nagaan- of optekenwerk;
- (2) met die hand afskrifte van lotkaarte, werkkaarte, produksiekaarte of ander fabrieksdokumente maak;
- (3) name of getalle op tyd- of loonkaarte inskryf;

„chemist” means an employee, other than a chemist and druggist, who is the holder of a degree in chemistry or an equivalent diploma, and who, in addition, has had not less than three years’ experience in and is engaged in chemical work;

„chemist and druggist” means an employee who is registered as a chemist and druggist under the Medical, Dental and Pharmacy Act, 1928, and who is engaged in chemical work;

„clerk” means an employee who is engaged in writing, typing, filing or in any other form of clerical work and includes a cashier, storeman, despatch clerk and a telephone switch-board operator, but does not include any other class of employee elsewhere defined in this clause notwithstanding the fact that clerical work may form a portion of such employee’s work;

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

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

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

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

„colour matcher” means an employee who is engaged in, and responsible for, the adding of colours to mixed paint to obtain pre-determined shades;

„colour matcher, qualified,” means a colour matcher who has had not less than three years’ experience;

„colour matcher, unqualified,” means a colour matcher who has had less than three years’ experience;

„commission work” means any system under which a traveller’s remuneration is based on the value or number of orders submitted by him to, and accepted by, his employer;

„continuous process worker” means an employee who is engaged in an activity in which continuous working by means of three consecutive shifts per day on seven days per week is necessary;

„day” means the period of twenty-four hours from midnight to midnight: Provided that in the case of a continuous process worker or a shift worker it shall mean a period of twenty-four hours reckoned from the time such an employee normally commences work;

„despatch clerk” means an employee who is responsible for the despatch or the packing of goods for transport or delivery and who may supervise the assembling, checking, weighing, packing, marking, addressing or despatching of such goods or packages;

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

„emergency work” means—

- (1) any work which, owing to unforeseen circumstances, such as fire, storm, accident, epidemic, act of violence, theft or a breakdown of plant or machinery, must be done without delay;

- (2) any work connected with the loading or unloading of—

- (i) trucks or vehicles of the South African Railways and Harbours; or

- (ii) vehicles used by a cartage contractor in the fulfilment of his contract as such with the South African Railways and Harbours; or

- (3) any work in connection with the cleaning, overhauling or repairing of plant or machinery which cannot be performed during ordinary working hours;

„engine room attendant” means an employee who, under the supervision of an artisan, foreman or shiftsman, starts or stops a treacle pump or a wash pump and who may adjust or replace belts;

„establishment” means any premises in or in connection with which one or more employees are employed in the Chemical and Allied Products Industry;

„experience” means—

- (1) in relation to a chemical technician or a chemist, the total period or periods of employment which an employee has had in chemical work;

- (2) in relation to a clerk, a factory clerk, a mobile hoist operator, a shop assistant or a traveller, the total period or periods of employment which an employee has had in any trade or in the service of the State as a clerk, a factory clerk, a mobile hoist operator, a shop assistant or a traveller, respectively;

- (3) in relation to any other class of employee, the total period or periods of employment which an employee has had in his class in the Chemical and Allied Products Industry;

„factory clerk” means an employee who under the supervision of a foreman or a qualified male clerk, is engaged in any one or more of the following operations:—

- (1) Checking or recording;
- (2) copying batch cards, job cards, production cards or other factory documents by hand;
- (3) entering names or numbers on time or wage cards;

- (4) fakture, vrag- of afleveringsbriewe, rekvisisies of tyd- of loonkaarte in numeriese of alfabetiese volgorde lasseer, byhou of sorteer;
- (5) uit Bantoetale tolk of daaruit vertaal;
- (6) passe, dienssertifikate of tydkaarte uitreik;
- (7) gereedskap of ingenieursvoorraad of -uitrusting op rekvisisie uitreik, of gereedskap of sodanige voorraad of uitrusting ontvang, en rekvisisies wat gehou word, terugbesorg;
- (8) monsterstrookies uitmaak;
- (9) die indiensneming, ontslag of bedanking van werknemers registreer;
- (10) produksiesyfers inly;
- (11) kaartjies stempel of uitskryf;
- (12) besonderhede van die inhoud van die uitkenningsnoms van kantonhouers, houers of pakkies neerskryf of aanteken;
- (13) voorraadkaarte opskryf;
- (14) vrag- of afleveringsbriewe of verpakkingstrookies uitskryf;

„fabrieksklerk, gekwalifiseer,” ’n fabrieksklerk met minstens twaalf maande ondervinding;

„fabrieksklerk, ongekwalifiseer,” ’n fabrieksklerk met minder as twaalf maande ondervinding;

„eerstehulpwerker” ’n werknemer wat ’n geldige bekwaamheid-sertifikaat in eerstehulp hou wat deur enigen van die volgende organisasies uitgereik is:—

- (a) Die Suid-Afrikaanse Noodhulpiga;
- (b) The Red Cross Society of South Africa;
- (c) The St. John Ambulance Association,

wat eerstehulp in ’n bedryfsinrigting verleen en wat besoeke van werknemers vir behandeling kan aanteken;

„voorman” ’n werknemer wat aan die hoof van die werknemers in ’n bedryfsinrigting staan, wat beheer oor sulke werknemers uitoefen en wat daarvoor verantwoordelik is dat hulle hul pligte doeltreffend verrig;

„werknemer graad I” ’n werknemer wat enigen of meer van die volgende werksaamhede verrig:—

- (1) Bestellings van afleveringsbriewe opmaak;
- (2) goedere in diverse lotte uittel;
- (3) drukwerk op etikette of op bottels of ander houers met ’n masjien doen;
- (4) etikette of ander drukwerk druk;
- (5) houtvate herstel of bokante of onderkante vir sulke vate maak;
- (6) etikette vir produkte tik of uitskryf;
- (7) rubber- of ander stempels gebruik waarby oordeel gebruik moet word;
- (8) etikette of adresse op houers skryf vir versending;

en omvat ’n werknemer wat nie andersins uitdruklik in klousule 3 (1) gemeld word nie;

„werknemer graad I, gekwalifiseer,” ’n werknemer graad I met minstens agtien maande ondervinding;

„werknemer graad I, ongekwalifiseer,” ’n werknemer graad I met minder as agtien maande ondervinding;

„werknemer graad II” ’n werknemer in diens in enigen of meer van die volgende hoedanighede of wat enigen of meer van die volgende werksaamhede verrig:—

- (1) Stoomkleppe op ’n voorafbepaalde druk instel;
- (2) kroondoppies, kurkproppe of afsluiters vir bottels of ander houers bymeakaarmaak;
- (3) ’n ambagsman, faktotum of onderhoudman help deur artikels of gereedskap vas te hou of andersins met hom saam te werk, uitgesonderd by wyse van die selfstandige gebruik van gereedskap;
- (4) stoomketelbediener;
- (5) onderbaas;
- (6) goedere in ewe groot lotte uittel;
- (7) kroondoppies of houers vasklem of verseël of houers vaslym voordat dit van ’n kroondoppie voorsien word;
- (8) dierlike vetsoorte of vleis of kruie vir verpakking sny;
- (9) blokkies of vierkantjies van produkte na grootte sny;
- (10) sjablone met die hand of met ’n masjien sny of bou;
- (11) huide of velle met ’n masjien sny;
- (12) goedere, briewe, boodskappe of pakkette te voet of deur middel van ’n nie-kragaangedrewe voertuig aflewer of aflaai;
- (13) kroondoppies of houers uit gietvorms losmaak;
- (14) gietvorms in verhitte materiaal indompel vir die vorming van houers of kroondoppies;
- (15) gis op ’n rollerdroogapparaat droogmaak;
- (16) masjienkamerwerker;
- (17) pos in koevert in sit of drukwerk vou;
- (18) bottels of ander houers op vervoerbande voer;
- (19) houers aan vul- of etiketteermasjiene voer;
- (20) materiale met die hand in vul-, maal-, meng-, raffineer-, of tabletmasjiene voer of sif;
- (21) etikette in vaslymmasjiene voer;
- (22) bottels, blikke of ander houers met die hand of met ’n masjien vul of etiketter;
- (23) masjiene smeer of olie, uitgesonderd motorvoertuie;
- (24) sakke met ’n nie-kragaangedrewe masjien deur middel van hitte verseël;
- (25) metaalspoele in voorafgesnyde gipsrolle insit;
- (26) sneespier of watte in bottels of houers insit;
- (27) met ’n gestelde maat meet of met ’n gestelde skaal weeg;

(4) filing, keeping or sorting invoices, consignment or delivery notes, requisitions or time or wage cards in numerical or alphabetical order;

(5) interpreting or translating Native languages;

(6) issuing passes, certificates of service or time cards;

(7) issuing tools or engineering stock or equipment against requisition or receiving tools or such stock or equipment and returning requisitions held;

(8) making out sample slips;

(9) registering the engagement, discharge or resignation of employees;

(10) scheduling production figures;

(11) stamping or writing tickets;

(12) writing or recording particulars of the contents or the distinctive numbers of cartons, containers or packages;

(13) writing up stock cards;

(14) writing out consignment or delivery notes or packing slips;

“factory clerk, qualified,” means a factory clerk who has had not less than twelve months’ experience;

“factory clerk, unqualified,” means a factory clerk who has had less than twelve months’ experience;

“first-aid attendant” means an employee who holds a current certificate of competency in first-aid issued by any of the following organisations:—

- (a) Die Suid-Afrikaanse Noodhulpiga;
- (b) The Red Cross Society of South Africa;
- (c) The St. John Ambulance Association,

who is engaged in rendering first-aid in an establishment and who may record employee attendances for treatment;

“foreman” means an employee who is in charge of the employees in an establishment, who exercises control over such employees and who is responsible for the efficient performance by them of their duties;

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

- (1) Assembling orders from delivery notes;
- (2) counting goods into miscellaneous lots;
- (3) printing on labels or on bottles or other containers by machine;
- (4) printing labels or other printed matter;
- (5) repairing wooden casks or making tops or bottoms for such casks;
- (6) typing or writing labels for products;
- (7) using rubber or other stamps where discretion is involved;
- (8) writing labels or addresses on containers for despatch;

and includes an employee not specifically otherwise mentioned in clause 3 (1);

“grade I employee, qualified,” means a grade I employee who has had not less than eighteen months’ experience;

“grade I employee, unqualified,” means a grade I employee who has had less than eighteen months’ experience;

“grade II employee” means an employee who is engaged in any one or more of the following capacities or operations:—

- (1) Adjusting steam valves to pre-determined pressure;
- (2) assembling caps, corks or stoppers for bottles or other containers;
- (3) assisting an artisan, handyman or maintenance man by holding articles or tools or otherwise working with him, other than by the independent use of tools;
- (4) boiler attendant;
- (5) chargehand;
- (6) counting goods into uniform lots;
- (7) crimping or sealing caps or containers or glueing containers preparatory to capping;
- (8) cutting animal fats or flesh or herbs for packing;
- (9) cutting blocks or cubes of products to size;
- (10) cutting or building stencils by hand or machine;
- (11) cutting hides or skins by machine;
- (12) delivering or collecting goods, letters, messages or parcels on foot or by means of a non-power-driven vehicle;
- (13) detaching caps or containers from moulds;
- (14) dipping moulds into heated material for forming containers or caps;
- (15) drying yeast on a roller drier;
- (16) engine room attendant;
- (17) enveloping mail or folding printed matter;
- (18) feeding bottles or other containers onto conveyor belts;
- (19) feeding containers into filling or labelling machines;
- (20) feeding or sieving materials by hand into filling, grinding, mixing, refining or tablet machines;
- (21) feeding labels into gumming machines;
- (22) filling or labelling bottles, tins or other containers by hand or machine;
- (23) greasing or oiling machines, other than motor vehicles;
- (24) heat sealing of bags by non-power-driven machine;
- (25) inserting metal spools into pre-cut plaster rolls;
- (26) inserting tissue paper or cotton wool into bottles or containers;
- (27) measuring to set measure or weighing to set scale;

- (28) bale, kiste, kartonhouers, konkas of ander pakkies merk;
- (29) kaseien met die hand of met 'n masjien meng, maal of sif;
- (30) filterperse oop- of toemaak of filterdoeke verwyder of vervang;
- (31) bale, bottels, kiste, konkas, blikke of ander houers met 'n masjien oop- of toemaak;
- (32) 'n kantoorkopieermasjien bedien;
- (33) 'n kragaangedrewe hystoestel of hyser bedien;
- (34) 'n perforeer- of kodeermasjien bedien;
- (35) gemengde artikels in houers verpak vir versending;
- (36) skyfies bo-op roomsoorte of ander klaargemaakte produkte plaas voordat dit verseël word;
- (37) blokke materiaal of produkte met 'n nie-kragaangedrewe masjien uitdruk;
- (38) met die hand soldeer;
- (39) bottels, glasbuisse of rubberproppe sorteer;
- (40) verf of houers of toetspanele tol of spuit;
- (41) monsters aan reklameware vaskram;
- (42) pompe aansit of stopsit;
- (43) dose of kartonhouers met die hand of 'n masjien vaswerk of vaskram;
- (44) digtheid met 'n hidrometer toets;
- (45) viskoserings afwerk;
- (46) wag;
- (47) adresse op sakke skryf;

„faktotum” 'n werknemer wat minder belangrike herstelwerk of verstellers aan masjinerie aan uitrusting doen, uitgesonderd masjinerie of uitrusting wat regstreeks by die vervaardiging van die produkte van 'n bedryfsinrigting gebruik word, en wat minder belangrike herstel- of opknappingswerk aan geboue kan verrig;

„laboratoriumassistent” 'n werknemer wat onder die toesig van 'n apteker, 'n apteker en drogis of 'n chemitegnikus betrokke is by—

- (1) die waarneem van roetine-toets van grondstowwe of klaargemaakte of gedeeltelik klaargemaakte produkte;
- (2) die bereiding van laboratoriummonsters volgens formules;

„laboratoriumassistent, gekwalifiseer,” 'n laboratoriumassistent met minstens twee jaar ondervinding;

„laboratoriumassistent, ongekwalifiseer,” 'n laboratoriumassistent met minder as twee jaar ondervinding;

