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GOVERNMENT NOTICES.

DEPARTMENT OF LABOUR.

No. R. 1562.] [9 October 1964.

WAGE ACT, No. 5 OF 1957.

WAGE DETERMINATION No. 255.

MILLING INDUSTRY, REPUBLIC OF
SOUTH AFRICA.

By direction of the Deputy-Minister of Labour it is hereby notified in terms of sub-section (2) of section fourteen of the Wage Act, 1957, that he, acting on behalf of and under the powers vested in the Minister of Labour, by sub-section (1) of section fourteen of the said Act, has made the Determination in the Schedule hereto in respect of the Milling Industry, Republic of South Africa, and has fixed the 19th day of October, 1964, as the date from which the provisions of the said Determination shall be binding.

SCHEDULE.

1. AREA AND SCOPE OF DETERMINATION.

This Determination shall apply to all employees in the Milling Industry in the Republic of South Africa and to the employers of such employees: Provided that it shall not apply to—

- (i) managers;
- (ii) travellers, who are engaged in inviting, canvassing, or soliciting orders exclusively in a Bantu area.

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—

"Area A" means the magisterial districts of Bellville (except that portion which falls within the radius of five miles from the post office of Philadelphia), the Cape, Johannesburg, Port Elizabeth, Simonstown and Wynberg;

"Area B" means the magisterial districts of Alberton, Benoni, Boksburg, Brakpan, Durban, Germiston, Inanda, Kempton Park, Nigel (except for the Health Board Area of Devon), Pinetown, Pretoria, Randfontein, Roodepoort, Springs, Vanderbijlpark and Vereeniging and that portion of the magisterial district of Krugersdorp which falls within the radius of ten miles from the general post office of Krugersdorp;

"Area C" means the magisterial districts of Bloemfontein, East London, Kimberley, Klerksdorp, Oberholzer, Paarl, and Welkom and that portion of the Magisterial District of Sasolburg which falls within the radius of four miles from the general post office of Sasolburg;

"Area D" means the magisterial districts of Malmesbury, Pietermaritzburg, Somerset West, Stellenbosch, Strand, Uitenhage, Wellington, Witbank (except that portion which falls within the radius of one mile from the post office of Kendal and Ogies) and Worcester;

GOEWERMENSKENNISGEWINGS.

DEPARTEMENT VAN ARBEID.

No. R. 1562.] [9 Oktober 1964.

LOONWET, No. 5 VAN 1957.

LOONVASSTELLING No. 255.

MAALNYWERHEID, REPUBLIEK VAN
SUID-AFRIKA.

In opdrag van die Adjunk-minister van Arbeid word hierby ingevolge subartikel (2) van artikel veertien van die Loonwet, 1957, bekendgemaak dat hy, handelende namens en kragtens die bevoegdheid verleen aan die Minister van Arbeid, by subartikel (1) van artikel veertien van genoemde Wet, die Vasstelling wat in die Bylae hiervan verskyn ten opsigte van die Maalnywerheid, Republiek van Suid-Afrika, gemaak het en die 19de dag van Oktober 1964, bepaal het as die datum waarop die bepaling van genoemde Vasstelling bindend word.

BYLAE.

1. GEBIED EN BESTEK VAN VASSTELLING.

Hierdie Vasstelling is van toepassing op alle werknemers in die Maalnywerheid in die Republiek van Suid-Afrika en op die werkgewers van sodanige werknemers: Met dien verstande dat dit nie van toepassing is nie op—

- (i) bestuurders;
- (ii) handelsreisigers wat bestellings uitsluitlik in 'n Bantoegebied soek, vra of werf.

2. WOORDOMSKRYWING.

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

"Gebied A" die landdrosdistrikte Bellville (uitgesonderd daardie gedeelte wat binne 'n straal van vyf myl van die poskantoor van Philadelphia af val), die Kaap, Johannesburg, Port Elizabeth, Simonstad en Wynberg;

"Gebied B" die landdrosdistrikte Alberton, Benoni, Boksburg, Brakpan, Durban, Germiston, Inanda, Kempton Park, Nigel (uitgesonderd die Gesondheidsraadgebied van Devon), Pinetown, Pretoria, Randfontein, Roodepoort, Springs, Vanderbijlpark en Vereeniging en daardie gedeelte van die landdrosdistrik Krugersdorp wat binne 'n straal van tien myl van die hoofposkantoor van Krugersdorp af val;

"Gebied C" die landdrosdistrikte Bloemfontein, Oos-Londen, Kimberley, Klerksdorp, Oberholzer, Paarl en Welkom en daardie gedeelte van die landdrosdistrik Sasolburg wat binne 'n straal van vier myl van die Hoofposkantoor van Sasolburg af val;

"Gebied D" die landdrosdistrikte Malmesbury, Pietermaritzburg, Somerset-Wes, Stellenbosch, Strand, Uitenhage, Wellington, Witbank (uitgesonderd daardie gedeeltes wat binne strale van een myl van die poskantore van Kendal en Ogies af val) en Worcester;

"Area E" means the magisterial districts of Bellville (except that portion which falls within Area A), Bethlehem, Delmas, Heidelberg (Transvaal), Kroonstad, Odendaalsrus, Potchefstroom and Virginia;

"Area F" means the magisterial districts of Caledon, Ceres, George, Hermanus, Knysna, Montagu, Mossel Bay, Oudtshoorn, Riversdale, Robertson and Swellendam and the municipal area of Upington;

"Area G" means the magisterial districts of Albany, Aliwal North, Beaufort West, Bethal, Brits, Bronkhorstspuit, Cradock, De Aar, Ermelo, Estcourt (including that portion of the Magisterial District of Mooi River which, prior to the 1st September, 1964, fell within the Magisterial District of Estcourt), Graaff-Reinet, Harrismith, Hennenman, King William's Town, Krugersdorp (except that portion which falls within Area B), Lichtenburg, Middelburg (Cape), Middelburg (Transvaal), Nelspruit, Parys, Pietersburg, Queenstown, Rustenburg, Somerset East, Standerton, Volksrust, Vryburg and Witbank (except that portion which falls within Area D) and the Health Board Area of Devon;

"Area H" means the magisterial districts of Albert, Barberton, Bothaville, Dundee, Ficksburg, Frankfort, Groblersdal, Klip River, Koster, Kuruman, Ladybrand, Letaba, Lydenburg, Marico, Mafeking, Newcastle, Nylstroom, Potgietersrus, Schweizer-Reneke, Senekal, Swartruggens, Theunissen, Vryheid, Warmbad, White River and Zastron;

"Area I" means all the areas not included in the definitions of "Area A", "Area B", "Area C", "Area D", "Area E", "Area F", "Area G" and "Area H";

"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: Provided that for the purposes of this definition the expression "trade" shall not include the "Milling Trade" or the "Maize Milling Trade";

"Bantu" means a person who in fact is or is generally accepted as a member of any aboriginal race or tribe of Africa;

"Bantu area" bears the meaning assigned to it in section one of the Industrial Conciliation Act, 1956;

"batch mixer" means an employee who, under the supervision of a shift miller, storeman-grader or a storeman, is responsible for preparing a batch according to a prescribed recipe, weighing the ingredients thereof and keeping a record of the production and who may supervise chargehands and grade I employees and start and stop machinery;

"batch mixer, qualified," means a batch mixer who has had not less than six months' experience;

"batch mixer, unqualified," means a batch mixer who has had less than six months' experience;

"boiler attendant" means an employee who, under general supervision, is responsible for maintaining the water level and steam pressure of a boiler and who may make, maintain and draw the fire in such boiler;

"carton cutter" means an employee who is engaged in operating a carton cutting machine;

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

"carton cutter, unqualified," means a carton cutter who has had less than twelve months' experience;

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

"chargehand" means an employee who, under the supervision of a shift miller, screensman, storeman, storeman-grader, siloman, siloman-grader or a batch mixer, is in charge of a group of grade I employees and who may lime-wash internal walls of an establishment;

"chauffeur" means an employee, other than a traveller's assistant, who is engaged in driving a motor vehicle 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;

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

"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;

"Gebied E" die landdrosdistrikte Bellville (uitgesonderd daardie gedeelte wat binne Gebied A val), Bethlehem, Delmas, Heidelberg (Transvaal), Kroonstad, Odendaalsrus, Potchefstroom en Virginia;

"Gebied F" die landdrosdistrikte Caledon, Ceres, George, Hermanus, Knysna, Montagu, Mosselbaai, Oudtshoorn, Riversdal, Robertson en Swellendam en die munisipale gebied van Upington;

"Gebied G" die landdrosdistrikte Albanie, Aliwal-Noord, Beaufort-Wes, Bethal, Brits, Bronkhorstspuit, Cradock, De Aar, Ermelo, Estcourt (met inbegrip van daardie gedeelte van die landdrosdistrik Mooirivier wat voor 1 September 1964 binne die landdrosdistrik Estcourt geval het), Graaff-Reinet, Harrismith, Hennenman, King William's Town, Krugersdorp (uitgesonderd daardie gedeelte wat binne Gebied B val), Lichtenburg, Middelburg (Kaap), Middelburg (Transvaal), Nelspruit, Parys, Pietersburg, Queenstown, Rustenburg, Somerset-Oos, Standerton, Volksrust, Vryburg en Witbank (uitgesonderd daardie gedeelte wat binne Gebied D val) en die Gesondheidsraadgebied van Devon;

"Gebied H" die landdrosdistrikte Albert, Barberton, Bothaville, Dundee, Ficksburg, Frankfort, Groblersdal, Kliprivier, Koster, Kuruman, Ladybrand, Letaba, Lydenburg, Marico, Mafeking, Newcastle, Nylstroom, Potgietersrus, Schweizer-Reneke, Senekal, Swartruggens, Theunissen, Vryheid, Warmbad, Wit-
rivier en Zastron;

"Gebied I" al die gebiede wat nie in die omskrywings van "Gebied A", "Gebied B", "Gebied C", "Gebied D", "Gebied E", "Gebied F", "Gebied G" en "Gebied H"; ingesluit is nie;

"ambagsman" 'n werknemer wat werk verrig wat gewoonlik deur 'n geskoolde ambagsman gedoen word, en by die toepassing van hierdie woordskrywing beteken die uitdrukking—

"geskoolde ambagsman" 'n persoon wat sy vakleerlingskap gedien het in 'n bedryf wat kragtens die Wet op Vakleerlinge, 1944, aangewys is of wat geag word daarkragtens aangewys te wees, 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 aan hom uitgereik ingevolge of artikel twee (7) of artikel sewe (3) van genoemde Wet; Met dien verstande dat by die toepassing van hierdie omskrywing die uitdrukking "bedryf" nie die "Maalnywerheid" of die "Mielemaalnywerheid" omvat nie;

"Bantoe" iemand wat inderdaad 'n lid van 'n inboorlingras of -stam van Afrika is of daarvoor deurgaang;

"Bantoegebied" die betekenis wat in artikel een van die Wet op Nywerheidsversoening, 1956, daaraan gegee word;

"bakselmenger" 'n werknemer wat onder toesig van 'n skofmeulenaar, 'n pakhuisman-gradeerder of 'n pakhuisman verantwoordelik is vir die voorbereiding van 'n baksel volgens 'n voorgeskrewe resep, die bestanddele daarvan afweeg, van die produksie rekord hou, wat oor onderbase en graad I-werknemers toesig kan hou en wat masjinerie aan die gang kan sit en tot stilstand kan bring;

"bakselmenger, gekwalifiseer", 'n bakselmenger met minstens ses maande ondervinding;

"bakselmenger, ongekwalifiseer", 'n bakselmenger met minder as ses maande ondervinding;

"stoomketelbediener" 'n werknemer wat, onder algemene toesig, verantwoordelik is vir die op peil hou van die waterstand en stoomdruk van 'n stoomketel en wat die vuur in so 'n stoomketel kan maak, in stand kan hou en kan uitrek;

"kartonsnyer" 'n werknemer wat 'n kartonsnyemasjien bedien;

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

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

"los werknemer" 'n werknemer wat vir hoogstens drie dae per week by dieselfde werkgever in diens is;

"onderbaas" 'n werknemer wat onder die toesig van 'n skofmeulenaar, 'n sifwerker, 'n pakhuisman, 'n pakhuisman-gradeerder, 'n silowerker, 'n silowerker-gradeerder of 'n bakselmenger, oor 'n groep graad I-werknemers toesig hou en wat die binnemure van 'n bedryfsinrigting kan afwit;

"chauffeur" 'n werknemer, uitgesonderd 'n handelsreisiger se helper, wat 'n motorvoertuig bestuur wat bedoel is om passasiers te vervoer en wat vir die vervoer van sy werk-gewer of personeel, klante of besoekers gebruik word en wat ook vir die vervoer van stukke of pakkette gebruik kan word;

"klerk" 'n werknemer wat skryf-, tik-, liasseer- of enige ander vorm van klerklike werk verrig, en omvat dit 'n kassier en 'n skakelbordtelefonis, maar geen ander klas werknemer wat elders in hierdie klousule omskryf is nie, afgesien van die feit dat klerklike werk 'n deel van so 'n werknemer se pligte kan uitmaak;

"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;

"clerk, male, unqualified," means a male clerk who has had less than five 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;

"day" in relation to a shift worker, means the period of twenty-four hours calculated from the time the employee commences work;

"District A" means the magisterial districts of Alberton, Bellville (except that portion which falls within the radius of five miles from the post office of Philadelphia), Benoni, Bloemfontein, Boksburg, Brakpan, The Cape, Durban, East London, Germiston, Heidelberg (Transvaal), Inanda, Johannesburg, Kempton Park, Kimberley, Klerksdorp, Nigel (except for the Health Board Area of Devon), Oberholzer, Pietermaritzburg, Pinetown, Port Elizabeth, Potchefstroom, Pretoria, Randfontein, Roodepoort, Simonstown, Springs, Uitenhage, Vanderbijlpark, Vereeniging, Welkom and Wynberg and that portion of the magisterial district of Krugersdorp which falls within the radius of ten miles from the general post office of Krugersdorp and that portion of the magisterial district of Sasolburg which falls within the radius of four miles from the general post office of Sasolburg;

"District B" means the magisterial districts of Albany, Bethal, Brits, Bronkhorstspuit, Delmas, Klip River, Kroonstad, Krugersdorp (except that portion which falls within District A), Malmesbury, Newcastle, Odendaalsrus, Paarl, Pietersburg, Queenstown, Rustenburg, Somerset West, Standerton, Stellenbosch, Strand, Virginia, Wellington, Witbank and Worcester and the Health Board Area of Devon;

"District C" means the magisterial districts of Albert, Aliwal North, Barberton, Beaufort West, Bellville (except that portion which falls within District A), Bethlehem, Clocolan, Cradock, De Aar, Dundee, Ermelo, Estcourt, Ficksburg, Frankfort, George, Graaff-Reinet, Harrismith, Heilbron, Hennenman, King William's Town, Knysna, Kuruman, Ladybrand, Lichtenburg, Lindley, Lydenburg, Mafeking, Marico, Middelburg (Cape), Middelburg (Transvaal), Molteno, Mossel Bay, Nelspruit, Oudtshoorn, Parys, Port Shepstone, Potgietersrus, Senekal, Sasolburg (except that portion which falls within District A), Thaba N'chu, Theunissen, Ventersburg, Ventersdorp, Volksrust, Vrede, Vryburg, Vryheid, Wepener and Winburg and the Municipal Area of Upington;