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

- (1) Identifikasieskyfies op gevulde houers vassit, waar daar geen oordeel gebruik hoef te word nie;
- (2) met die hand lym aan etikette aansit;
- (3) houtkiste met die hand uit voorafgesnyde materiaal inmeekaarsit;
- (4) op aflewingsvoertuie help, uitgesonderd die bestuur daarvan of herstelwerk daaraan;
- (5) afval in bale opmaak;
- (6) bale, kiste of ander houers met die hand vasbind of bande daarom sit;
- (7) brandmerk, stempel- of sjabloneerwerk, of onbeskrewe of klaar geadresseerde etikette aan bale, kiste, konkas of ander pakkies of houers vir vervoer of aflewering vassit, waar daar in al die gevalle geen oordeel geveer word nie;
- (8) goedere of artikels met die hand of nie-kragaangedrewe voertuig dra, ophang, verskuif, uitpak of opstapel;
- (9) persele of houers, meubels, masjinerie, gereedskap, gerei, filterpersdoeke of ander artikels skoonmaak of was;
- (10) karton of ander materiaal met die hand of nie-kragaangedrewe masjien sny;
- (11) sakke, bottels, vate, blikke of ander houers met die hand leegmaak;
- (12) huide of velle op vervoerbande voer;
- (13) materiale met die hand in elevators, vultregters, tenks, vate, bedekkingspanne of ander houers voer of sif;
- (14) vultregters met die hand vul;
- (15) tuinwerk, d.w.s. plant, spit, hark, grassny, onkruid uithaal, natgooi, heinings snoei of tuinmaakmateriale spreid of meng;
- (16) met die hand laai of aflaai;
- (17) vure maak of stook of afval of beskadigde materiale verbrand, of steenkool met skopgrawe in vultregters gooi;
- (18) tee of dergelike drankie vir werknemers maak;
- (19) materiale met die hand meng;
- (20) deure oop- of toemaak;
- (21) sakke, bale, bottels, kiste, konkas, blikke of ander houers met die hand oop- of toemaak;
- (22) kleppe of krane onder toesig oop- of toemaak;
- (23) 'n nie-kragaangedrewe pomp of hystoestel bedien;
- (24) artikels wat ewe groot is en van dieselfde getal in houers verpak wat spesiaal ontwerp is om sulke artikels te bevat, of artikels in houers pak wat deel van die artikels uitmaak;
- (25) houers met die hand verf;
- (26) bene of ander vreemde stof uit velle of huide verwyder;
- (27) 'n voertuig stoot of trek, uitgesonderd met 'n kragtoestel;
- (28) afval of as verwyder;
- (29) klaargemaakte karton- of veselborddose of dergelike houers met die hand opstel of sulke dose of houers vir hergebruik uitmeekaarhaal;

- (28) marking bales, boxes, cartons, drums or other packages;
- (29) mixing, grinding or sieving casein by hand or machine;
- (30) opening or closing filter presses or removing or replacing filter cloths;
- (31) opening or closing bales, bottles, boxes, drums, tins or other containers by machine;
- (32) operating an office duplicating machine;
- (33) operating a power-driven hoist or lift;
- (34) operating a perforating or coding machine;
- (35) packing mixed articles into containers for despatch;
- (36) placing discs on top of creams or other finished products before closing;
- (37) pressing out blocks of material or products by non-power-driven machine;
- (38) soldering by hand;
- (39) sorting bottles, glass tubes or rubber stoppers;
- (40) spinning or spraying paint on to containers or test panels;
- (41) stapling samples to advertising matter;
- (42) starting or stopping pumps;
- (43) stitching or stapling boxes or cartons by hand or machine;
- (44) testing density by hydrometer;
- (45) trimming viscose rings;
- (46) watchman;
- (47) writing addresses on bags;

„handyman” means an employee who is engaged in making minor repairs or adjustments to machinery or equipment, other than machinery or equipment directly used in the manufacture of the products of an establishment, and who may effect minor repairs or renovations to buildings;

„laboratory assistant” means an employee who, under the supervision of a chemist, a chemist and druggist or a chemical technician, is engaged in—

- (1) making routine tests of raw materials or finished or partly finished products;
- (2) preparing laboratory samples according to formulae;

„laboratory assistant, qualified,” means a laboratory assistant who has had not less than two years' experience;

„laboratory assistant, unqualified,” means a laboratory assistant who has had less than two years' experience;

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

- (1) Affixing identification discs on filled containers, where no discretion is involved;
- (2) applying gum to labels by hand;
- (3) assembling wooden boxes from pre-cut material by hand;
- (4) assisting on delivery vehicles, other than driving or effecting repairs;
- (5) baling scrap;
- (6) binding or strapping bales, boxes or other containers by hand;
- (7) branding, stamping or stencilling, or affixing blank or ready-addressed labels to, bales, boxes, drums or other packages or containers for transport or delivery, all where no discretion is involved;
- (8) carrying, lifting, moving, unpacking or stacking goods or articles by hand or non-power-driven vehicle;
- (9) cleaning or washing premises or containers, furniture, machinery, tools, utensils, filter press cloths or other articles;
- (10) cutting cardboard or other material by hand or non-power-driven machine;
- (11) emptying bags, bottles, casks, tins or other containers by hand;
- (12) feeding hides or skins onto conveyor belts;
- (13) feeding or sieving materials by hand into elevators, hoppers, tanks, vats, coating pans or other vessels;
- (14) filling hoppers by hand;
- (15) gardening work, i.e., planting, digging, raking, mowing, weeding, watering, trimming hedges or spreading or mixing gardening materials;
- (16) loading or unloading by hand;
- (17) making or maintaining fires or burning waste or damaged materials; or shovelling coal into hoppers;
- (18) making tea or similar beverages for employees;
- (19) mixing materials by hand;
- (20) opening or closing doors;
- (21) opening or closing bags, bales, bottles, boxes, drums, tins or other containers by hand;
- (22) opening or closing valves or cocks, under supervision;
- (23) operating a non-power-driven pump or hoist;
- (24) packing articles of uniform size and number into containers specially designed to contain such articles or articles into containers which are part of the get-up of the articles;
- (25) painting containers by hand;
- (26) picking out bones or other foreign matter from skins or hides;
- (27) pushing or pulling any vehicle, other than by power-driven device;
- (28) removing refuse or ashes;
- (29) setting up by hand ready-made cardboard or fibre board boxes or similar containers or dismantling such boxes or containers for re-use;

- (30) met die hand materiale met 'n skopgraaf hanteer of omkeer;
- (31) houers vaskram wat enkelmonsters bevat;
- (32) bestanddele met die hand roer;
- (33) rubber- of ander stempels gebruik waar daar geen oordeel vereis word nie;
- (34) monsters toedraai of verpak;
- "onderhoudman" 'n werknemer, uitgesonderd 'n ambagsman, wat minder belangrike herstel- of verstelwerk aan masjinerie of uitrusting doen wat regstreeks by die vervaardiging van die produkte van 'n bedryfsinrigting gebruik word;
- "bestuurder" 'n werknemer wat deur sy werkgever belas word met die algemene—
- (a) toesig oor,
- (b) verantwoordelikheid vir, en
- (c) leiding van,
- die werksaamhede van 'n bedryfsinrigting en die werknemers daarin werksaam;
- "bediener van 'n hystoestel" 'n werknemer wat 'n mobiele kragaangedrewe voertuig bedien wat gebruik word by die laai, aflaai, verskuiwing of opstapeling van goedere in 'n bedryfsinrigting, en omvat die drywer van 'n industriële trekker wat een of meer sleepwaens binne 'n bedryfsinrigting sleep;
- "bediener van 'n mobiele hystoestel, gekwalifiseer," 'n bediener van 'n mobiele hystoestel met minstens drie maande ondervinding;
- "bediener van 'n mobiele hystoestel, ongekwalifiseer," 'n bediener van 'n mobiele hystoestel met minder as drie maande ondervinding;
- "motorvoertuig" 'n kragaangedrewe voertuig wat gebruik word vir die vervoer van goedere, uitgesonderd 'n handelsreisiger se monsters, en omvat 'n voorhaker en 'n trekker maar nie 'n voertuig wat uitsluitlik binne 'n bedryfsinrigting gebruik word nie;
- "verfmaker" 'n werknemer wat verantwoordelik is vir of beheer het oor die werknemers betrokke by die weeg, meng en maal van verfmateriaal volgens vaste standaarde, maar wat geen chemiese werk verrig nie;
- "verfmaker, gekwalifiseer," 'n verfmaker met minstens drie jaar ondervinding;
- "verfmaker, ongekwalifiseer," 'n verfmaker met minder as drie jaar ondervinding;
- "stukwerk" 'n stelsel waarvolgens 'n werknemer se besoldiging op die hoeveelheid gedane werk gebaseer word;
- "pilmaker" 'n werknemer wat verantwoordelik is vir die hele produksieproses, uitgesonderd die voorskryf van die chemiese formule, van pille of tablette in 'n bedryfsinrigting;
- "pilmaker, gekwalifiseer," 'n pilmaker met minstens drie jaar ondervinding;
- "pilmaker, ongekwalifiseer," 'n pilmaker met minder as drie jaar ondervinding;
- "senior bestuurs-, professionele, tegniese of administratiewe werknemer" 'n werknemer wat deur die werkgever belas is met werk wat die verantwoordelikheid meebring om by die uitvoering van die bedryfsinrigting se werksaamhede besluite van professionele, tegniese of administratiewe aard te neem;
- "skofman" 'n werknemer wat, in 'n bedryfsinrigting waarin drie agtereenvolgende skofte per dag gewerk word, in beheer is van die werknemers op 'n skof en daarvoor verantwoordelik is dat hulle hul werk doeltreffend verrig;
- "skofwerker" 'n werknemer wat skofwerk verrig in 'n bedryfsinrigting waarin drie agtereenvolgende skofte per dag op vyf of ses dae per week gewerk word;
- "winkelassistent" 'n werknemer wat enigeen of meer van die volgende pligte verrig:—
- (a) Klante in 'n bedryfsinrigting bedien;
- (b) goedere uitstal;
- (c) voorraad vir verkoop, hou en beheer;
- (d) bestellings opmaak;
- en omvat 'n demonstreerder, en by die toepassing van hierdie woordskrywing beteken die uitdrukking „bestellings opmaak" die bymekaarbring van goedere—
- (i) deur 'n werknemer wat klante se bestellings in enige deel van 'n bedryfsinrigting waartoe klante gewoonlik toegang het, uitvoer of
- (ii) elders as in 'n deel van 'n bedryfsinrigting in (i) genoem, waar dit oordeel in die uitsoek van die goedere volgens gehalte of die klant se beskrywing verg;
- "winkelassistent, vrou, gekwalifiseer," 'n vroulike winkelassistent met minstens vier jaar ondervinding;
- "winkelassistent, vroulik, ongekwalifiseer," 'n vroulike winkelassistent met minder as vier jaar ondervinding;
- "winkelassistent, man, gekwalifiseer," 'n manlike winkelassistent met minstens vyf jaar ondervinding;
- "winkelassistent, man, ongekwalifiseer," 'n manlike winkelassistent met minder as vyf jaar ondervinding;
- "korttyd" 'n tydelike vermindering van die getal gewone werkeure weens 'n bedryfslapte, tekort aan grondstowwe, algemene onklaarraking van installasie of masjinerie of 'n werklike onklaarraking of dreigende onklaarraking van geboue;
- "pakhuisbediende" 'n werknemer wat die algemene toesig het oor voorrade inkomende goedere of klaargemaakte of gedeeltelik klaargemaakte produkte en wat verantwoordelik is vir die ontvang, opberging, verpakking of uitpak van goedere in 'n pakhuis of skuur of die aflewering van goedere uit 'n pakhuis of skuur aan die verbruiksafdelings in 'n bedryfsinrigting, of vir versending;

- (30) shovelling or turning over materials by hand;
- (31) stapling containers containing single set samples;
- (32) stirring ingredients by hand;
- (33) using rubber or other stamps where no discretion is involved;
- (34) wrapping or packing samples;
- "maintenance man" means an employee, other than an artisan, who is engaged in making minor repairs or adjustments to machinery or equipment used directly in the manufacture of the products of an establishment;
- "manager" means an employee who is charged by his employer with the overall—
- (a) supervision over,
- (b) responsibility for, and
- (c) directing of,
- the activities of an establishment and the employees engaged therein;
- "mobile hoist operator" means an employee who is engaged in operating a mobile power-driven vehicle used in the loading, unloading, moving or stacking of goods in an establishment and includes the driver of an industrial tractor towing one or more trailers within an establishment;
- "mobile hoist operator, qualified," means a mobile hoist operator who has had not less than three months' experience;
- "mobile hoist operator, unqualified," means a mobile hoist operator who has had less than three months' experience;
- "motor vehicle" means any power-driven vehicle used for conveying goods, other than traveller's samples, and includes a mechanical horse and a tractor but does not include any vehicle used exclusively within an establishment;
- "paint maker" means an employee who is responsible for, or in charge of the employees engaged in, the weighing, mixing and grinding of paint materials to set standards but who does not do chemical work;
- "paint maker, qualified," means a paint maker who has had not less than three years' experience;
- "paint maker, unqualified," means a paint maker who has had less than three years' experience;
- "piece-work" means any system under which an employee's remuneration is based on the quantity of work done;
- "pill maker" means an employee who is responsible for the entire process of production, other than the prescription of the chemical formula, of pills or tablets in an establishment;
- "pill maker, qualified," means a pill maker who has had not less than three years' experience;
- "pill maker, unqualified," means a pill maker who has had less than three years' experience;
- "senior managerial, professional, technical or administrative employee" means an employee who is charged by the employer with the performance of work entailing responsibility for taking decisions of a professional, technical or administrative character in the conduct of the activities of an establishment;
- "shiftsman" means an employee who, in an establishment in which three consecutive shifts per day are worked, is in charge of the employees on a shift and responsible for the efficient performance by them of their duties;
- "shift worker" means an employee who is engaged on shift work in an establishment in which three consecutive shifts per day on five or six days per week are worked;
- "shop assistant" means an employee who is engaged in any one or more of the following duties:—
- (a) Attending to customers in an establishment;
- (b) displaying goods;
- (c) keeping and controlling stock for sale;
- (d) assembling orders,
- and includes a demonstrator, and for the purpose of this definition the expression "assembling orders" means the bringing together of goods—
- (i) by an employee engaged in executing customers' orders in any portion of an establishment to which customers normally have access, or
- (ii) elsewhere than in any portion of an establishment referred to in (i) where this involves a discretion in the selection of the goods according to quality or the customer's description;
- "shop assistant, female, qualified," means a female shop assistant who has had not less than four years' experience;
- "shop assistant, female, unqualified," means a female shop assistant who has had less than four years' experience;
- "shop assistant, male, qualified," means a male shop assistant who has had not less than five years' experience;
- "shop assistant, male, unqualified," means a male shop assistant who has had less than five years' experience;
- "short-time" means a temporary reduction in the number of ordinary hours of work owing to slackness of trade, shortage of raw materials, a general breakdown of plant or machinery or an actual breakdown or threatened breakdown of buildings;
- "storeman" means an employee who is in general charge of stocks of incoming goods or finished or partly finished products and who is responsible for receiving, storing, packing or unpacking goods in a store or warehouse or delivering goods from a store or warehouse to the consuming departments in an establishment or for despatch;