"District D" means all the areas not included in the definitions of "District A", "District B" and "District C";

"driver of a motor vehicle" means an employee, other than a chauffeur, factory driver or a messenger, 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) ships;

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

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

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

"engine driver" means an employee who starts, stops and tends a stationary steam engine, is responsible for maintaining the water level and steam pressure in the boiler of such engine, makes minor repairs and adjustments to such engine and who may supervise engine room attendants and grade I employees;

"engine room attendant" means an employee, other than a shift miller's assistant or a screensroom attendant, who, under the supervision of an engine driver or a competent person appointed in terms of the Factories, Machinery and Building Work Act, 1941, is responsible for maintaining the oil levels in an engine, oiling, greasing and cleaning such engine and who may ship and unship belts;

"establishment" means any premises in or in connection with which one or more employees are employed in the Milling Industry;

"experience" means—

(a) in relation to a clerk, the total period or periods of employment which an employee has had as a clerk in any trade or in the service of the State;

(b) 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 Milling Industry;

"klerk, man, ongekwalfiseer", 'n manlike klerk met minder as vyf jaar ondervinding;

"kommissiewerk" enige stelsel waarvolgens 'n handelsreisiger se besoldiging gebaseer is op die waarde van of die getal bestellings wat hy by sy werkgever indien en deur laasgenoemde aangeneem word;

"dag" met betrekking tot 'n skofwerker, die tydperk van vier-en-twintig uur bereken vanaf die tydstop waarop die werknemer begin werk;

"Distrik A" die landdrosdistrikte Alberton, Bellville (uitgesonderd daardie gedeelte wat binne 'n straal van vyf myl van die poskantoor van Philadelphia af val), Benoni, Bloemfontein, Boksburg, Brakpan, die Kaap, Durban, Oos-Londen, Germiston, Heidelberg (Transvaal), Inanda, Johannesburg, Kempton Park, Kimberley, Klerksdorp, Nigel (uitgesonderd die Gesondheidsraadgebied van Devon), Oberholzer, Pietermaritzburg, Pinetown, Port Elizabeth, Potchefstroom, Pretoria, Randfontein, Roodepoort, Simonstad, Springs, Uitenhage, Vanderbijlpark, Vereeniging, Welkom en Wynberg, daardie gedeelte van die landdrosdistrik Krugersdorp wat binne 'n straal van tien myl van die Hoofposkantoor van Krugersdorp af val en daardie gedeelte van die landdrosdistrik Sasolburg wat binne 'n straal van vier myl van die Hoofposkantoor van Sasolburg af val;

"Distrik B" die landdrosdistrikte Albanie, Bethal, Brits, Bronkhorstspuit, Delmas, Kliprivier, Kroonstad, Krugersdorp (uitgesonderd daardie gedeelte wat binne Distrik A val), Malmesbury, Newcastle, Odendaalsrus, Paarl, Pietersburg, Queenstown, Rustenburg, Somerset-Wes, Standerton, Stellenbosch, Strand, Virginia, Wellington, Witbank en Worcester en die Gesondheidsraadgebied van Devon;

"Distrik C" die landdrosdistrikte Albert, Aliwal-Noord, Barberton, Beaufort-Wes, Bellville (uitgesonderd daardie gedeelte wat binne Distrik A val), Bethlehem, Clocolan, Cradock, De Aar, Dundee, Ermelo, Estcourt, Ficksburg, Frankfort, George, Graaff-Reinet, Harrismith, Heilbron, Hennenman, King William's Town, Knysna, Kuruman, Ladybrand, Lichtenburg, Lindley, Lydenburg, Mafeking, Marico, Middelburg (Kaap), Middelburg (Transvaal), Molteno, Mosselbaai, Nelspruit, Oudtshoorn, Parys, Port Shepstone, Potgietersrus, Senekal, Sasolburg (uitgesonderd daardie gedeelte wat binne Distrik A val), Thaba N'chu, Theunissen, Ventersburg, Ventersdorp, Volksrust, Vrede, Vryburg, Vryheid, Wepener en Winburg en die munisipale gebied van Upington;

"Distrik D" al die gebiede wat nie in die omskrywing van "Distrik A", "Distrik B" en "Distrik C" ingesluit is nie;

"motorvoertuigbestuurder" 'n werknemer, uitgesonderd 'n chauffeur, fabrieksdrywer of 'n bode, wat 'n motorvoertuig bestuur, en by die toepassing van hierdie omskrywing omvat die uitdrukking "n motorvoertuig bestuur" alle tydperke waarin daar bestuur word en alle tyd wat die bestuurder aan werk in verband met die voertuig of die vrag bestee en ook alle tydperke wat hy verplig is om op sy pos te bly, gereed om te bestuur;

"noodwerk"—

(1) enige werk wat weens onvoorsiene omstandighede soos brand, storm, ongeluk, epidemie, gewelddaad, diefstal, of 'n onklaarraking van installasie of masjinerie sonder versuim verrig moet word;

(2) enige werk in verband met die laai of aflaai van—

(i) skepe;

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

(iii) voertuie wat deur 'n vervoerkontraakteur gebruik word in die nakoming van sy kontrak as sodanig met die Suid-Afrikaanse Spoorweë en Hawens; of

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

"enjinbediener" 'n werknemer wat 'n vaste stoomenjin aansit, stopstelsel en versorg, wat verantwoordelik is vir die instandhouding van die waterpeil en stoomdruk in die stoomketel van sodanige enjin, wat geringe herstelwerk en verstellings aan sodanige enjin doen en wat oor masjienkamerwerkers en graad I-werknemers toesig kan hou;

"masjienkamerwerker" 'n werknemer, uitgesonderd 'n skofmeulenaar se helper of 'n sifkammerwerker, wat onder die toesig van 'n enjinbediener of 'n bevoegde persoon wat ingevolge die Wet op Fabriek, Masjinerie en Bouwerk, 1941, aangestel is, verantwoordelik is vir die instandhouding van die oliepeil in 'n enjin, die olie, smeer en skoonmaak van sodanige enjin, en wat dryfbande kan aansit en afhaal;

"bedryfsinrigting" enige perseel waarin of in verband waarmee een of meer werknemers in die Maalnywerheid in diens is;

"ondervinding"—

(a) met betrekking tot 'n klerk, die totale tydperk of tydperke wat 'n werknemer as 'n klerk in enige bedryf of in die diens van die Staat werksaam was;

(b) met betrekking tot enige ander klas werknemer, die totale tydperk of tydperke wat 'n werknemer in sy klas in die Maalnywerheid werksaam was;

"factory clerk" means an employee, other than a batch mixer, who, under the supervision of a shift miller, storeman-grader, qualified storeman or a qualified male clerk is engaged in any one or more of the following activities or duties:—

- (a) Checking or recording distribution or receipt of raw materials;
- (b) copying in manuscript factory documents or letters;
- (c) counting or measuring (other than repetitive measuring to a set gauge);
- (d) issuing passes;
- (e) making moisture tests;
- (f) making out delivery notes, other than invoices;
- (g) operating a copying, duplicating, addressograph or photostatic machine;
- (h) recording times or output;
- (i) sorting or filing time cards or sheets, delivery or consignment notes or production or stock sheets;
- (j) stamping tickets;

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

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

"factory driver" means an employee who is engaged in driving within an establishment any power-driven vehicle used for towing vehicles or for moving, conveying or stacking goods;

"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 activities, capacities or duties:—