„spanopsigter” ’n werknemer wat aan die hoof van ’n groep werknemers graad I of werknemers graad II staan en wat daarbenewens in beheer van arbeiders kan wees en wat rekords van die produksie van die werknemers onder sy toesig kan byhou;

„sleepwa” ’n vervoermiddel wat deur ’n motorvoertuig getrek word;

„handelsreisiger” ’n werknemer wat, as ’n reisende verteenwoordiger van ’n bedryfsinrigting en namens sodanige bedryfsinrigting bestellings vra, werf of aanvra;

„handelsreisiger, gekwalifiseer,” ’n handelsreisiger met minstens vier jaar ondervinding;

„handelsreisiger, ongekwalifiseer,” ’n handelsreisiger met minder as vier jaar ondervinding;

„handelsreisiger se assistent” ’n werknemer wat ’n handelsreisiger vergesel en hom help met die inpak, uitpak of uitstal van sy monsters en wat die motorvoertuig mag bestuur wat deur die handelsreisiger in die uitvoering van sy pligte gebruik word;

„onbelaste gewig” die gewig van ’n motorvoertuig of sleepwa soos in ’n lisensie of sertifikaat aangeteken wat ten opsigte van so ’n motorvoertuig of sleepwa deur ’n owerheid uitgereik is wat by wet gemagtig is om lisensies ten opsigte van motorvoertuie uit te reik: Met dien verstande dat in die geval van ’n twee- of driewielmotorfiets, bromponie of bromfiets of fiets met ’n hulpmasjien, die onbelaste gewig geag word hoogstens 1,000 lb. te wees;

„vernismaker” ’n werknemer in beheer van ’n vernisinstallasie en wat vir die hele produksieproses van met hittebehandelde vernis verantwoordelik is, maar wat geen chemiese werk verrig nie;

„vernismaker, gekwalifiseer,” ’n vernismaker met minstens drie jaar ondervinding;

„vernismaker, ongekwalifiseer,” ’n vernismaker met minder as drie jaar ondervinding;

„loon” die bedrag betaalbaar aan ’n werknemer ingevolge klousule 3 (1) ten opsigte van sy gewone werkure soos in klousule 5 voorgeskryf: Met dien verstande—

(i) dat, indien ’n werkgewer ’n werknemer gereeld ’n hoër bedrag as dié wat in klousule 3 (1) voorgeskryf word ten opsigte van sulke gewone werkure betaal, dit sodanige hoër bedrag beteken;

(ii) dat die eerste voorbehoudsbepaling nie so uitgelê moet word dat dit enige besoldiging beteken of omvat wat ’n werknemer wat diens doen op enige grondslag waarvoor daar in klousule 9 voorsiening gemaak word, ontvang het bo en behalwe die bedrag wat hy sou ontvang het as hy nie op sodanige grondslag diens gedoen het nie;

„wag” ’n werknemer wat persele of ander eiendom bewaak.

(2) Vir die toepassing van hierdie Vastelling word daar geag dat ’n werknemer in die klas is waarin hy uitsluitlik of hoofsaaklik diens doen.

3. BESOLDIGING.

(1) Die minimum loon wat ’n werkgewer moet betaal aan elke lid van ondergenoemde klasse werknemers in sy diens is soos hieronder gemeld:—

(a) *Werknemers, uitgesonderd los werknemers.*

(i)	In alle gebiede. Per week.
Ambagsman.....	26 45
Assistent-voorman.....	27 00
Chauffeur.....	9 50
Chemitegnikus, gekwalifiseer.....	27 50
Chemitegnikus, ongekwalifiseer—	
Gedurende die eerste jaar ondervinding.....	12 50
Gedurende die tweede jaar ondervinding.....	15 00
Gedurende die derde jaar ondervinding.....	17 50
Gedurende die vierde jaar ondervinding.....	20 00
Gedurende die vyfde jaar ondervinding.....	22 50
Gedurende die sesde jaar ondervinding.....	25 00
Apteker.....	31 00
Apteker en drogis.....	31 00
Kleurvergelyker.....	
Verfmaker.....	} gekwalifiseer..... 22 00
Pilmaker.....	
Vernismaker.....	} ongekwalifiseer—
Kleurvergelyker.....	
Verfmaker.....	
Pilmaker.....	
Vernismaker.....	
Gedurende die eerste jaar ondervinding.....	10 00
Gedurende die tweede jaar ondervinding.....	14 00
Gedurende die derde jaar ondervinding.....	18 00
Voorman.....	30 00
Skofman.....	24 00
Handelsreisiger, gekwalifiseer.....	32 30
Handelsreisiger, ongekwalifiseer—	
Gedurende die eerste jaar ondervinding.....	23 07
Gedurende die tweede jaar ondervinding.....	25 38
Gedurende die derde jaar ondervinding.....	27 69
Gedurende die vierde jaar ondervinding.....	30 00
Handelsreisiger se assistent.....	9 50

„team supervisor” means an employee who is in charge of a group of grade I employees or grade II employees and who may in addition be in charge of labourers and who may keep records of the output of the employees under his supervision;

„trailer” means any conveyance drawn by a motor vehicle;

„traveller” means an employee who, as a travelling representative of an establishment and on behalf of such establishment, invites, canvasses or solicits orders;

„traveller, qualified,” means a traveller who has had not less than four years’ experience;

„traveller, unqualified,” means a traveller who has had less than four years’ experience;

„traveller’s assistant” means an employee who accompanies a traveller and assists him in packing, unpacking or displaying his samples and who may drive the motor vehicle used by the traveller in the performance of his duties;

„unladen weight” means the weight of any motor vehicle or trailer as recorded in a licence or certificate issued in respect of such motor vehicle or trailer by any authority empowered by law to issue licences in respect of motor vehicles: Provided that in the case of a two- or three-wheeled motor cycle, motor scooter or auticycle or cycle fitted with an auxiliary engine the unladen weight shall be deemed not to exceed 1,000 lb.;

„varnish maker” means an employee who is in charge of a varnish plant and responsible for the entire process of production of heat treated varnish but who does not do chemical work;

„varnish maker, qualified,” means a varnish maker who has had not less than three years’ experience;

„varnish maker, unqualified,” means a varnish maker who has had less than three years’ experience;

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

(i) that, if an employer regularly pays an employee in respect of such ordinary hours of work an amount higher than that prescribed in clause 3 (1), it means such higher amount;

(ii) that the first proviso shall not be construed so as to refer to or include any remuneration which an employee, who is employed on any basis provided for in clause 9, received over and above the amount which he would have received if he had not been employed on such a basis;

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

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

3. REMUNERATION.

(1) The minimum wage which an employer shall pay to each member of the undermentioned classes of his employees shall be as set out hereunder:—

(a) *Employees, Other than Casual Employees.*

(i)	In all Areas. Per Week.
Artisan.....	26 45
Assistant foreman.....	27 00
Chauffeur.....	9 50
Chemical technician, qualified.....	27 50
Chemical technician, unqualified—	
During the first year of experience.....	12 50
During the second year of experience.....	15 00
During the third year of experience.....	17 50
During the fourth year of experience.....	20 00
During the fifth year of experience.....	22 50
During the sixth year of experience.....	25 00
Chemist.....	31 00
Chemist and druggist.....	31 00
Colour matcher.....	
Paint maker.....	} Qualified..... 22 00
Pill maker.....	
Varnish maker.....	} Unqualified
Colour matcher.....	
Paint maker.....	
Pill maker.....	
Varnish maker.....	
During the first year of experience.....	10 00
During the second year of experience.....	14 00
During the third year of experience.....	18 00
Foreman.....	30 00
Shiftsman.....	24 00
Traveller, qualified.....	32 30
Traveller, unqualified—	
During the first year of experience.....	23 07
During the second year of experience.....	25 38
During the third year of experience.....	27 69
During the fourth year of experience.....	30 00
Travellers’ assistant.....	9 50

(ii)

	In die landdros- distrikte Bellville, die Kaap, Simon- stad en Wynberg.	In die Transvaal en die landdros- distrikte Durban, Pinetown en Port Elizabeth.	In die landdros- distrikte Bloem- fontein, Oos- Londen, Kimber- ley, Paarl, Pieter- maritzburg, Uitenhage en Welkom.	In die landdros- distrik Worcester.	In alle ander gebiede.
	Per week. R	Per week. R	Per week. R	Per week. R	Per week. R
Klerk en Winkelassistent—					
Vrou, gekwalifiseer.....	15.69	15.69	15.69	12.46	12.46
Klerk en Winkelassistent—					
Vrou, ongekwalifiseer—					
Gedurende die eerste jaar ondervinding	8.54	8.54	8.54	6.92	6.92
Gedurende die tweede jaar ondervinding	10.15	10.15	10.15	8.31	8.31
Gedurende die derde jaar ondervinding	12.00	12.00	12.00	9.69	9.69
Gedurende die vierde jaar ondervinding	13.90	13.90	13.90	11.08	11.08
Klerk en Winkelassistent—					
Man, gekwalifiseer.....	23.07	23.07	23.07	19.15	19.15
Klerk en Winkelassistent—					
Man, ongekwalifiseer—					
Gedurende die eerste jaar ondervinding...	9.23	9.23	9.23	7.62	7.62
Gedurende die tweede jaar ondervinding...	12.00	12.00	12.00	9.92	9.92
Gedurende die derde jaar ondervinding...	14.77	14.77	14.77	12.23	12.23
Gedurende die vierde jaar ondervinding...	17.54	17.54	17.54	14.54	14.54
Gedurende die vyfde jaar ondervinding...	20.31	20.31	20.31	16.85	16.85
Fabrieksklerk, gekwalifiseer.....	10.75	10.75	10.75	9.75	9.75
Fabrieksklerk, ongekwalifiseer—					
Gedurende die eerste ses maande onder- vinding	9.00	9.00	9.00	8.00	8.00
Gedurende die tweede ses maande onder- vinding	9.75	9.75	9.75	8.75	8.75
Eerstehulpwerker.....	9.50	9.50	9.00	8.50	7.50
Werknemer graad I, gekwalifiseer.....	9.50	9.50	9.00	8.50	7.50
Werknemer graad I, ongekwalifiseer—					
Gedurende die eerste ses maande onder- vinding	7.50	7.30	6.50	6.00	5.00
Gedurende die tweede ses maande onder- vinding	8.00	7.90	7.25	6.75	5.75
Gedurende die derde ses maande ondervinding	8.75	8.70	8.00	7.50	6.50
Werknemer graad II.....	7.65	7.30	6.50	6.00	5.00
Faktotum.....	14.00	14.00	14.00	12.00	12.00
Laboratoriumassistent, gekwalifiseer.....	15.00	15.00	15.00	13.00	13.00
Laboratoriumassistent, ongekwalifiseer—					
Gedurende die eerste jaar ondervinding.....	10.00	10.00	10.00	9.00	9.00
Gedurende die tweede jaar ondervinding.....	12.50	12.50	12.50	11.00	11.00
Arbeider, vrou.....	5.70	5.45	4.80	4.40	3.60
Arbeider, man, 18 jaar of ouer.....	7.15	6.80	6.00	5.50	4.50
Arbeider, man, onder 18 jaar.....	5.35	5.10	4.50	4.15	3.40
Onderhoudman.....	18.00	18.00	18.00	15.00	15.00
Bediener van 'n mobiele hystoestel, gekwalifiseer	8.00	7.80	7.00	6.50	5.50
Bediener van 'n mobiele hystoestel, ongekwalifi- seer	7.50	7.30	6.50	6.00	5.00
Spanopsigter.....	10.50	10.50	10.00	9.50	8.50

(iii)

	In die landdros- distrikte Bellville, die Kaap, Simon- stad en Wynberg.	In die Transvaal en die landdros- distrikte Durban, Pinetown en Port Elizabeth.	In die landdros- distrikte Bloem- fontein, Oos- Londen, Kimber- ley, Paarl, Pieter- maritzburg, Uitenhage en Welkom.	In die landdros- distrik Worcester.	In alle ander gebiede.
	Per week. R	Per week. R	Per week. R	Per week. R	Per week. R
Bestuurder van 'n motorvoertuig waarvan die onbelaste gewig saam met die onbelaste gewig van 'n sleepwa of sleepwaens wat deur sodanige voertuig getrek word—					
(i) hoogstens 1,000 lb. is.....	9.20	9.20	9.20	8.10	8.10
(ii) hoër as 1,000 lb. maar nie hoër as 6,000 lb. is nie.....	13.30	13.30	13.30	13.00	13.00
(iii) hoër as 6,000 lb. maar nie hoër as 10,000 lb. is nie.....	16.70	16.70	16.70	15.00	15.00
(iv) hoër as 10,000 lb. is.....	20.80	20.80	20.80	18.60	18.60

(ii)

	In the magisterial districts of Bellville, the Cape, Simonstown and Wynberg.	In the Transvaal and the magisterial districts of Durban, Pinetown and Port Elizabeth.	In the magisterial districts of Bloemfontein, East London, Kimberley, Paarl, Pietermaritzburg, Uitenhage and Welkom.	In the magisterial district of Worcester.	In all other areas.
	Per Week. R	Per Week. R	Per Week. R	Per Week. R	Per Week. R
Clerk and Shop assistant— Female, qualified.....	15.69	15.69	15.69	12.46	12.46
Clerk and Shop assistant— Female, unqualified—					
During the first year of experience.....	8.54	8.54	8.54	6.92	6.92
During the second year of experience....	10.15	10.15	10.15	8.31	8.31
During the third year of experience.....	12.00	12.00	12.00	9.69	9.69
During the fourth year of experience....	13.90	13.90	13.90	11.08	11.08
Clerk and Shop assistant— Male, qualified.....	23.07	23.07	23.07	19.15	19.15
Clerk and Shop assistant— Male, unqualified—					
During the first year of experience.....	9.23	9.23	9.23	7.62	7.62
During the second year of experience....	12.00	12.00	12.00	9.92	9.92
During the third year of experience.....	14.77	14.77	14.77	12.23	12.23
During the fourth year of experience....	17.54	17.54	17.54	14.54	14.54
During the fifth year of experience.....	20.31	20.31	20.31	16.85	16.85
Factory clerk, qualified.....	10.75	10.75	10.75	9.75	9.75
Factory clerk, unqualified—					
During the first six months of experience...	9.00	9.00	9.00	8.00	8.00
During the second six months of experience.	9.75	9.75	9.75	8.75	8.75
First-aid attendant.....	9.50	9.50	9.00	8.50	7.50
Grade I employee, qualified.....	9.50	9.50	9.00	8.50	7.50
Grade I employee, unqualified—					
During the first six months of experience.....	7.50	7.30	6.50	6.00	5.00
During the second six months of experience..	8.00	7.90	7.25	6.75	5.75
During the third six months of experience...	8.75	8.70	8.00	7.50	6.50
Grade II employee.....	7.65	7.30	6.50	6.00	5.00
Handyman.....	14.00	14.00	14.00	12.00	12.00
Laboratory assistant, qualified.....	15.00	15.00	15.00	13.00	13.00
Laboratory assistant, unqualified—					
During the first year of experience.....	10.00	10.00	10.00	9.00	9.00
During the second year of experience.....	12.50	12.50	12.50	11.00	11.00
Labourer, female.....	5.70	5.45	4.80	4.40	3.60
Labourer, male, 18 years of age or over.....	7.15	6.80	6.00	5.50	4.50
Labourer, male, under 18 years of age.....	5.35	5.10	4.50	4.15	3.40
Maintenance man.....	18.00	18.00	18.00	15.00	15.00
Mobile hoist operator, qualified.....	8.00	7.80	7.00	6.50	5.50
Mobile hoist operator, unqualified.....	7.50	7.30	6.50	6.00	5.00
Team supervisor.....	10.50	10.50	10.00	9.50	8.50

(iii)

	In the magisterial districts of Bellville, the Cape, Simonstown and Wynberg.	In the Transvaal and the magisterial districts of Durban, Pinetown and Port Elizabeth.	In the magisterial districts of Bloemfontein, East London, Kimberley, Paarl, Pietermaritzburg, Uitenhage and Welkom.	In the magisterial district of Worcester.	In all other areas.
	Per Week. R	Per Week. R	Per Week. R	Per Week. R	Per Week. R
Driver of a motor vehicle, the unladen weight of which, together with the unladen weight of any trailer or trailers drawn by such vehicle—					
(i) does not exceed 1,000 lb.....	9.20	9.20	9.20	8.10	8.10
(ii) exceeds 1,000 lb. but not 6,000 lb..	13.30	13.30	13.30	13.00	13.00
(iii) exceeds 6,000 lb. but not 10,000 lb.	16.70	16.70	16.70	15.00	15.00
(iv) exceeds 10,000 lb.....	20.80	20.80	20.80	18.60	18.60

(b) *Los werknemer*.—'n Los werknemer moet ten opsigte van elke dag of deel van 'n dag diens minstens een vyfde van die weekloon betaal word wat voorgeskryf is vir 'n werknemer in dieselfde gebied en van dieselfde geslag wat dieselfde klas werk verrig as wat van die los werknemer vereis word om te doen: Met dien verstande dat waar die werkgever van 'n los werknemer vereis om die werk van 'n klas werknemer te verrig vir wie 'n stygende loonskaal voorgeskryf is, die uitdrukking „weekloon” die weekloon beteken wat voorgeskryf is vir 'n gekwalifiseerde werknemer van daardie klas, en voorts met dien verstande dat waar die werkgever van 'n los werknemer vereis om vir 'n tydperk van hoogstens vier agtereenvolgende ure op 'n dag te werk, sy loon met 50 persent verminder kan word.

(b) *Casual Employee*.—A casual employee shall be paid in respect of every day or part of a day of employment not less than one-fifth of the weekly wage prescribed for an employee in the same area and of the same sex who performs the same class of work as the casual employee is required to do: Provided that, where the employer requires a casual employee to perform the work of a class of employee for whom wages on a rising scale are prescribed the expression “weekly wage” shall mean the weekly wage prescribed for a qualified employee of that class and provided further that where the employer requires a casual employee to work for a period of not more than four consecutive hours on any day, his wage may be reduced by fifty per cent.

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

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

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

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

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

Met dien verstande—

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

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

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

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

(c) Die uurloon van 'n werknemer, uitgesonderd 'n los werknemer, is sy weekloon gedeel deur ses-en-veertig.

(5) *Vervoertoelae en -koste.*—Benewens die betaling van enige ander besoldiging verskuldig aan—

- (a) 'n handelsreisiger wat van sy werkgever se motorvervoer gebruik maak of wat per trein of met enige ander vervoermiddel as sy eie moet reis, moet sy werkgever aan hom al die redelike koste deur hom aangegaan in verband met sulke vervoer in die uitvoering van sy pligte, terugbetaal, en vir die toepassing van hierdie subklousule word die koste van oornagse stalling van motorvervoer as 'n vervoerkoste geag;
- (b) 'n handelsreisiger van wie vereis word om motorvervoer vir die uitvoering van sy pligte verskaf, moet sy werkgever hom 'n vervoertoelae van minstens die volgende betaal vir elke myl wat hy in die uitvoering van sy pligte gereis het—
 - (i) in die geval van 'n viersilindervoertuig waarvan die gewig hoogstens 2,500 lb. is: 6 sent;
 - (ii) in die geval van 'n viersilindervoertuig waarvan die gewig 2,500 lb. te bowe gaan, maar nie 2,900 lb. nie, of 'n ses- of agtsilindervoertuig waarvan die gewig hoogstens 2,900 lb. is: 7½ sent;
 - (iii) in die geval van 'n voertuig waarvan die gewig hoër as 2,900 lb. is: 10 sent;

en vir die toepassing van hierdie subklousule beteken die uitdrukking „gewig” die gewig soos aangeteken in 'n lisensie of sertifikaat wat ten opsigte van sodanige voertuig deur 'n owerheid uitge-reik is wat by wet daartoe gemagtig is om so 'n lisensie of sertifikaat uit te reik.

(6) *Verblyftoelae en -koste.*—Benewens die betaling van enige ander besoldiging verskuldig aan—

- (a) 'n handelsreisiger wat, op 'n reis wat onderneem word in die uitvoering van sy pligte, vir 'n tydperk van langer as ses agtereenvolgende ure van sy woonplek en sy werkgever se bedryfsinrigting afwesig is, moet sy werkgever—
 - (i) hom alle koste terugbetaal wat hy redelikerwys aangegaan het vir maaltye en tee vir homself gedurende elke sodanige tydperk van afwesigheid wat nie oor 'n nag strek nie;
 - (ii) hom 'n verblyftoelae van minstens drie rand vir elke nag betaal, waar sodanige afwesigheid oor een of meer nagte strek;
- (b) 'n handelsreisiger se assistent wat, terwyl hy 'n handelsreisiger vergesel op 'n reis wat laasgenoemde in die uitvoering van sy pligte onderneem, vir 'n tydperk van langer as ses agtereenvolgende ure van sy woonplek en sy werkgever se bedryfsinrigting afwesig is, moet sy werkgever—
 - (i) hom alle koste terugbetaal wat hy redelikerwys aangegaan het vir maaltye en tee vir homself gedurende elke sodanige tydperk van afwesigheid wat nie oor 'n nag strek nie;

(2) *Basis of Contract.*—For the purpose of this clause the contract of employment of an employee, other than a casual employee, shall be on a weekly basis, and, save as provided in clause 4 (6), an employee shall be paid in respect of a week not less than the full weekly wage prescribed in sub-clause (1), read with sub-clause (3), for an employee of his class in the area in which he works, whether he has in that week worked the maximum number of ordinary hours of work applicable to him in terms of clause 5 or less.

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

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

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

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

Provided—

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

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

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

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

(c) The hourly wage of an employee, other than a casual employee, shall be his weekly wage divided by forty-six.

(5) *Transport Allowance and Expenses.*—In addition to paying any other remuneration due to—

- (a) a traveller who uses his employer's motor transport or who is required to travel by train or any other means of conveyance than his own, his employer shall reimburse him all the reasonable expenses incurred by him in connection with such transport in the performance of his duties, and for the purpose of this sub-clause the cost of overnight garaging of motor transport shall be deemed to be a transport expense;
- (b) a traveller who is required to provide motor transport for the performance of his duties, his employer shall pay him a transport allowance for each mile travelled in the performance of his duties of not less than in the case of—
 - (i) a four cylinder vehicle the weight of which does not exceed 2,500 lb.: 6 cents;
 - (ii) a four cylinder vehicle the weight of which exceeds 2,500 lb. but not 2,900 lb. or a six or eight cylinder vehicle the weight of which does not exceed 2,900 lb.: 7½ cents;
 - (iii) a vehicle the weight of which exceeds 2,900 lb.: 10 cents;

and for the purpose of this sub-clause the expression “weight” means the weight as recorded in a licence or certificate issued in respect of such vehicle by an authority empowered by law to issue such licence or certificate.

(6) *Subsistence Allowance and Expenses.*—In addition to paying any other remuneration due to—

- (a) a traveller who, on any journey undertaken in the performance of his duties, is absent from his place of residence and his employer's establishment for any period in excess of six consecutive hours, his employer shall—
 - (i) reimburse him all expenses reasonably incurred by him for any meals and teas for himself during each such period of absence not extending over a night;
 - (ii) pay him a subsistence allowance of not less than three rand for each night where such absence extends over one or more nights;
- (b) a traveller's assistant who, accompanying a traveller on any journey undertaken by the traveller in the performance of his duties, is absent from the place of his residence and his employer's establishment for any period in excess of six consecutive hours, his employer shall—
 - (i) reimburse him all expenses reasonably incurred by him for any meals and teas for himself during each such period of absence not extending over a night;

- (ii) hom 'n verblyftoelae van minstens tagtig sent betaal vir elke nag, waar sodanige afwesigheid oor een of meer nagte strek:

Met dien verstande dat die uitdrukking „nag” vir die toepassing van hierdie subklousule die tydperk tussen 11 nm. en 4 vm. beteken.

(7) (a) 'n Werkgewer moet enige toelae en koste betaalbaar aan 'n werknemer ingevolge subklousules (5) en (6) binne sewe dae betaal nadat die werknemer 'n skriftelike eis daarvoor ingestel het: Met dien verstande dat 'n werknemer enige sodanige eise binne een maand moet indien vanaf die tydperk waarop hy daartoe geregtig word, maar dat hy nie meer as een eis in 'n bepaalde week mag instel nie.

(b) 'n Werkgewer mag van sy handelsreisiger vereis om 'n eis so op te stel dat dit die volgende sal weergee:—

- (i) Ten opsigte van enige eis kragtens subklousule (5) (a), die wyse waarop daar gereis is en die vervoerkoste aangegaan of die aard van enige ander koste waarvoor terugbetaling geëis word;
- (ii) ten opsigte van enige eis kragtens subklousule (5) (b), die myle wat elke dag afgelê is, die aandoenplekke en, uitgesonderd in munisipale gebiede, die roete wat gevolg is;
- (iii) ten opsigte van 'n eis kragtens subklousule (6), die aanvangs- of aflooptye van elke tydperk van afwesigheid;

en ten einde hom in staat te stel om so 'n vereiste na te kom, moet sy werkgewer aan so 'n handelsreisiger, voordat hy enige sodanige reis onderneem, 'n geskikte boek of vorms verskaf waarin of waarop hy paslike rekords kan byhou.

4. BETALING VAN BESOLDIGING.

(1) *Werknemers, uitgesonderd los werknemers.*—Behoudens die bepalinge van klousules (3), (7) en 6 (4) moet alle bedrae verskuldig aan 'n werknemer, uitgesonderd 'n los werknemer, weekliks in kontant of, as die werknemer daartoe instem, maandeliks in kontant of per tjek betaal word gedurende die werkure of binne 15 minute na staking van die werk op die dag waarop die bedryfsinrigting so 'n werknemer gewoonlik betaal (of in die geval van 'n deurlopende proses-werker of 'n skofwerker, op 'n tyd waarop sodanige werknemer en sy werkgewer ooreengekom het, wat naamlik gedurende die gewone kantoorure van die bedryfsinrigting moet wees maar nie later nie as 24 uur na die gewone betaal-dag) of by diensbeëindiging as dit voor die gewone betaaldag geskied, en sodanige bedrag moet in 'n verseelde koevert of houer wees waarop die volgende aangegee moet word of wat vergesel moet gaan van 'n staat wat die volgende aantoon:—

- (a) Die werkgewer se naam;
- (b) die werkgewer se naam of sy nommer op die betaalstaat en sy beroep;
- (c) die getal gewone werkure deur die werknemer gewerk;
- (d) die getal ure wat die werknemer oortyd gewerk het;
- (e) die werknemer se loon;
- (f) die besonderhede van enige ander besoldiging wat uit die werknemer se diens voortspruit;
- (g) die besonderhede van enige bedrae wat afgetrek is;
- (h) die werklike bedrag wat aan die werknemer betaal word; en
- (i) die tydperk waarvoor die betaling geskied;

en sodanige koevert of houer waarop hierdie besonderhede aangeteken is of sodanige staat word die eiendom van die werknemer.