- (1) Carrying, moving, lifting or stacking articles;
- (2) cleaning premises, vehicles, plant, stationary or closed moving machinery, implements, tools, utensils, bags, office furniture, crockery or other articles;
- (3) closing bags or other containers by hand or machine;
- (4) cooking rations or making tea or similar beverages or serving tea or similar beverages to employees or his employer;
- (5) cutting bags;
- (6) cutting down, destroying or removing trees or vegetation;
- (7) delivering letters, messages or goods on foot or by means of a foot- or hand-propelled vehicle;
- (8) demolishing buildings or other structures;
- (9) driver of an animal-drawn vehicle;
- (10) engine room attendant;
- (11) feeding into or taking off from machines;
- (12) filling or emptying bags, sacks or other containers;
- (13) gardening work;
- (14) guiding belts on stationary pulleys;
- (15) keeping tally of number of bags;
- (16) leading oxen;
- (17) lime-washing compounds, latrines, stables, outbuildings or similar buildings or structures;
- (18) loading or unloading;
- (19) loosening, taking out, breaking or spreading stone, soil, clay or sand or digging trenches, foundations or other excavation work;
- (20) making or maintaining fires or removing refuse or sorting clinkers;
- (21) marking, branding, stencilling or affixing labels on bags, sacks, boxes, or other containers or packages by hand;
- (22) mending bags by hand or sorting or shaking out bags;
- (23) messenger;
- (24) mixing mortar, concrete, stone or bitumen by hand or spreading concrete or bitumen by shovel, rake, fork or barrow;
- (25) oiling or greasing machinery when not in motion, or oiling or greasing vehicles;
- (26) operating a sack hoist;
- (27) opening or closing bags, sacks, bales, boxes, packages or doors; or glueing by hand;
- (28) packing articles of uniform size and number in containers specially made to contain them;
- (29) planting poles or erecting fences, under supervision;
- (30) pushing or pulling vehicles otherwise than with the use of mechanical devices;
- (31) ramming or tamping cement or concrete in moulds or ramming concrete in foundations;
- (32) removing, emptying, cleaning or replacing sanitary pails;
- (33) setting-up by hand ready-made cardboard or fibre board boxes or similar containers;
- (34) sifting by hand;
- (35) spreading malt or cereals;

"fabrieksklerk" 'n werknemer, uitgesonderd 'n bakselmenger, wat onder die toesig van 'n skofmeulenaar, pakhuismanger, gekwalifiseerde pakhuismans of 'n gekwalifiseerde manlike klerk enigeen of meer van die volgende werksaamhede of pligte uitoefen:—

- (a) Die verspreiding of ontvangs van grondstowwe nagaan of aanteken;
- (b) fabriekstukke of briewe in manuskriptvorm kopieer;
- (c) tel of afmeet (uitgesonderd herhaalde afmeet met 'n gestelde maat);
- (d) passe uitreik;
- (e) vogtigheidstoetse uitvoer;
- (f) afleweringsbriewe, uitgesonderd fakture, uitreik;
- (g) 'n kopieer-, dupliseer- adressograaf- of fotostatiese masjien bedien;
- (h) tye of produksie aanteken;
- (i) sortering of liassering van tydkaarte of -blaaie, aflewerings- of vragbriewe of produksie- of voorraad-blaaie;
- (j) kaartjies stempel;

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

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

"fabrieksdrywer" 'n werknemer wat enige kragaangedrewe voertuig wat gebruik word vir die sleep van voertuie of vir die verplasing, vervoer of opstapeling van goedere in 'n bedryfsinrigting bestuur;

"voorman" 'n werknemer wat toesig het oor die werknemers in 'n bedryfsinrigting, wat beheer oor sodanige werkers uitoefen en wat daarvoor verantwoordelik is dat hulle hul pligte doeltreffend verrig;

"graad I-werknemer" 'n werknemer wat in enigeen of meer van die volgende hoedanighede in diens is of een of meer van die volgende werksaamhede, of pligte vervul:—

- (1) Voórwerpe dra, verplaas, oplaag of stapel;
- (2) persele, voertuie, installasie, vaste of toegemaakte bewegende masjinerie, werktuie, gereedskap, gerei, sakke, kantoormeubels, breekware of ander voorwerpe skoonmaak;
- (3) sakke of ander houers met die hand of 'n masjien toemaak;
- (4) rantsoene kook of tee of dergelyke drank maak, of tee of soortgelyke drank aan werknemers of sy werk-gewer bedien;
- (5) sakke sny;
- (6) bome of plantegroei afkap, vernietig of verwyder;
- (7) briewe, boodskappe of goedere te voet of deur middel van 'n voet- of handvoertuig aflewer;
- (8) geboue of ander strukture sloop;
- (9) drywer van 'n voertuig wat deur diere getrek word;
- (10) masjienkamerwerker;
- (11) in masjiene voer of daarvan afneem;
- (12) sakke of ander ouers vul of leegmaak;
- (13) tuinwerk;
- (14) dryfbande op stilstaande katrolle opsit;
- (15) aantekening van getal sakke hou;
- (16) osse lei;
- (17) kampongs, latrines, stalle, buitegeboue of soortgelyke geboue of bouwerke afwit;
- (18) laai of aflaa;
- (19) klip, grond, klei of sand losmaak, uithaal, opbreek of spreid of sloot of fondamente grawe of ander uitgrawingswerk verrig;
- (20) vuurmaak of vure aan die brand hou, of afval verwyder of sintels sorteer;
- (21) etikette met die hand op sakke, kiste of ander houers of pakke vassit of dit merk, brandmerk of sjabloner;
- (22) sakke met die hand heelmaak, sorteer of uitkud;
- (23) bode;
- (24) dagha, beton, klip of bitumen met die hand meng of beton of bitumen met 'n skopgraaf, hark, vork of kruiwa spreid;
- (25) masjinerie olie of smeer wanneer dit nie in beweging is nie, of voertuie olie of smeer;
- (26) 'n sakhyser bedien;
- (27) sakke, bale, kiste, pakkies of deure oop- of toemaak; of lymwerk met die hand verrig;
- (28) voorwerpe van eenvormige grootte en getal in houers verpak wat spesiaal vervaardig is om dit te bevat;
- (29) onder toesig pale implant of omheinings oprig;
- (30) voertuie stoot of trek, uitgesonderd deur van meganiese toestelle gebruik te maak;
- (31) sement of beton in gietvorms stamp of vasstamp of beton in fondamente vasstamp;
- (32) nagemmers verwyder, leegmaak, skoonmaak of vervang;
- (33) klaargemaakte karton- of veselborddose of soortgelyke houers met die hand opstel;
- (34) met die hand sif;
- (35) mout of graansoorte spreid;

- (36) sweeping malt yards;
- (37) teasing kaffir corn;
- (38) tending or harnessing or unharnessing animals;
- (39) repetitive weighing to a predetermined weight or repetitive measuring to a set gauge;

"grade II employee" means an employee who is engaged in one or more of the following activities or capacities:—

- (1) Boiler attendant;
- (2) carton lining machine attendant;
- (3) chargehand;
- (4) feeding cartons into a filling machine;
- (5) feeding wrappers into a wrapping machine;
- (6) folding cartons by machine;
- (7) glueing cardboard containers by machine;
- (8) kiln attendant;
- (9) sack printer;
- (10) scalesman;
- (11) stacker;
- (12) watchman;

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

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

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

- (1) Packet filling machine attendant;
- (2) screensroom attendant;
- (3) shift miller's assistant;

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

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

"grain grader's certificate" means a certificate granted by an agricultural college and countersigned by or on behalf of the Secretary for Agricultural Technical Services or a certificate issued by a Faculty of Agriculture from any of the recognised Universities in the Republic of South Africa certifying that the holder thereof is qualified and competent to grade grain;

"handyman" means an employee, other than an engine driver, screensman or a shift miller, who is engaged in making minor repairs or adjustments to machinery, plant or other equipment, other than machinery, plant or equipment directly used in the manufacture of the products of an establishment, and who may effect minor repairs or renovations on buildings but who does not do work normally performed by an artisan;

"kiln attendant" means an employee who, under general supervision, maintains the temperature in a kiln and who may make, maintain or draw the fire in such kiln;