(2) *Los werknemer.*—'n Werkgewer moet die besoldiging, wat aan 'n los werknemer verskuldig is, by die beëindiging van sy diens in kontant aan hom betaal.

(3) *Premies.*—Geen bedrag mag regstreeks of onregstreeks vir die indiensneming of opleiding van 'n werknemer aan 'n werkgewer betaal of deur hom aangeneem word nie.

(4) *Koop van goedere.*—'n Werkgewer mag nie vereis dat sy werknemer van hom of van enige winkel, plek of persoon deur hom aangewys, goedere koop nie.

(5) *Etes en huisvesting.*—Behoudens die bepalinge van die Naturelle (Stadsgebiede) Konsolidasiewet, 1945, mag 'n werkgewer nie vereis dat sy werknemer by hom of by enige ander persoon of plek deur hom aangewys, eet of huisvesting ontvang of eet en huisvesting ontvang nie.

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

- (a) Met die skriftelike toestemming van sy werknemer, 'n bedrag vir 'n vakansie-, siektebystand-, versekerings-, spaar-, voorsorgs- of pensioenfondse, of vir ledegelde van vakverenigings;
- (b) behoudens andersluidende bepalinge in hierdie Vasstelling, wanneer 'n werknemer om 'n ander rede as op las of op versoek van sy werkgewer uit sy werk afwesig is, 'n bedrag eweredig aan die tydperk van sy afwesigheid en bereken op die grondslag van die loon wat so 'n werknemer ten tyde van sodanige afwesigheid vir sy gewone werkure ontvang het;
- (c) alle bedrae wat 'n werkgewer regtens of op bevel van 'n bevoegde hof verplig of toegelaat word om af te trek;

- (ii) pay him a subsistence allowance of not less than eighty cents for each night where such absence extends over one or more nights:

Provided that for the purpose of this sub-clause the expression "night" means the period between 11 o'clock p.m. and 4 o'clock a.m.

(7) (a) Any allowance and expenses payable to an employee in terms of sub-clauses (5) and (6) shall be paid by an employer within seven days of the employee's written claim therefor: Provided that an employee shall submit any such claims within one month of entitlement but shall not submit more than one claim in any one week.

(b) An employer may require his traveller to frame any claim so that it shall reflect—

- (i) in respect of any claim in terms of sub-clause (5) (a), the mode of travel employed and the transport expenses incurred or the nature of any other expense for which reimbursements is claimed;
- (ii) in respect of any claim in terms of sub-clause (5) (b), the mileage travelled each day, the points of call and, except in municipal areas, the route followed;
- (iii) in respect of any claim in terms of sub-clause (6), the times of commencement and ending of each period of absence; and to enable him to comply with such a requirement, his employer shall, before any such journey is undertaken by such traveller, provide him with a suitable book or forms in or on which to maintain suitable records.

4. PAYMENT OF REMUNERATION.

(1) *Employees Other than Casual Employees.*—Save as provided in clauses 3 (7) and 6 (4), any amount due to an employee, other than a casual employee, shall be paid in cash weekly or, with the consent of the employee, in cash or by cheque monthly during the hours of work or within fifteen minutes of ceasing work on the usual pay day of the establishment for such employee (or in the case of a continuous process worker or a shift worker at a time agreed upon between such employee and his employer, which time shall be during the usual office hours of the establishment but not later than twenty-four hours after the usual pay day) or on termination of employment if this takes place before the usual pay day, and such amount shall be contained in a closed envelope or container, on which shall be recorded, or which shall be accompanied by a statement showing—

- (a) the employer's name;
- (b) the employee's name or his number on the pay roll and his occupation;
- (c) the number of ordinary hours of work worked by the employee;
- (d) the number of overtime hours worked by the employee;
- (e) the employee's wage;
- (f) the details of any other remuneration arising out of the employee's employment;
- (g) the details of any deductions made;
- (h) the actual amount paid to the employee; and
- (i) the period in respect of which payment is made;

and such envelope or container on which these particulars are recorded or such statement shall become the property of the employee.

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

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

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

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

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

- (a) With the written consent of his employee, a deduction for holiday, sick benefit, medical aid, insurance, savings, provident or pension funds, or subscriptions to trade unions;
- (b) except where otherwise provided in this Determination, whenever an employee is absent from work, other than on the instructions or at the request of his employer, a deduction proportionate to the period of his absence and calculated on the basis of the wage which such employee was receiving in respect of his ordinary hours of work at the time of such absence;
- (c) a deduction of any amount which an employer by law or order of any competent court is required or permitted to make;

- (d) wanneer 'n werknemer daarmee instem, of ingevolge die Naturelle (Stadsgebiede) Konsolidasiewet, 1945, verplig word om etes en huisvesting of etes of huisvesting van sy werkgever aan te neem; 'n bedrag hoogstens gelyk aan onderstaande bedrae:—

	Per week.	Per maand.
	R c	R c
(i) Etes	0 80	3 47
(ii) Huisvesting	0 40	1 73
(iii) Etes en huisvesting	1 20	5 20;

- (e) wanneer die gewone werkure in klousule 5 voorgeskryf weens korttyd verminderd word, 'n bedrag gelyk aan die werknemer (uitgesonderd 'n los werknemer) se uurloon vir elke uur van sodanige vermindering: Met dien verstande—

- dat sodanige bedrag, ongeag die getal ure waarmee die gewone werkure aldus verminderd word, hoogstens een-derde van die werknemer se weekloon mag wees;
- dat geen bedrag ten opsigte van korttyd wat deur 'n slapte in die bedryf of 'n tekort aan grondstowwe ontstaan, afgetrek word nie, tensy die werkgever sy werknemer op die vorige werkdag kennis gegee het van sy voorneme om die gewone werkure te verminder;
- dat geen bedrag afgetrek mag word in die geval van korttyd weens 'n algemene onklaarraking van installasie of masjinerie of 'n onklaarraking of dreigende onklaarraking van geboue ten opsigte van die eerste uur wat daar nie gewerk word nie, tensy die werkgever sy werknemer op die vorige dag in kennis gestel het dat daar geen werk beskikbaar sal wees nie;

- (f) met die skriftelike toestemming van 'n werknemer, alle bedrae wat 'n werkgever aan 'n munisipale raad of ander plaaslike bestuur betaal het aan huur van 'n huis, of aan huisvesting in 'n hostel wat dié werknemer in 'n lokasie of Bantoedorp onder die beheer van so 'n raad of ander plaaslike bestuur, bewoon.

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

- (1) *Gewone werkure.*—'n Werkgever mag nie vereis of toelaat dat 'n werknemer, uitgesonderd 'n los werknemer of 'n deurlopende proses-werker meer gewone werkure as die volgende werk nie:—

- In die geval van 'n werknemer wat ses dae per week werk—
 - ses-en-veertig in 'n week vanaf Maandag tot en met Saterdag; en
 - behoudens die bepalings van subparagraaf (i) hiervan, agt op 'n dag, tensy die ure op een dag hoogstens vyf is, wanneer die ure op enigeen van die ander dae tot agt en 'n half verleng kan word.

- In die geval van 'n werknemer wat vyf dae per week werk—
 - ses-en-veertig in 'n week vanaf Maandag tot en met Vrydag; en
 - behoudens die bepalings van subparagraaf (i) hiervan, nege en 'n kwart op 'n dag.

- (2) 'n Werkgever mag nie van 'n deurlopende proses-werker vereis of hom toelaat om meer gewone werkure as die volgende te werk nie:—

- Agt-en-veertig in 'n week vanaf Sondag tot en met Saterdag; en
- behoudens subparagraaf (i) hiervan, agt op 'n dag: Met dien verstande dat 'n werkgever van 'n werknemer kan vereis of hom kan toelaat om twee skofte van agt uur op 'n dag maar nie meer dikwels as een maal in 'n tydperk van drie agtereenvolgende weke nie, te werk en op so 'n wyse dat die werknemer 'n diensvry tydperk van minstens agt uur tussen sulke skofte het.

- (3) 'n Werkgever mag nie vereis of toelaat dat 'n los werknemer meer gewone werkure as agt en 'n half op 'n dag werk nie.

- (4) *Etenspouse.*—'n Werkgever mag nie vereis of toelaat dat 'n werknemer meer as vyf uur ononderbroke werk sonder 'n etenspouse van minstens een uur nie, waarin van so 'n werknemer nie vereis of hy nie toegelaat mag word om enige werk te verrig nie, en dié pouse word geag geen deel van die gewone werkure of oortydwerk uit te maak nie: Met dien verstande—

- dat 'n werkgever met sy werknemer kan ooreenkom om die tydperk van sodanige etenspouse tot minstens 'n halfuur te verkort, en in dié geval en nadat die werkgever 'n verklaring omtrent sodanige ooreenkoms by die Afdelings-inspekteur, Departement van Arbeid, vir sy gebied ingedien het, kan die etenspouse aldus verkort word;
- dat, behalwe wanneer voorbehoudsbepaling (i) of (vi) van toepassing is, werktidperke wat deur pouses van korter as een uur onderbreek word, geag word deurlopend te wees;
- dat, indien sodanige pouse langer as een uur is, enige tydperk van langer as een en 'n kwart uur geag word tyd te wees wat daar gewerk is;
- dat 'n motorvoertuigbestuurder wat in so 'n pouse geen ander werk verrig as om in beheer van die voertuig te wees of te bly nie, by die toepassing van hierdie subklousule geag word in dié pouse nie te gewerk het nie;

- (d) whenever an employee agrees or is required in terms of the Natives (Urban Areas) Consolidation Act, 1945, to accept board and lodging or board or lodging with his employer, a deduction not exceeding the amounts specified hereunder—

	Per Week.	Per Month.
	R c	R c
(i) Board	0 80	3 47
(ii) Lodging	0 40	1 73
(iii) Board and lodging	1 20	5 20;

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

- that such deduction shall not exceed one-third of the employee's weekly wage, irrespective of the number of hours by which the ordinary hours of work are thus reduced;
- that no deduction shall be made in the case of short-time arising out of slackness of trade or shortage of raw materials, unless the employer has given his employee notice on the previous work day of his intention to reduce the ordinary hours of work;
- that no deduction shall be made in the case of short-time owing to a general breakdown of plant or machinery or a breakdown or threatened breakdown of buildings, in respect of the first hour not worked, unless the employer has given his employee notice on the previous day that no work will be available;

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

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

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

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

- in the case of an employee who works a five-day week—
 - forty-six in any week from Monday to Friday, inclusive; and
 - subject to sub-paragraph (i) hereof, nine and one-quarter on any day.

- (2) An employer shall not require or permit a continuous process worker to work more ordinary hours of work than—

- forty-eight in any week from Sunday to Saturday, inclusive; and
- subject to sub-paragraph (i) hereof, eight on any day: Provided that an employer may require or permit an employee to work two shifts of eight hours on one day but not more often than once in any period of three consecutive weeks and so that the employee has a free period of at least eight hours between such shifts.

- (3) An employer shall not require or permit a casual employee to work more ordinary hours of work than eight and one-half on any day.

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

- that an employer may agree with his employee to reduce the period of such meal interval to not less than half an hour, and in that event and after the employer has lodged a statement of such agreement with the Divisional Inspector, Department of Labour, for his area, the meal interval may be so reduced;
- that periods of work interrupted by intervals of less than one hour, except when proviso (i) or (vi) applies, shall be deemed to be continuous;
- that, if such interval be longer than one hour, any period in excess of one and one-quarter hours shall be deemed to be time worked;
- that a driver of a motor vehicle who during such interval does no work other than being or remaining in charge of the vehicle shall be deemed for the purposes of this sub-clause not to have worked during such interval;

- (v) dat hoogstens een sodanige pouse gedurende die gewone werke van 'n werknemer op enige dag geag word nie deel van die gewone werke uit te maak nie;
- (vi) dat wanneer 'n werkgewer op enige dag weens oortydwerk aan 'n werknemer 'n tweede etenspouse moet toestaan, sodanige pouse op versoek van die werknemer tot vyftien minute verkort mag word, solank die totale tydperk deur die werknemer na die eerste etenspouse van die dag gewerk, nie sewe uur te bowe gaan nie;
- (vii) dat so 'n pouse nie aan 'n stoomketelbediener, 'n deurlopende proses-werker of 'n skofwerker gedurende sy gewone werke op enige skof toegestaan hoef te word nie indien daar aan hom gedurende sodanige ure die geleentheid gebied word om 'n ete te nuttig terwyl hy op sy pos is.

(5) *Ruspouses.*—'n Werkgewer moet aan elkeen van sy werknemers 'n rouspouse van minstens tien minute toestaan so na as doenlik aan—

- (a) die middel van elke eerste werktydperk op 'n dag;
- (b) die middel van elke tweede werktydperk op 'n dag, waar sodanige tydperk langer as drie uur is;

en gedurende sodanige pouse mag daar nie van so 'n werknemer vereis word of mag hy nie toegelaat word om enige werk te verrig nie, en sodanige pouse word geag deel van die gewone werke van so 'n werknemer uit te maak.

(6) *Werkure moet agtereenvolgend wees.*—Behoudens die bepalinge van subklousules (2) (ii) en (4) moet alle werke van 'n werknemer op enige dag agtereenvolgend wees.

(7) *Oortyd.*—(a) Alle tyd wat 'n werknemer langer as die getal gewone werke in subklousules (1) en (3) voorgeskryf, gewerk het, word geag oortyd te wees.

(b) Behoudens die bepalinge van subklousules (2) (ii) en (11) word alle tyd wat 'n deurlopende proses-werker langer as ses-en-veertig uur in 'n week of agt uur op 'n dag gewerk, vir betalingsdoeleindes geag oortyd te wees.

(8) *Beperking van oortyd.*—'n Werkgewer mag nie vereis of toelaat dat 'n werknemer langer oortyd as die volgende werk nie:—

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

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

- (a) tussen 6-uur nm. en 6-uur vm. werk nie;
- (b) op meer as vyf dae in 'n week na 1-uur nm. werk nie;
- (c) meer as twee uur oortyd op 'n dag gewerk nie, uitgesonderd dat 'n werknemer wat vyf dae per week gewerk op 'n Saterdag hoogstens vier uur oortyd mag gewerk;
- (d) op meer as drie agtereenvolgende dae in 'n week oortyd gewerk nie;
- (e) op meer as sesdag dae in 'n jaar oortyd gewerk nie;
- (f) na voltooiing van haar gewone werke, meer as een uur op 'n dag oortyd gewerk nie, tensy hy—
- (i) so 'n werknemer voor die middag kennis daarvan gegee het; of
- (ii) so 'n werknemer van 'n toereikende ete voorsien en haar genoeg tyd gelaat het om dit te nuttig voordat sy met die oortydwerk moet begin; of
- (iii) so 'n werknemer minstens vyf-en-twintig sent betyds betaal het om haar in staat te stel om 'n ete te verkry en dit te nuttig voordat die oortydwerk begin.