"laboratory assistant" means an employee who is engaged in making routine tests of cereals, including the ash test, testing the stability of dough and who may make bread for the purpose of such tests;

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

"laboratory assistant, unqualified," means a laboratory assistant who has had less than twelve months' experience;

"machine handyman" means an employee, other than an engine driver, screensman or a shift miller, who is engaged in making repairs or adjustments to machinery, plant or other equipment used directly in the manufacture of the products of an establishment but who does not do work normally performed by an artisan;

"manager" means an employee who is charged by his employer with the overall—

- (a) supervision over;
- (b) responsibility for; and
- (c) direction of;

the activities of an establishment and the employees engaged therein;

"messenger" means an employee engaged in delivering or collecting letters, messages, books, documents or money by means of a motor scooter, auto-bicycle or a bicycle fitted with an auxiliary engine and who may do any writing connected with such collecting or delivering;

"mill attendant" means an employee who in the Oatmeal Section of the Milling Industry is in charge of the employees employed on the same shift as that on which he is employed and who is responsible for the efficient performance by them of their duties and who may additionally start, stop and make minor repairs and adjustments to machinery;

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

"mill attendant, unqualified," means a mill attendant who has had less than twelve months' experience;

- (36) moutwerwe vee;
- (37) kafferkooring uitpluis;
- (38) diere inspan of uitspan of hulle oppas;
- (39) herhaalde weeg volgens 'n voorafbepaalde gewig of herhaalde meet met 'n gestelde maat;

"graad II-werknemer" 'n werknemer wat in een of meer van die volgende werksaamhede of hoedanighede in diens is:—

- (1) Stoomketelbediener;
- (2) bediener van 'n masjien wat kartonhouers van voerings voorsien;
- (3) onderbaas;
- (4) kartonhouers in 'n vulmasjien voer;
- (5) omslae in 'n toedraaimasjien voer;
- (6) kartonhouers met 'n masjien vou;
- (7) kartonhouers met 'n masjien vastlym;
- (8) oondwerker;
- (9) sakdrukker;
- (10) skaaf werker;
- (11) stapelaar;
- (12) wag;

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

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

"graad III-werknemer" 'n werknemer wat in enigeen of meer van die volgende werksaamhede of hoedanighede in diens is:—

- (1) Bediener van 'n pakkieulmasjien;
- (2) sifkamerwerker;
- (3) skofmeulenaar se helper;

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

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

"graangradeersertifikaat" 'n sertifikaat wat deur 'n landboukollege toegeken is en deur of namens die Sekretaris van Landbou-tegniese Dienste medeonderteken is of 'n sertifikaat uitgereik deur 'n Fakulteit van Landbou van enigeen van die erkende universiteite in die Republiek van Suid-Afrika en wat sertifiseer dat die houer daarvan gekwalifiseer en bevoeg is om graan te gradeer;

"faktotum" 'n werknemer, uitgesonderd 'n enjinbediener, 'n sifwerker of 'n skofmeulenaar, wat geringe herstelwerk of verstellings aan masjinerie, installasie of ander uitrusting verrig, uitgesonderd masjinerie, installasie of uitrusting wat regstreeks by die vervaardiging van die produkte van 'n bedryfsinrigting gebruik word, en wat geringe herstelwerk of vernuwigingswerk aan geboue kan doen, maar wat nie werk verrig wat gewoonlik deur 'n ambagsman gedoen word nie;

"oondbediener" 'n werknemer wat onder algemene toesig die temperatuur in 'n oond in stand hou en wat die vuur in sodanige oond kan maak; in stand kan hou of kan uittrek;

"laboratoriumassistent" 'n werknemer wat roetine-toetse van graansoorte maak, met inbegrip van die astoets, die stabiliteitstoets vir deeg en wat brood vir die doel van sodanige toetse kan bak;

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

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

"masjienfaktotum" 'n werknemer, uitgesonderd 'n enjinbediener, sifwerker of 'n skofmeulenaar, wat herstelwerk of verstellings aan masjinerie, installasie of ander uitrusting maak wat regstreeks by die vervaardiging van die produkte van 'n bedryfsinrigting gebruik word, maar wat nie werk verrig wat gewoonlik deur 'n ambagsman gedoen word nie;

"bestuurder" 'n werknemer wat deur sy werkgever belas word met die algehele—

- (a) toesig oor,
- (b) verantwoordelikheid vir, en
- (c) die leiding van,

die werksaamhede van 'n bedryfsinrigting en die werknemers daarin werksaam;

"bode" 'n werknemer wat briewe, boodskappe, boeke, dokumente of geld deur middel van 'n bromponie, bromfiets of 'n trapfiets met 'n hulpmotor toegerus, aflewer of afhaal en wat enige skryfwerk in verband met sodanige afhaal of aflewering kan verrig;

"meulwerker" 'n werknemer wat in die Hawermeelafdeling van die Maalnywerheid in beheer is van die werknemers in diens op dieselfde skof as dié waarop hy werksaam is, en wat daarvoor verantwoordelik is dat hulle hul pligte doeltreffend verrig en wat daarbenewens masjinerie kan aan- en stopsit en geringe herstelwerk en verstellings daaraan kan doen;

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

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

"Milling 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:—

- (i) The grinding, gristing or crushing of cereals;
- (ii) the production of any raw cereal products, by grinding, gristing or crushing;
- (iii) except for item (iv) hereof, the production of any processed cereal product or processed product of cereal milling, other than—
 - (a) ready-to-serve breakfast foods; or
 - (b) cooked or raw macaroni, vermicelli, spaghetti or noodles;
 if done by employers and employees engaged in any one or more of the businesses referred to in (i) or (ii) and in the same establishment as the said businesses are carried on;
- (iv) the production of rolled oats or oatmeal intended for human consumption;
- (v) the production by mixing, preparing or processing of foodstuffs for live-stock if carried on by employers and employees engaged in any one or more of the businesses specified in (i) or (ii) in the same establishment;

and includes all operations incidental to or consequent on any of the aforesaid activities, but does not include the following:—

- (a) The operations specified in (i), (ii), (iii), (iv) or (v) above if carried on by a farmer for farmers for the domestic use of the latter only;
- (b) the grinding, gristing or crushing of cereals in an establishment in a Native area, which establishment caters wholly or mainly for Bantu customers and does not work more than one shift per day;
- (c) the activities of a gristing miller who operates his mill on the basis of not more than one shift per day and who holds a current certificate of registration as a gristing miller issued to him by the Mealie Industry Control Board; or
- (d) the activities of a miller in respect of a mill operated by him on the basis of not more than one shift per day and for which mill he holds a current certificate of registration issued to him by the Wheat Industry Control Board and which certificate gives the milling capacity of the mill as not more than six bags (of 200 lb.) per hour;

"motor vehicle" means any power-driven vehicle used for the conveyance or delivery of goods, other than traveller's samples, and includes a mechanical horse and a tractor;

"night shift" means a shift any portion of which exceeding one hour is worked between midnight and 6 o'clock a.m.;

"packet filling machine attendant" means an employee who in the Oatmeal Section of the Milling Industry attends to a power-driven packet filling machine and who may additionally start, stop and make minor adjustments to it;

"packet wrapping machine attendant" means an employee who in the Oatmeal Section of the Milling Industry attends to a power-driven packet wrapping machine and who may additionally start, stop and make minor adjustments to it;

"packet wrapping machine attendant, qualified," means a packet wrapping machine attendant who has had not less than nine months' experience;

"packet wrapping machine attendant, unqualified," means a packet wrapping machine attendant who has had less than nine months' experience;

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

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

"sack printer" means an employee who, under the general supervision of a shift miller, screensman or a storeman, is engaged in operating a sack printing machine and who may supervise grade I employees;

"scalesman" means an employee who is engaged in weighing other than repetitive weighing to a predetermined weight;

"Maalnywerheid" 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:—

- (i) Die maal, vergruis of breek van graan;
- (ii) die produseer van enige rougraanprodukt deur maal, vergruis of breek;
- (iii) met uitsluiting van item (iv) hiervan, die produseer van enige prosesbewerkte graanprodukt of prosesbewerkte produk van graan maal, uitgesonderd—
 - (a) klaarbereide ontbytvoedsels; of
 - (b) gekookte of rou macaroni, vermicelli, spaghetti of snyls,
 indien dit gedoen word deur werkgewers en werknemers wat in een of meer van die in (i) of (ii) genoemde bedrywe werksaam is en in dieselfde bedryfsinrigting waarin genoemde bedrywe uitgeoefen word;
- (iv) die produseer van gerolde hawer of hawermout bedoel vir menslike gebruik;
- (v) die produseer van meng, bereiding of prosesbewerking van voedingsmiddels vir lewende hawe, as dit uitgeoefen word deur werkgewers en werknemers wat in een of meer van die in (i) of (ii) genoemde bedrywe in dieselfde bedryfsinrigting werksaam is,

en omvat dit alle werksaamhede wat met enigen van voormelde bedrywigehede in verband staan of daaruit voortspruit maar omvat nie die volgende nie:—

- (a) Die werksaamhede wat in (i), (ii), (iii), (iv) of (v) hierbo genoem word as dit deur 'n boer vir ander boere slegs vir huishoudelike gebruik deur laasgenoemde uitgeoefen word;
- (b) die maal, vergruis of breek van graansoorte in 'n bedryfsinrigting in 'n Bantoegebied wat uitsluitlik of hoofsaaklik Bantoe-kliente bedien en wat hoogstens een skof per dag werk;
- (c) die werksaamhede van 'n klandisiemeulenaar wat sy meul dryf op die grondslag van hoogstens een skof per dag en wat die houër is van 'n geldende sertifikaat van registrasie as klandisiemeulenaar aan hom deur die Raad van Beheer oor die Melienywerheid uitgereik; of
- (d) die werksaamhede van 'n meulenaar ten opsigte van 'n meul wat hy op die grondslag van hoogstens een skof per dag dryf en waarvoor hy 'n geldende registrasiesertifikaat hou wat aan hom deur die Raad van Beheer oor die Koringnywerheid uitgereik is en waarin die maalyvermoë van die meul as hoogstens ses sakke (van 200 lb.) per uur aangegee word;

"motorvoertuig" enige krag-aangedrewe voertuig wat vir die vervoer of aflewering van goedere, uitgesonderd handelsreisigers se monsters, gebruik word, en omvat dit 'n voorhaker en 'n trekker;

"nagskof" 'n skof waarvan enige gedeelte van langer as een uur tussen middernag en 6 vm. gewerk word;

"bediener van 'n pakkievelmasjien" 'n werknemer wat in die Hawermeelafdeling van die Maalnywerheid 'n krag-aangedrewe pakkievelmasjien bedien en wat dit daarbenewens kan aansit, stopsit en geringe verstelwerk daaraan kan doen;

"bediener van 'n pakkietoedraaimasjien" 'n werknemer wat in die Hawermeelafdeling van die Maalnywerheid 'n krag-aangedrewe pakkietoedraaimasjien bedien en wat dit daarbenewens kan aansit, stopsit en geringe verstelwerk daaraan kan verrig;

"bediener van 'n pakkietoedraaimasjien, gekwalifiseer," 'n bediener van 'n pakkietoedraaimasjien met minstens nege maande ondervinding;

"bediener van 'n pakkietoedraaimasjien, ongekwalifiseer," 'n bediener van 'n pakkietoedraaimasjien met minder as nege maande ondervinding;

"deeltydse motorvoertuigbestuurder" 'n werknemer wat gewoonlik ander werksaamhede verrig as om 'n motorvoertuig te bestuur maar wat op meer as twee dae in 'n week 'n motorvoertuig vir hoogstens drie uur altesaam op enige sodanige dag bestuur, en by die toepassing van hierdie omskrywing omvat die uitdrukking "n motorvoertuig bestuur" alle tydperke wat daar bestuur word en alle tyd wat die bestuurder, terwyl hy in beheer van die voertuig is, aan werk in verband met die voertuig of die vrag bestee, en sodanige werknemer kan geld in order terwyl hy aldus in beheer van die voertuig is;

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

"sakkdrukker" 'n werknemer wat onder die algemene toesig van 'n skofmeulenaar, sifwerker of 'n pakhuisman, 'n sakkdrukmasjien bedien en wat oor graad I-werknemers toesig kan hou;

"skaalwerker" 'n werknemer wat weegwerk verrig, uitgesonderd herhaalde weeg volgens 'n voorafbepaalde gewig;

"screensman" means an employee who is in charge of the grain cleaning and conditioning plant or machinery in an establishment, responsible for keeping such plant or machinery and the cleaning house in good working condition and who may start, stop and make adjustments to the machinery in a screensroom and supervise screensroom attendants and grade I employees;

"screensman, qualified," means a screensman who has had not less than four years' experience;

"screensman, unqualified," means a screensman who has had less than four years' experience;

"screensroom attendant" means an employee who, under the supervision of a shift miller or a screensman, is engaged in any one or more of the activities or duties referred to in the definition "shift miller's assistant";

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

"shift" means a period of work not in excess of nine-and-one-quarter ordinary hours of work;

"shift miller" means an employee who is responsible for the screening, grinding, gristing, crushing, rolling, processing or elevating of cereals or products of cereal milling and the testing of the products from time to time to ensure the correct standard of grinding, who is in charge of the employees employed on the same shift as that on which he is employed and responsible for the efficient performance by them of their duties and who may start, stop and make repairs and adjustments to machinery;

"shift miller, qualified," means—

(i) in relation to a shift miller in the Wheat and Rye Milling Section of the Milling Industry, a shift miller who has had not less than five years' experience or who has served his apprenticeship in the Milling Trade in terms of the Apprenticeship Act, 1944;

(ii) in relation to a shift miller in any other section of the Milling Industry, a shift miller who has had not less than four years' experience or who has served his apprenticeship in the Maize Milling Trade in terms of the Apprenticeship Act, 1944;

"shift miller, unqualified," means—

(i) in relation to a shift miller in the Wheat and Rye Milling Section of the Milling Industry, a shift miller over the age of twenty-one years who has had less than five years' experience;

(ii) in relation to a shift miller in any other section of the Milling Industry, a shift miller over the age of twenty-one years who has had less than four years' experience;

"shift miller's assistant" means an employee who, under the supervision of a shift miller, is engaged in one or more of the following activities or duties:—

- (1) Attending to machines while in operation, but excluding the making of adjustments or repairs to such machines;
- (2) cleaning machines, other than closed machines;
- (3) drawing samples from spouts or machines;
- (4) mending belts;
- (5) oiling or greasing machinery while in motion;
- (6) shipping or unshipping belts;

"shift worker" means an employee who is engaged on shift work in an establishment in which three consecutive shifts per day on not less than five days per week are worked;

"short-time" means a temporary reduction in the number of ordinary hours of work owing to slackness of trade, shortage of raw materials or railway trucks, vagaries of the weather, a general breakdown of plant or machinery or a breakdown or threatened breakdown of buildings;

"siloman" means an employee, other than a shift miller, screensman or a storeman, who is in charge of an intake plant and one or more silos, receives cereals from wharfs, trucks or vehicles, attends to elevators, conveyors or screens and who may take readings on an automatic scale recorder and record such readings, grade cereals and take and keep records of silo stocks, but who does not hold a grain grader's certificate;

"siloman-grader" means an employee who holds a grain grader's certificate and who is engaged in grading cereals and in the duties of a siloman;