(10) *Betaling vir oortydwerk.*—'n Werkgewer moet 'n werknemer wat oortyd gewerk minstens die volgende betaal:—

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

(11) *Rusdag.*—'n Werkgewer moet aan elkeen van sy deurlopende proseswerkers een volle rusdag in elke maand toestaan, maar indien 'n werkgewer van so 'n werknemer vereis of hom toelaat om op sy rusdag te werk, word die ure wat gewerk is geag nie deel van die gewone werke in subklousule (2) voorgeskryf, uit te maak nie.

(12) *Voorbehoudsbepalinge.*—(a) Die bepalinge van hierdie klousule geld nie vir 'n handelsreisiger, 'n handelsreisiger se hulp of 'n wag nie.

(b) Die bepalinge van hierdie klousule geld nie vir 'n senior bestuurs-, professionele, tegniese of administratiewe werknemer of 'n voorman indien en solank so 'n werknemer gereeld 'n loon van minstens R160 per maand ontvang nie.

(c) Die bepalinge van subklousules (4), (5), (6) en (8) geld nie vir 'n werknemer terwyl hy noodwerk verrig of vir 'n chauffeur nie.

(d) Die bepalinge van subklousule (5) geld nie vir 'n stoomketelbediener, 'n eerstehulpwerker, 'n motorvoertuigbestuurder, 'n arbeider wat op 'n afleweringsvoertuig help nie, 'n deurlopende proseswerker, 'n skofwerker of 'n arbeider wat 'n vuur in stoomketel stook nie.

(v) that not more than one such interval during the ordinary hours of work of an employee on any day shall be deemed not to form part of the ordinary hours of work;

(vi) that when on any day by reason of overtime work an employer is required to give an employee a second meal interval, such interval may, at the request of the employee, be reduced to fifteen minutes so long as the total period worked by the employee after the first meal interval of the day does not exceed seven hours;

(vii) that such interval need not be granted to a boiler attendant, a continuous process worker or a shift worker during his ordinary hours of work on any shift if he is given the opportunity during such hours of having a meal while at his post.

(5) *Rest Intervals.*—An employer shall grant to each of his employees a rest interval of not less than ten minutes as near as practicable—

- (a) in the middle of each first work period in a day;
- (b) in the middle of each second work period in a day where such period is longer than three hours;

and during such interval such employee shall not be required or permitted to perform any work, and such interval shall be deemed to be part of the ordinary hours of work of such employee.

(6) *Hours of Work to be Consecutive.*—Save as provided in sub-clauses (2) (ii) and (4), all hours of work of an employee on any day shall be consecutive.

(7) *Overtime.*—(a) All time worked by an employee in excess of the number of ordinary hours of work prescribed in sub-clauses (1) and (3) shall be deemed to be overtime.

(b) Save as provided in sub-clauses (2) (ii) and (11), all time worked by a continuous process worker in excess of forty-six hours in any week or eight hours on any day shall for the purpose of payment be deemed to be overtime.

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

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

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

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

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

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

(11) *Day of Rest.*—An employer shall grant to each of his continuous process workers one full day of rest in every week but, if an employer requires or permits such an employee to work on his day of rest, the hours worked shall be deemed not to be part of the ordinary hours of work prescribed in sub-clause (2).

(12) *Savings.*—(a) The provisions of this clause shall not apply to a traveller, a traveller's assistant or a watchman.

(b) The provisions of this clause shall not apply to a senior managerial, professional, technical or administrative employee or a foreman if and for so long as such an employee is regularly in receipt of a wage at the rate of not less than R160 per month.

(c) The provisions of sub-clauses (4), (5), (6) and (8) shall not apply to an employee while he is engaged on emergency work or a chauffeur.

(d) The provisions of sub-clause (5) shall not apply to a boiler attendant, a first-aid attendant, a driver of a motor vehicle, a labourer assisting on a delivery vehicle, a continuous process worker, a shift worker or a labourer maintaining a fire in a boiler.

6. JAARLIKSE VERLOF.

(1) Behoudens die bepalings van subklousule (2), moet 'n werkgewer aan sy werknemer, uitgesonderd 'n los werknemer, ten opsigte van elke voltooide tydperk van twaalf maande in sy diens die volgende toestaan:—

- (a) In die geval van 'n handelsreisiger of 'n handelsreisiger se assistent of, behoudens subklousule (9), 'n wag. een-entwintig agtereenvolgende kalenderdae verlof;
- (b) in die geval van alle ander werknemers, veertien agtereenvolgende kalenderdae verlof,

en moet hy so 'n werknemer ten opsigte van sodanige verlof soos volg betaal:—

- (i) In die geval van 'n werknemer in paragraaf (a) genoem, 'n bedrag van minstens drie maal die weekloon waarop hy vanaf die eerste dag van die verlof geregtig is;
 - (ii) in die geval van 'n werknemer in paragraaf (b) genoem, 'n bedrag van minstens dubbel die weekloon waarop hy vanaf die eerste dag van die verlof geregtig is.
- (2) Die verlof voorgeskryf in subklousule (1) moet toegestaan word op 'n tyd wat die werkgewer bepaal: Met dien verstande—
- (i) dat, as sodanige verlof nie eerder toegestaan is nie, dit behoudens die bepalings van subklousule (3) só toegestaan word dat dit binne vier maande na die voltooiing van die twaalf maande diens waarop dit betrekking het, begin of indien die werkgewer en werknemer skriftelik daartoe ooreengekom het voor die verstryking van genoemde tydperk van vier maande, die werkgewer sodanige verlof vanaf 'n datum nie later nie as vier maande na die verstryking van genoemde tydperk van vier maande aan die werknemer moet toestaan;
 - (ii) dat die tydperk van verlof nie saamval met siekteverlof wat ingevolge klousule 7 toegestaan is nie, of, tensy die werknemer dit versoek en die werkgewer skriftelik daartoe instem, met enige tydperk van militêre opleiding ingevolge die Verdedigingswet, 1957;
 - (iii) dat indien Nuwejaarsdag, Goeie Vrydag, Hemelvaartsdag, Geloftedag of Kersdag binne die tydperk van sodanige verlof val, daar vir elke sodanige vakansiedag nog 'n dag by gemelde tydperk as verdere verloftyd gevoeg en vir elke sodanige bygevoegde dag aan die werknemer 'n bedrag van minstens sy dagloon betaal word;
 - (iv) dat 'n werkgewer al die dae geleentheidsverlof wat op die skriftelike versoek van sy werknemer met volle besoldiging aan hom toegestaan is gedurende die tydperk van twaalf maande diens waarop die verloftyd betrekking het, van sodanige tydperk van verlof kan aftrek.

(3) (a) Op die skriftelike versoek van sy werknemer mag 'n werkgewer die verlof oor 'n tydperk van hoogstens vier-en-twintig maande diens laat ooploop: Met dien verstande—

- (i) dat so 'n werknemer sodanige versoek binne vier maande na die verstryking van die eerste tydperk van twaalf maande diens waarop die verlof betrekking het, moet rig; en
- (ii) dat die werkgewer die datum waarop sodanige versoek ontvang is, op die versoek, deur hom onderteken, moet endosseer en die versoek vir 'n tydperk van minstens drie jaar vanaf sodanige datum of vanaf die verstrykingsdatum van die eerste tydperk van twaalf maande diens waarop die verlof betrekking het, bewaar, wat ook al die jongste datum is.

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

(4) Die besoldiging ten opsigte van die verlof voorgeskryf in subklousule (1), gelees met subklousule (3), moet voor of op die laaste werkdag voor die aanvangsdatum van die verlof betaal word, of, op die skriftelike versoek van 'n werknemer, op of voor die eerste betaaldag vir dié werknemer ná verstryking van die verlof.

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

- (a) in die geval van 'n werknemer in paragraaf (a) van subklousule (1) genoem, 'n kwart; en
- (b) in die geval van 'n werknemer in paragraaf (b) van subklousule (1) genoem, een sesde;

van die weekloon wat hy onmiddellik voor die datum van sodanige beëindiging ontvang het: Met dien verstande dat 'n werkgewer 'n eweredige aftrekking kan maak ten opsigte van enige verloftydperk wat ingevolge die vierde voorbehoudsbepaling van subklousule (2) aan 'n werknemer toegestaan is, en voorts met dien verstande dat 'n werknemer—

- (i) wat sy diens verlaat sonder om die tydperk wat in klousule 12 voorgeskryf word, kennis te gee (tensy die werkgewer van sodanige kennisgewing afgesien het); of die werknemer die werkgewer in plaas van kennisgewing betaal het; of
- (ii) wat sy diens sonder 'n regsgeldige rede verlaat; of
- (iii) wat om 'n regsgeldige rede sonder kennisgewing deur sy werkgewer ontslaan word, nie op enige betaling kragtens hierdie subklousule geregtig is nie.

6. ANNUAL LEAVE.

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

- (a) in the case of a traveller or a traveller's assistant or, subject to sub-clause (9), a watchman, twenty-one consecutive calendar days' leave,
- (b) in the case of every other employee, fourteen consecutive calendar days' leave,

and shall pay such employee in respect of such leave—

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

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

- (i) that, if such leave has not been granted earlier, it shall, save as provided in sub-clause (3), be granted so as to commence within four months after the completion of the twelve months of employment to which it relates or, if the employer and employee have agreed thereto in writing before the expiration of the said period of four months, the employer shall grant such leave to the employee as from a date not later than two months after the expiration of the said period of four months;
- (ii) that the period of leave shall not be concurrent with sick leave granted in terms of clause 7 nor, unless the employee so requests and the employer agrees in writing, with any period of military training under the Defence Act, 1957;
- (iii) that if New Year's Day, Good Friday, Ascension Day, the Day of the Covenant or Christmas Day falls within the period of such leave, another work day shall, for each such holiday, be added to the said period as a further period of leave and the employee shall be paid an amount of not less than his daily wage in respect of each such day added;
- (iv) that an employer may set off against such period of leave any days of occasional leave granted on full pay to his employee at his employee's written request during the period of twelve months of employment to which the period of leave relates.

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

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

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

(4) The remuneration in respect of the leave prescribed in sub-clause (1), read with sub-clause (3), shall be paid not later than the last work day before the date of commencement of the leave or, upon the written request of an employee, not later than the first pay day for such employee after the expiration of the leave.

(5) An employee, whose contract of employment terminates during any period of twelve months of employment before the period of leave prescribed in sub-clause (1) in respect of that period has accrued, shall, upon such termination, and in addition to any other remuneration which may be due to him, be paid in respect of each completed month of such period of employment an amount of not less than—

- (a) in the case of an employee referred to in paragraph (a) of sub-clause (1), one-fourth, and,
- (b) in the case of an employee referred to in paragraph (b) of sub-clause (1), one-sixth,

of the weekly wage he was receiving immediately before the date of such termination: Provided that an employer may make a proportionate deduction in respect of any period of leave granted to an employee in terms of the fourth proviso to sub-clause (2) and provided further that an employee—

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

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

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

(7) Vir die toepassing van hierdie klousule word die uitdrukking "diens" geag enige tydperk in te sluit ten opsigte waarvan 'n werkgewer 'n werknemer ingevolge klousule 12 betaal in plaas daarvan om aan hom kennis te gee, en ook enige tydperk of tydperke wat 'n werknemer afwesig is—

- (a) met verlof kragtens hierdie klousule;
- (b) met siekteverlof kragtens klousule 7;
- (c) op las of op versoek van sy werkgewer;
- (d) terwyl hy militêre opleiding ingevolge die Verdedigingswet, 1957, ondergaan;

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

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

(8) Vir die toepassing van hierdie klousule en ondanks anders-luidende bepalings in hierdie Vasstelling—

- (a) moet die weekloon van 'n handelsreisiger wat kommissie-werk doen, bereken word deur die besoldiging wat aan hom betaalbaar is op grond van sy ooreenkoms kragtens klousule 9 (7) ten opsigte van die twaalf maande wat die datum onmiddellik voorafgaan waarop sy verlof verskuldig geword het, deur twee-en-veertig te deel, of as hy minder as twaalf maande sodanige diens gehad het [of indien hy op verlof-betaling geregtig is kragtens subklousule (5) hiervan], deur die totale besoldiging wat aan hom aldus betaalbaar is gedurende sy termyn van sodanige diens, deur die getal voltooië weke in sodanige tydperk te deel;
- (b) die weekloon van 'n werknemer wat stukwerk verrig, moet bereken word op die grondslag uiteengesit in artikel twintig (5) (a) van die Wet op Fabriek, Masjinerie en Bouwerk, 1941.

(9) (a) Ondanks andersluidende bepalings in hierdie klousule, kan 'n werkgewer vir die doeleindes van jaarlikse verlof te eniger tyd, maar hoogstens een maal in 'n tydperk van twaalf maande, sy bedryfsinrigting of 'n deel daarvan sluit vir veertien agtereenvolgende kalenderdae plus alle addisionele dae wat ooreenkomstig die derde voorbehoudbepaling van subklousule (2) bygevoeg moet word.

(b) 'n Werknemer wat op die datum van die sluiting van 'n bedryfsinrigting (of dié deel daarvan waarin hy werk) ooreenkomstig paragraaf (a) nie op die volle tydperk van jaarlikse verlof soos in subklousule (1) (b) voorgeskryf, geregtig is nie, moet ten opsigte van enige verlof aan hom verskuldig deur sy werkgewer betaal word op die grondslag in subklousule (5) genoem, en vir die doeleinde van jaarlikse verlof daarna word sy diens geag te begin op die datum van sodanige sluiting van die bedryfsinrigting of deel daarvan, na gelang van die geval.

(10) Die bepalings van paragraaf (a) van subklousule (1) geld nie vir 'n wag wat gereeld deur sy werkgewer vir werk op Sondae en openbare vakansiedae betaal word asof klousule 8 op sodanige wag van toepassing was nie.

7. SIEKTEVERLOF.

(1) Behoudens die bepalings van subklousule (2), moet 'n werkgewer aan sy werknemer, uitgesonderd 'n los werknemer, wat weens ongeskiktheid van die werk afwesig is, die volgende toestaan:—

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

siekteverlof gedurende elke tydkring van vier-en-twintig agtereenvolgende maande diens by hom, en moet hy so 'n werknemer vir enige tydperk van afwesigheid ingevolge hierdie subklousule minstens die loon betaal wat hy sou ontvang het as hy gedurende so 'n tydperk gewerk het: Met dien verstande—

- (i) dat 'n werknemer gedurende die eerste vier-en-twintig agtereenvolgende maande diens nie op meer siekteverlof met volle besoldiging as die volgende geregtig is nie: In die geval van 'n werknemer wat vyf dae per week werk, een werkdag ten opsigte van elke voltooië tydperk van vyf weke diens en, in die geval van alle ander werknemers, een werkdag, ten opsigte van elke voltooië maand diens;

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

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

- (a) on leave in terms of this clause;
- (b) on sick leave in terms of clause 7;
- (c) on the instructions or at the request of his employer;
- (d) undergoing any military training in pursuance of the Defence Act, 1957,

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

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

(8) For the purpose of this clause and notwithstanding anything to the contrary contained in this Determination—

- (a) the weekly wage of a traveller who is employed on commission work shall be calculated by dividing the remuneration payable to him by virtue of his agreement in accordance with clause 9 (7) in respect of the twelve months immediately preceding the date of the accrual of his leave by fifty-two or if he has had less than twelve months of such employment [or if he is entitled to leave pay in terms of sub-clause (5) hereof], by dividing the total remuneration so payable to him during his period of such employment by the number of completed weeks in such period;
- (b) the weekly wage of an employee who is employed on piece-work shall be calculated on the basis set out in section twenty (5) (a) of the Factories, Machinery and Building Work Act, 1941.

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

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

(10) The provisions of paragraph (a) of sub-clause (1) shall not apply to a watchman who is regularly compensated by his employer for work on Sundays and public holidays as if clause 8 were applicable to such watchman.

7. SICK LEAVE.

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

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

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

- (i) that in the first twenty-four consecutive months of employment an employee shall not be entitled to sick leave on full pay at a rate of more than, in the case of an employee who works a five-day week, one work day in respect of each completed period of five weeks of employment and, in the case of any other employee, one work day in respect of each completed month of employment;

- (ii) dat hierdie klousule nie geld vir 'n werknemer op wie se skriftelike versoek 'n werkgewer bydraes, minstens gelyk aan dié wat die werknemer self daarin stort, betaal aan enige fonds of organisasie wat die werknemer aanwys en wat aan die werknemer waarborg dat aan hom in die geval van sy ongeskiktheid in die omstandighede in hierdie klousule vermeld, altesaam minstens die ekwivalent van sy loon vir twintig of vier-en-twintig werkdag, na gelang van die geval, in elke tydkring van vier-en-twintig maande diens betaal sal word, behalwe dat die gewaarborgde getal dae nie gedurende die eerste vier-en-twintig maande waarin die werknemer bydraes betaal die aanwassyfer in die eerste voorbehoudsbepaling van hierdie subklousule genoem te bowe hoef te gaan nie;
- (iii) dat waar 'n werkgewer by enige wet verplig word om gelde vir die hospitaal- of mediese behandeling ten opsigte van 'n werknemer te betaal en hy sodanige gelde wel betaal, die bedrag aldus betaal, afgetrek kan word van die betaling wat ooreenkomstig hierdie klousule ten opsigte van afwesigheid weens ongeskiktheid verskuldig is;
- (iv) dat, indien 'n werkgewer by enige ander wet verplig word om van 'n werknemer sy volle loon te betaal ten opsigte van enige tydperk van ongeskiktheid wat deur hierdie klousule gedek word, die bepaling van hierdie klousule nie van toepassing is nie.

(2) 'n Werkgewer kan, as 'n voorafgestelde voorwaarde vir sy betaling van enige bedrag wat kragtens hierdie klousule deur 'n werknemer geëis word ten opsigte van enige afwesigheid van sy werk vir langer as twee dae, van die werknemer vereis om 'n sertifikaat, deur 'n geregistreerde mediese praktisyn onderteken, in te dien wat die aard en duur van die werknemer se ongeskiktheid bevestig: Met dien verstande dat, wanneer 'n werknemer gedurende 'n tydperk van tot agt weke by twee of meer geleenthede betaling ingevolge hierdie klousule ontvang het sonder om so 'n sertifikaat voor te lê, sy werkgewer gedurende die tydperk van agt weke wat onmiddellik op die laaste geleentheid volg, van hom kan vereis om so 'n sertifikaat ten opsigte van enige afwesigheid voor te lê.

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

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

- (a) „diens” geag enige tydperk of tydperke in te sluit wat 'n werknemer afwesig is—
- met verlof ooreenkomstig klousule 6,
 - op las of op versoek van sy werkgewer,
 - met siekteverlof kragtens subklousule (1),
 - terwyl hy militêre opleiding ingevolge die Verdedigingswet, 1957, ondergaan,
- wat altesaam hoogstens tien weke in 'n jaar beloop ten opsigte van items (i), (ii) en (iii), plus enige tydperk van militêre opleiding van hoogstens vier maande wat in dié jaar ondergaan is, en enige tydperk wat 'n werknemer by dieselfde werkgewer werksaam was onmiddellik voor die inwerkingtreedingsdatum van hierdie Vasstelling, word vir die toepassing van hierdie klousule geag diens ooreenkomstig hierdie Vasstelling te wees, en minstens twee derdes van enige siekteverlof met volle besoldiging wat gedurende sodanige tydperk aan sodanige werknemer toegestaan is, word geag kragtens hierdie Vasstelling toegestaan te gewees het;
- (b) „ongeskiktheid” beteken die onvermoë om te werk weens enige siekte of besering, uitgesonderd dié wat deur—
- 'n werknemer se eie wangedrag veroorsaak is, of
 - 'n ongeluk binne die betekenis van die Ongevallewet, 1941.

8. OPENBARE VAKANSIEDAE EN SONDAE.

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

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

(3) Wanneer 'n werknemer, uitgesonderd 'n deurlopende proseswerker, op 'n Sondag werk, moet sy werkgewer of—

- (a) aan die werknemer—
- indien hy vir 'n tydperk van hoogstens vier uur aldus werk, minstens sy dagloon; of

- (ii) that this clause shall not apply to an employee at whose written request an employer makes contributions, at least equal to those made by the employee, to any fund or organisation nominated by the employee, which fund or organisation guarantees to the employee in the event of his incapacity in the circumstances set out in this clause the payment to him of not less than in the aggregate the equivalent of his wage for twenty or twenty-four work days, as the case may be, in each cycle of twenty-four months of employment, except that during the first twenty-four months of the payment of contributions by the employee the guaranteed rate need not exceed the rate of accrual set out in the first proviso to this sub-clause;
- (iii) that where an employer is by any law required to pay fees for hospital or medical treatment in respect of an employee, and pays such fees, the amount so paid may be set off against the payment due in respect of absence owing to incapacity in terms of this clause;
- (iv) that, if in respect of any period of incapacity covered by this clause an employer is required by any other law to pay to an employee his full wages, the provisions of this clause shall not apply.

(2) An employer may, as a condition precedent to the payment by him of any amount claimed in terms of this clause by an employee in respect of any absence from work for more than two days require the employee to produce a certificate signed by a registered medical practitioner stating the nature and duration of the employee's incapacity: Provided that when an employee has during any period of up to eight weeks received payment in terms of this clause on two or more occasions without producing such a certificate his employer may during the period of eight weeks immediately succeeding the last such occasion require him to produce such a certificate in respect of any absence.

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

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

- (a) “employment” shall be deemed to include any period or periods during which an employee is absent—
- on leave in terms of clause 6,
 - on the instructions or at the request of his employer,
 - on sick leave in terms of sub-clause (1),
 - undergoing military training in pursuance of the Defence Act, 1957,

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

- (b) “incapacity” means inability to work owing to any sickness or injury other than that caused by—
- an employee's own misconduct, or
 - an accident within the meaning of the Workmen's Compensation Act, 1941.

8. PUBLIC HOLIDAYS AND SUNDAYS.

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

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

(3) Whenever an employee, other than a continuous process worker, works on a Sunday, his employer shall either—

- (a) pay the employee—
- if he so works for a period not exceeding four hours, not less than his daily wage;

- (ii) indien hy vir 'n tydperk van langer as vier uur aldus werk, minstens dubbel sy gewone loon betaal ten opsigte van die tydperk wat hy op sodanige Sondag werk, of minstens dubbel sy dagloon, naamlik die grootste bedrag; of
- (b) hom minstens een en 'n derde maal sy gewone loon betaal ten opsigte van die totale tydperk wat hy op sodanige Sondag werk, en hom binne sewe dae vanaf sodanige Sondag een dag verlof toestaan en hom ten opsigte daarvan minstens sy dagloon betaal: Met dien verstande dat waar daar van so 'n werknemer vereis of hy toegelaat word om vir minder as vier uur op sodanige Sondag te werk, hy geag word vier uur te gewerk het.
- (4) Wanneer 'n deurlopende proses-werker op 'n Sondag werk, moet sy werkgever hom minstens een en 'n derde maal sy gewone loon betaal ten opsigte van die totale tydperk wat hy op sodanige Sondag werk.
- (5) Wanneer 'n deurlopende proses-werker op sy rusdag werk, moet sy werkgever hom minstens dubbel sy gewone loon betaal ten opsigte van die totale tydperk wat hy op sodanige rusdag werk: Met dien verstande dat hy minstens dubbel sy dagloon betaal moet word.
- (6) Wanneer 'n deurlopende proses-werker 'n skof werk wat gedeeltelik op 'n openbare vakansiedag wat in subklousule (1) genoem word of op 'n Sondag of op sy rusdag en gedeeltelik op enige ander kalenderdag val, word daar geag dat hy die hele skof gewerk het op die kalenderdag waarin die grootste gedeelte van sodanige skof val.
- (7) Wanneer 'n skofwerker 'n skof werk wat gedeeltelik op 'n openbare vakansiedag in subklousule (1) gemeld of op 'n Sondag en gedeeltelik op 'n ander kalenderdag val, word daar geag dat die hele skof op die kalenderdag waarin die grootste gedeelte van sodanige skof val, gewerk is.
- (8) (a) Die bepalinge van hierdie klousule geld nie vir 'n los werknemer of 'n handelsreisiger, 'n handelsreisiger se assistent of 'n wag nie.
- (b) Die bepalinge van hierdie klousule geld nie vir 'n senior bestuurs-, professionele, tegniese of administratiewe werknemer of voorman nie indien en solank so 'n werknemer gereeld 'n loon van minstens R180 per maand ontvang.

9. STUKWERK EN KOMMISSIEWERK.

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

- (a) In die geval van 'n ander werknemer as 'n los werknemer, ten opsigte van elke week waarin stukwerk verrig word, die bedrag wat hy sodanige werknemer vir dié week sou moes betaal het as hy op die grondslag van tyd gewerk, besoldig was;
- (b) in die geval van 'n los werknemer, ten opsigte van elke dag (waarop stukwerk verrig word, die bedrag wat hy sodanige werknemer vir dié dag sou moes betaal het as hy op die grondslag van tyd gewerk, besoldig was.

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

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

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

(5) 'n Handelsreisiger wat by ooreenkoms met sy werkgever kommissiewerk onderneem, moet, voordat sodanige werk begin, deur sy werkgever voorsien word van 'n juiste afskrif van die ooreenkoms of 'n verklaring waarin die bepalinge van die ooreenkoms gemeld word en wat die volgende moet omvat:—

- (a) Die week- of maandloon aan die handelsreisiger betaalbaar, indien sodanige loon hoër is as dié wat in klousule 3 (1) vir so 'n handelsreisiger voorgeskryf word, asook die kommissietarief of -tariewe en die voorwaardes waarop hy daartoe geregtig word;
- (b) die dag van die week of maand waarop die verdiende kommissie verskuldig en betaalbaar is;
- (c) die gebied waarin die handelsreisiger moet of mag werk;
- (d) die tipe, aard, getal, hoeveelheid of waarde van die bestellings (afsonderlik, weekliks, maandeliks of hoe ook al) wat die werkgever van tyd tot tyd bereid is om te aanvaar; en

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

- (b) pay him at a rate not less than one and one-third times his ordinary wage in respect of the total period worked by him on such Sunday and grant him within seven days of such Sunday one day's leave and pay him in respect thereof not less than his daily wage: Provided that where such an employee is required or permitted to work for less than four hours on such Sunday, he shall be deemed to have worked for four hours.

(4) Whenever a continuous process worker works on a Sunday his employer shall pay him a rate of not less than one and one-third times his ordinary wage in respect of the total period worked by him on such Sunday.

(5) Whenever a continuous process worker works on his day of rest his employer shall pay him at a rate of not less than double his ordinary wage in respect of the total period worked by him on such day of rest: Provided that he shall be paid not less than double his daily wage.

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

(7) Whenever a shift worker works a shift which falls partly on any public holiday mentioned in sub-clause (1) or on a Sunday and partly on any other calendar day, the whole shift shall be deemed to have been worked on the calendar day on which the major portion of such shift falls.

(8) (a) The provisions of this clause shall not apply to a casual employee or to a traveller, a traveller's assistant or a watchman.

(b) The provisions of this clause shall not apply to a senior managerial, professional, technical or administrative employee or a foreman if and for so long as such an employee is regularly in receipt of a wage at a rate of not less than R180 per month.