"stacker" means an employee who, under the general supervision of a shift miller, screensman, storeman-grader or a storeman, directs or supervises a group of grade I employees engaged in building stacks of commodities contained in grain bags or other containers;

"storeman" means an employee who is in general charge of stores, who is responsible for receiving, storing, packing, unpacking, assembling, checking, marking, addressing, delivering or despatching goods and who may supervise batch mixers, chargehands, factory clerks and grade I employees and grade cereals, but who does not hold a grain grader's certificate;

"sifwerker" 'n werknemer wat in beheer is van die graan-skoonmaak- en kondisioneringsinstallasie of -masjinerie in 'n bedryfsinrigting, wat verantwoordelik is dat sodanige installasie of masjinerie en die skoonmaakhuis in goeie werkende toestand gehou word en wat die masjinerie in 'n sifkamer kan aansit, stopsit en verstellings daaraan kan doen en wat oor sifkamerwerkers en graad I-werknemers toesig kan hou;

"sifwerker, gekwalifiseer" 'n sifwerker met minstens vier jaar ondervinding;

"sifwerker, ongekwalifiseer," 'n sifwerker met minder as vier jaar ondervinding;

"sifkamerwerker" 'n werknemer wat onder die toesig van 'n skofmeulenaar of 'n sifwerker enigeen of meer van die werksaamhede of pligte verrig wat in die woordomskriving van "skofmeulenaar se helper" genoem word;

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

"skof" 'n werktydperk van hoogstens nege en 'n kwart gewone werkure;

"skofmeulenaar" 'n werknemer wat verantwoordelik is vir die sif, maal, tot gruis maak, breek, rol, verwerking of elevator-toevoer van graansoorte of produkte van graan maal, en die toets van die produkte van tyd tot tyd om te verseker dat die korrekte maalstandaard gehandhaaf word, wat in beheer is van die werknemers wat in diens is op dieselfde skof as dié waarop hy werksaam is en wat daarvoor verantwoordelik is dat hulle hul pligte doeltreffend verrig en wat masjinerie kan aansit, stopsit en herstelwerk en verstellings daaraan kan verrig;

"skofmeulenaar, gekwalifiseer,"—

(i) met betrekking tot 'n skofmeulenaar in die Koring- en Rogmaalafdeling van die Maalwyerheid, 'n skofmeulenaar met minstens vyf jaar ondervinding of wat sy vakleerlingskap ooreenkomstig die Wet op Vakleerlinge, 1944, in die Maalwyerheid gedien het;

(ii) met betrekking tot 'n skofmeulenaar in enige ander afdeling van die Maalwyerheid, 'n skofmeulenaar met minstens vier jaar ondervinding of wat sy vakleerlingskap ooreenkomstig die Wet op Vakleerlinge, 1944, in die Mieliemaalwyerheid gedien het;

"skofmeulenaar, ongekwalifiseer,"—

(i) met betrekking tot 'n skofmeulenaar in die Koring- en Rogmaalafdeling van die Maalwyerheid, 'n skofmeulenaar oor die ouderdom van een-en-twintig jaar met minder as vyf jaar ondervinding;

(ii) met betrekking tot 'n skofmeulenaar in enige ander afdeling van die Maalwyerheid, 'n skofmeulenaar oor die ouderdom van een-en-twintig jaar met minder as vier jaar ondervinding;

"skofmeulenaar se helper" 'n werknemer wat onder die toesig van 'n skofmeulenaar een of meer van die volgende werksaamhede of pligte uitvoer:—

- (1) Masjiene bedien terwyl hulle in werking is, maar uitgesonderd die uitvoer van verstel- of herstelwerk aan sodanige masjiene;
- (2) masjiene, uitgesonderd, bedekte masjiene, skoonmaak;
- (3) monsters uit tuite of masjiene neem;
- (4) dryfbande heelmaak;
- (5) masjinerie olie of smeer terwyl dit in werking is;
- (6) dryfbande opsit of afhaal;

"skofwerker" 'n werknemer wat skofwerk in 'n bedryfsinrigting verrig waarin drie agtereenvolgende skofte per dag op minstens vyf dae per week gewerk word;

"korttyd" 'n tydelike vermindering in die getal gewone werkure weens bedryfslapte, tekort aan grondstowwe of spoorweg-trokke, ongunstige weersgesteldheid, 'n algemene onklaarraking van installasie of masjinerie of onklaarraking of dreigende onklaarraking van geboue;

"silowerker" 'n werknemer, uitgesonderd 'n skofmeulenaar, sifwerker of 'n pakhuisman, wat in beheer is van 'n ontvanginstallasie in een of meer silo's, graan van werwe, trokke of voertuie ontvang, elevators, vervoerbande of siwwe bedien en wat lesings op 'n outomatiese gewigaantekenaar kan neem en dit kan aanteken, graansoorte kan gradeer en van silo-voorraad aantekening kan maak en hou, maar wat nie 'n graangradeersertifikaat hou nie;

"silowerker-gradeerder" 'n werknemer wat 'n graangradeersertifikaat hou en wat graansoorte gradeer en die pligte van 'n silowerker nakom;

"stapelaar" 'n werknemer wat onder die algemene toesig van 'n skofmeulenaar, 'n sifwerker, 'n pakhuismangradeerder of 'n pakhuisman aanwysings kan gee aan of toesig kan hou oor 'n groep graad I-werknemers wat produkte wat in sakke of ander houters verpak is, stapel;

"pakhuisman" 'n werknemer wat in algemene beheer is oor voorraad, wat verantwoordelik is vir die ontvang, opberging, verpakking, uitpak, bymekaarmaak, nagaan, toets, adresseer, aflewering of versending van goedere en wat toesig kan hou oor bakselmengers, onderbase, fabrieksklerke en graad I-werknemers en graansoorte kan gradeer, maar wat nie 'n graangradeersertifikaat hou nie;

- "storeman, qualified," means a storeman who has had not less than three years' experience;
- "storeman, unqualified," means a storeman who has had less than three years' experience;
- "storeman-grader" means an employee who holds a grain grader's certificate and who is engaged in grading cereals and in the duties of a storeman;
- "supervisor packer" means an employee who supervises the work of the employees engaged in the various packing operations in an establishment in the Oatmeal Section of the Milling Industry;
- "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 from persons for the sale or supply to them of goods;
- "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 on his rounds 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, autocycle or cycle fitted with an auxiliary engine the unladen weight shall be deemed to be under 1,000 lb.;
- "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—
- 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;
 - 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 property.