9. PIECE-WORK AND COMMISSION WORK.

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

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

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

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

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

(5) A traveller who by agreement with his employer undertakes commission work shall be supplied by his employer, before such work is commenced, with a true copy of the agreement or a statement setting out the terms of the agreement, which shall include—

- (a) the weekly or monthly wage payable to the traveller, where such wage is higher than that prescribed in clause 3 (1) for such traveller, and the rate or rates of the commission and the conditions of entitlement thereto;
- (b) the day of the week or month on which commission earned is due and payable;
- (c) the area in which the traveller is required or permitted to work;
- (d) the type, description, number, quantity or value of orders (individual, weekly, monthly or otherwise) which the employer is from time to time prepared to accept; and

(e) die dag waarop die kommissie op bestellings wat die werkgewer voor die afloop van die dienskontrak aanvaar het, betaal moet word: Met dien verstande dat sodanige betaaldag uiterlik die laaste werkdag is van die kalendermaand wat volg op die maand waarin die diens beëindig is.

(6) Die bepalings van die ooreenkoms in subklousule (5) gemeld, mag vir die handelsreisiger geldelik nie minder voordelig as hierdie Vasstelling wees nie: Met dien verstande dat 'n handelsreisiger wat kommissiewerk verrig, besoldig moet word op die vervalldag wat in die ooreenkoms bepaal word, en in hierdie verband geld die bepalings van klousule (4) (1) nie vir sodanige betaling nie.

(7) Behoudens die bepalings van klousule 4 (6), moet 'n werkgewer sy handelsreisiger wat kommissiewerk verrig besoldig teen minstens die tarief waarop hulle ooreengekom het: Met dien verstande dat, ongeag die getal of waarde van die bestellings wat die werkgewer aanvaar, die besoldiging van so 'n handelsreisiger vir enige tydperk minstens soveel is as dié wat ingevolge klousule 3 (1) vir daardie tydperk aan hom verskuldig sou wees.

(8) 'n Werkgewer of 'n handelsreisiger wat voornemens is om 'n ooreenkoms aangaande kommissiewerk op te sê of oor 'n wysiging daarvan te onderhandel, moet van sodanige voorneme skriftelik kennis gee, en die kennisgewing mag nie korter wees as dié wat by klousule 12 vir die opsegging van die dienskontrak van so 'n handelsreisiger vereis word nie.

10. VERBOD OP INDIENSNEMING.

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

11. UNIFORMS, OORPAKKE EN BESKERMENDE KLERE.

'n Werkgewer moet alle uniforms, oorpakke of ander beskermende kleren wat hy vereis dat sy werknemer moet dra, of wat enige wet hom verplig om aan sy werknemer te verskaf, gratis verskaf en in bruikbare toestand hou; en alle sodanige uniforms, oorpakke of ander beskermende kleren bly die eiendom van die werkgewer.

12. BEÏNDIGING VAN DIENSKONTRAK.

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

- (a) gedurende die eerste vier weke diens, minstens een werkdag,
- (b) na die eerste vier weke diens, minstens een week vooruit opse,

of 'n werkgewer of 'n werknemer kan die kontrak sonder opsegging beëindig deurdat die werkgewer, in plaas van opsegging, aan die werknemer minstens die volgende betaal, of die werknemer aan die werkgewer minstens die volgende betaal of verbeur, na gelang van die geval:—

- (i) In die geval van een werkdag opsegging, die dagloon wat die werknemer ten tyde van sodanige beëindiging ontvang;
- (ii) in die geval van 'n week opsegging, die weekloon wat die werknemer ten tyde van sodanige beëindiging ontvang;

Met dien verstande dat dit nie die volgende raak nie:—

- (i) Die reg van 'n werkgewer of sy werknemer om op enige regsgeldige grond die kontrak sonder opsegging te beëindig;
- (ii) 'n skriftelike ooreenkoms tussen 'n werkgewer en sy werknemer waarin voorsiening gemaak word vir 'n opseggingstermyn wat vir albei partye ewe lank is en langer is as dié wat hierdie klousule voorskryf;
- (iii) die inwerkingtrekking van enige verbeurings of boetes wat by wet van toepassing mag wees ten opsigte van 'n werknemer wat sy diens verlaat:

Voorts met dien verstande dat, indien die loon van 'n werknemer teen die datum van die beëindiging reeds verminder is weens bedrae wat ten opsigte van korttyd afgetrek is en die werkgewer hom betaal in plaas van sy diens op te sê, die uitdrukking „ten tyde van sodanige beëindiging ontvang” geag word „ten tyde van sodanige beëindiging sou ontvang het as geen bedrae ten opsigte van korttyd afgetrek is nie” te beteken.

(2) Indien daar kragtens die tweede voorbehoudsbepaling van subklousule (1) 'n ooreenkoms bestaan, moet die betaling in plaas van opsegging eweredig wees aan die opseggingstermyn soos ooreengekom.

(3) Die opsegging in subklousule (1) voorgeskryf mag op enige werkdag geskied: Met dien verstande—

- (i) dat die opseggingstermyn nie mag saamval met, en die opsegging nie mag geskied gedurende 'n werknemer se afwesigheid met verlof kragtens klousule 6, of enige tydperk van militêre opleiding wat 'n werknemer ingevolge die Verdedigingswet, 1957, ondergaan nie;
- (ii) dat opsegging nie gedurende 'n werknemer se afwesigheid met siekteverlof toegestaan ooreenkomstig klousule 7, mag geskied nie.

(4) Ondanks andersluidende bepalings in hierdie Vasstelling, waar 'n werknemer sy dienskontrak beëindig deur sy diens sonder kennisgewing te verlaat of sonder om sy werkgewer in plaas van kennisgewing te betaal, kan sy werkgewer van enige geld wat hy aan sodanige werknemer ingevolge enige bepalings van hierdie Vasstelling skuld, vir homself 'n bedrag van hoogstens dié wat sodanige werknemer hom in plaas van kennisgewing sou moes betaal het, toeëien.

(e) the day of payment of commission in respect of orders accepted by the employer before termination of the contract of employment: Provided that such day of payment shall be not later than the last work day of the calendar month succeeding the month during which employment was terminated.

(6) The terms of the agreement referred to in sub-clause (5) shall be financially not less favourable to the traveller than this Determination: Provided that the due date of payment of remuneration to a traveller on commission work shall be in accordance with the agreement and in his respect the provisions of clause 4 (1) shall not apply to such payment.

(7) Save as provided in clause 4 (6), an employer shall pay to his traveller who is employed on commission work remuneration at not less than the rate agreed upon between them: Provided that, irrespective of the number or value of orders accepted by the employer, the remuneration of such traveller in respect of any period shall be not less than that which would be due to him for that period in terms of clause 3 (1).

(8) An employer or a traveller, who intends to cancel, or to negotiate for an alteration of, an agreement in regard to commission work, shall give written notice of such intention and the period of such notice shall be not less than that required to terminate the contract of employment of such traveller in terms of clause 12.

10. PROHIBITION OF EMPLOYMENT.

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

11. UNIFORMS, OVERALLS AND PROTECTIVE CLOTHING.

An employer shall supply and maintain in serviceable condition, free of charge, any uniforms, overalls or other protective clothing which he requires his employee to wear or which by any law he is compelled to provide for his employee and any such overalls or other protective clothing shall remain the property of the employer.

12. TERMINATION OF CONTRACT OF EMPLOYMENT.

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

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

notice of termination of contract, or an employer or employee may terminate the contract without notice by paying the employee or paying the employer, as the case may be, in lieu of such notice not less than—

- (i) in the case of one work day's notice, the daily wage which the employee is receiving at the time of such termination;
- (ii) in the case of a week's notice, the weekly wage which the employee is receiving at the time of such termination:

Provided that this shall not affect—

- (i) the right of an employer or an employee to terminate the contract without notice for any cause recognised by law as sufficient;
- (ii) any written agreement between an employer and his employee which provides for a period of notice of equal duration on both sides and for longer than that prescribed in this clause;
- (iii) the operation of any forfeitures or penalties which by law may be applicable in respect of an employee who deserts:

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

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

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

- (i) that the period of notice shall not run concurrently with, nor shall notice be given during, an employee's absence on leave granted in terms of clause 6 or any period of military training which an employee is undergoing in pursuance of the Defence Act, 1957;
- (ii) that notice shall not be given during an employee's absence on sick leave granted in terms of clause 7.

(4) Notwithstanding anything to the contrary in this Determination, where an employee terminates his contract of employment by leaving his employment without notice or without paying his employer in lieu of notice, his employer may appropriate to himself, from any moneys which he owes to such employee by virtue of any provisions of this Determination, an amount of not more than that which such employee would have had to pay him in lieu of notice.

13. DIENSSERTIFIKAAT.

Wanneer 'n dienskontrak om 'n ander rede as diensverlating beëindig word, moet die werkgever aan sy werknemer, uitgesonderd 'n los werknemer, 'n dienssertifikaat uitreik wat wesenlik die vorm het soos in die Bylae van hierdie Vasstelling voorgeskrif en waarin die volle naam van die werkgever en van sy werknemer, die beroep van die werknemer, die aanvangs- en die afloopdatum van die kontrak en die werknemer se weekloon ten tyde van die datum van sodanige beëindiging aangegee word.

BYLAE.

Ek/Ons(a).....wat in die
Chemiese en Verwante Produkte-nywerheid sake doen te

sertifiseer hierby dat.....
by my/ons(a) in diens was vanaf die.....
dag van.....19..... tot die.....
dag van.....19..... in die beroep van
(b)..... By diens-
beëindiging was sy/haar(a) loon.....rand
.....sent per week.

(Handtekening van Werkgever of
Gemagtigde Verteenwoordiger.)

Datum.....

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

No. R. 77.] [17 Januarie 1964.
WET OP OORLOGSMAATREËLS, 1940.

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

CHEMIESE EN VERWANTE PRODUKTE-NYWER-
HEID, REPUBLIEK VAN SUID-AFRIKA.

Ek, ALFRED ERNEST TROLLIP, Minister van Arbeid, skort hierby kragtens die bepalings van subregulasie (1) van regulasie 4 van die regulasies gepubliseer by Oorlogsmaatreël No. 43 van 1942, soos gewysig, die toepassing van genoemde regulasies op ten opsigte van alle werknemers vir wie lone voorgeskrif word in klousule 3 van die Vasstelling vir die Chemiese en Verwante Produkte-nywerheid, Republiek van Suid-Afrika, gepubliseer by Goewermmentskennisgewing No. 76 van 17 Januarie 1964.

A. E. TROLLIP,
Minister van Arbeid.

No. R. 78.] [17 Januarie 1964.
WET OP FABRIEKE, MASJINERIE EN BOUWERK,
1941, SOOS GEWYSIG.

CHEMIESE EN VERWANTE PRODUKTE-NYWER-
HEID, REPUBLIEK VAN SUID-AFRIKA.

Ek, ALFRED ERNEST TROLLIP, Minister van Arbeid, verklaar hierby kragtens subartikel (1) van artikel twee-en-twintig van die Wet op Fabriek, Masjinerie en Bouwerk, 1941, soos gewysig, dat die bepalings van die Vasstelling vir die Chemiese en Verwante Produkte-nywerheid gepubliseer by Goewermmentskennisgewing No. 76 van 17 Januarie 1964, oor die algemeen nie vir die persone wie se werkure en beloning ten opsigte van oortyd, openbare feesdae en werk op Sondae en openbare feesdae daarby gereël word, minder gunstig as die desbetreffende bepalings van genoemde Wet is nie.

A. E. TROLLIP,
Minister van Arbeid.

13. CERTIFICATE OF SERVICE.

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

SCHEDULE.

I/We(a).....carrying
on trade in the Chemical and Allied Products Industry at

hereby certify that.....
was employed by me/us(a) from the.....
day of.....19..... to the.....
day of.....19..... in the occupation of
(b)..... At the termination
of employment his/her(a) wage was.....rand
.....cents per week.

(Signature of Employer or Authorised
Representative.)

Date.....

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

No. R. 77.] [17 January 1964.
WAR MEASURES ACT, 1940.

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

CHEMICAL AND ALLIED PRODUCTS INDUSTRY,
REPUBLIC OF SOUTH AFRICA.

I, ALFRED ERNEST TROLLIP, Minister of Labour, hereby in terms of sub-regulation (1) of regulation 4 of the regulations published under War Measure No. 43 of 1942, as amended, suspend the operation of the said regulations in respect of all employees for whom wages are prescribed in clause 3 of the Wage Determination for the Chemical and Allied Products Industry, Republic of South Africa, published under Government Notice No. 76 of the 17th January, 1964.

A. E. TROLLIP,
Minister of Labour.

No. R. 78.] [17 January 1964.
FACTORIES, MACHINERY AND BUILDING WORK
ACT, 1941, AS AMENDED.

CHEMICAL AND ALLIED PRODUCTS INDUSTRY,
REPUBLIC OF SOUTH AFRICA.

I, ALFRED ERNEST TROLLIP, Minister of Labour, hereby in terms of sub-section (1) of section twenty-two of the Factories, Machinery and Building Work Act, 1941, as amended, declare the provisions of the Determination for the Chemical and Allied Products Industry, published under Government Notice No. 76 of the 17th January, 1964, on the whole to be not less favourable to the employees whose hours of work and remuneration in respect of overtime, public holidays and work on Sundays and public holidays are regulated thereby than the relative provisions of the said Act.

A. E. TROLLIP,
Minister of Labour.

INHOUD.

No.	Departement van Arbeid.	BLADSY
	GOEWERMENTSKENNISGEWINGS.	
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R. 77.	Wet op Oorlogsmaatreëls, 1940: Op-skorting van Betaling van Lewenskoste-toelae: Chemiese en Verwante Produkte-nywerheid, Republiek van Suid-Afrika	19
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Nabye Ooste. —				
Bahreineilande, Dubai, Iran, Irak, Israel, Jordanië (Hashemitiese Koninkryk), Koeweit, Libanon, Maskat, Saoedi-Arabië, Sjarja, Sirië, Turkye	12½	7	5	5
AMERIKA. —				
Kanada, Verenigde State van Amerika, Sentraal- en Suid-Amerika	22½	12	10	10
AUSTRALASIE. —				
Australië, Nieu-Seeland.....	25	12½	10	10
STILLE OSEAAN. —				
Eilande in die Noordelike en Suidelike Stille Oseaan nie elders genoem nie	25	12½	10	10
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(a) Afganistan, Birma, Ceylon, Indië, Pakistan, Thailand, Tibet	17½	9	5	7½
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