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

3. REMUNERATION.

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

(a) *Employees, other than Casual Employees:—*

(i) *In the Wheat and Rye Milling Section of the Milling Industry.*

- "pakhuisman, gekwalifiseer," 'n pakhuisman met minstens drie jaar ondervinding;
- "pakhuisman, ongekwalifiseer," 'n pakhuisman met minder as drie jaar ondervinding;
- "pakhuismangradeerder" 'n werknemer wat 'n graangradeersertifikaat hou en wat graansoorte gradeer en die pligte van 'n pakhuisman nakom;
- "opsigter-verpakker" 'n werknemer wat toesig hou oor die werk van die werknemers betrokke by verskillende verpakingswerkzaamhede in 'n bedryfsinrigting in die Hawermeelafdeling van die Maalnywerheid;
- "sleepwa" enige vervoermiddel wat deur 'n motorvoertuig getrek word;
- "handelsreisiger" 'n werknemer wat, as 'n reisende verteenwoordiger van 'n bedryfsinrigting en namens sodanige bedryfsinrigting, van persone bestellings vra, werf of solisiteer vir die verkoop of lewering van goedere aan hulle;
- "handelsreisiger, gekwalifiseer," 'n handelsreisiger met minstens vier jaar ondervinding;
- "handelsreisiger, ongekwalifiseer," 'n handelsreisiger met minder as vier jaar ondervinding;
- "handelsreisiger se helper" 'n werknemer wat 'n handelsreisiger op sy rondes vergesel en hom help met die inpak, uitpak of uitstalling van sy monsters en wat die motorvoertuig wat deur die handelsreisiger in die uitvoering van sy pligte gebruik word, kan bestuur;
- "onbelaste gewig" die gewig van enige motorvoertuig of sleepwa soos aangegeven in 'n lisensie of sertifikaat wat ten opsigte van sodanige motorvoertuig of sleepwa uitgereik is deur 'n owerheid 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, bromfiets of trapfiets wat met 'n hulpmotor toegerus is, die onbelaste gewig as onder 1,000 lb. geag moet word;
- "loon" die bedrag geld wat aan 'n werknemer ingevolge klousule 3 (1) ten opsigte van sy gewone werkure soos in klousule 5 voorgeskryf, betaalbaar is: Met dien verstande—
- dat, indien 'n werkgewer gereeld 'n werknemer ten opsigte van sodanige gewone werkure 'n hoër bedrag betaal as dié wat in klousule 3 (1) voorgeskryf word, dit sodanige hoër bedrag beteken;
 - dat die eerste voorbehoudsbepaling nie so vertolk moet word dat dit enige besoldiging aangaan of insluit wat 'n werknemer wat werksaam is volgens enige grondslag waarvoor in klousule 9 voorsiening gemaak word, ontvang het bo en behalwe die bedrag wat hy sou ontvang het indien hy nie op sodanige grondslag in diens was nie;

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

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

3. BESOLDIGING.

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

(a) *Werknemers, uitgesonderd los werknemers:—*

(i) *In die Koring- en Rogmaalafdeling van die Maalnywerheid.*

	In District A.	In District B.	In District C.	In District D.
	Per Week. R	Per Week. R	Per Week. R	Per Week. R
Screensman, qualified.....	40.00	36.10	31.00	26.00
Screensman, unqualified—				
During the first year of experience.....	9.00	8.75	8.50	8.00
During the second year of experience.....	15.50	15.00	14.00	12.10
During the third year of experience.....	23.00	21.50	20.00	17.00
During the fourth year of experience.....	30.25	30.00	25.00	21.50
During the fifth year of experience.....	38.00	41.25	36.10	29.25
Shift miller, qualified.....	45.00			
Shift miller, unqualified—				
During the first year of experience.....	9.00	8.75	8.50	8.00
During the second year of experience.....	15.50	15.00	14.00	12.25
During the third year of experience.....	23.00	21.50	20.00	16.25
During the fourth year of experience.....	30.25	28.00	25.00	20.50
During the fifth year of experience.....	38.00	35.00	30.60	24.75
Siloman.....	23.25	21.30	18.10	17.60
Siloman-grader.....	37.00	33.80	29.60	27.30
Storeman, qualified.....	34.25	31.00	27.30	22.70
Storeman, unqualified—				
During the first year of experience.....	9.00	8.75	8.50	8.00
During the second year of experience.....	18.50	16.00	15.00	12.50
During the third year of experience.....	26.00	23.50	21.25	17.60
Storeman-grader.....	37.00	33.80	29.60	27.30

	In Distrik A.	In Distrik B.	In Distrik C.	In Distrik D.
	Per week. R	Per week. R	Per week. R	Per week. R
Sifwerker, gekwalifiseer.....	40.00	36.10	31.00	26.00
Sifwerker, ongekwalifiseer—				
Gedurende die eerste jaar ondervinding.....	9.00	8.75	8.50	8.00
Gedurende die tweede jaar ondervinding.....	15.50	15.00	14.00	12.10
Gedurende die derde jaar ondervinding.....	23.00	21.50	20.00	17.00
Gedurende die vierde jaar ondervinding.....	30.25	30.00	25.00	21.50
Skofmeulenaar, gekwalifiseer.....	45.00	41.25	36.10	29.25
Skofmeulenaar, ongekwalifiseer—				
Gedurende die eerste jaar ondervinding.....	9.00	8.75	8.50	8.00
Gedurende die tweede jaar ondervinding.....	15.50	15.00	14.00	12.25
Gedurende die derde jaar ondervinding.....	23.00	21.50	20.00	16.25
Gedurende die vierde jaar ondervinding.....	30.25	28.00	25.00	20.50
Gedurende die vyfde jaar ondervinding.....	38.00	35.00	30.60	24.75
Silowerker.....	23.25	21.30	18.10	17.60
Silowerker-gradeerder.....	37.00	33.80	29.60	27.30
Pakhuisman, gekwalifiseer.....	34.25	31.00	27.30	22.70
Pakhuisman, ongekwalifiseer—				
Gedurende die eerste jaar ondervinding.....	9.00	8.75	8.50	8.00
Gedurende die tweede jaar ondervinding.....	18.50	16.00	15.00	12.50
Gedurende die derde jaar ondervinding.....	26.00	23.50	21.25	17.60
Pakhuismangradeerder.....	37.00	33.80	29.60	27.30

(ii) In all Sections of the Milling Industry, other than the Wheat and Rye Milling Section.

	In District A.	In District B.	In District C.	In District D.
	Per Week. R	Per Week. R	Per Week. R	Per Week. R
Shift miller, qualified.....	40.00	38.00	35.00	27.30
Shift miller, unqualified—				
During the first year of experience.....	9.00	8.75	8.50	8.00
During the second year of experience.....	15.50	15.50	15.00	12.50
During the third year of experience.....	23.00	22.25	21.30	17.20
During the fourth year of experience.....	30.25	30.00	27.75	22.20
Siloman.....	21.00	19.50	16.75	15.75
Storeman, qualified.....	30.25	29.25	26.50	22.75
Storeman, unqualified—				
During the first year of experience.....	9.00	8.75	8.50	8.00
During the second year of experience.....	15.50	14.50	14.50	12.50
During the third year of experience.....	23.00	21.75	20.50	17.60

(ii) In alle afdelings van die Maalnywerheid, uitgesonderd die Koring- en Rogmaalafdeling.

	In Distrik A.	In Distrik B.	In Distrik C.	In Distrik D.
	Per week. R	Per week. R	Per week. R	Per week. R
Skofmeulenaar, gekwalifiseer.....	40.00	38.00	35.00	27.30
Skofmeulenaar, ongekwalifiseer—				
Gedurende die eerste jaar ondervinding.....	9.00	8.75	8.50	8.00
Gedurende die tweede jaar ondervinding.....	15.50	15.50	15.00	12.50
Gedurende die derde jaar ondervinding.....	23.00	22.25	21.30	17.20
Gedurende die vierde jaar ondervinding.....	30.25	30.00	27.75	22.20
Silowerker.....	21.00	19.50	16.75	15.75
Pakhuisman, gekwalifiseer.....	30.25	29.25	26.50	22.75
Pakhuisman, ongekwalifiseer—				
Gedurende die eerste jaar ondervinding.....	9.00	8.75	8.50	8.00
Gedurende die tweede jaar ondervinding.....	15.50	14.50	14.50	12.50
Gedurende die derde jaar ondervinding.....	23.00	21.75	20.50	17.60

(iii) In all Sections of the Milling Industry.

	In District A.	In District B.	In District C.	In District D.
	Per Week. R	Per Week. R	Per Week. R	Per Week. R
Artisan.....	34.00	34.00	34.00	34.00
Batch mixer, qualified.....	17.00	15.60	14.20	12.80
Batch mixer, unqualified—				
During the first three months of experience.....	8.50	8.00	7.50	7.00
During the second three months of experience.....	12.50	11.60	10.50	9.80
Chauffeur.....	9.50	9.50	9.50	9.50
Clerk, female, qualified.....	15.69	13.85	12.69	11.54
Clerk, female, unqualified—				
During the first year of experience.....	8.54	7.85	7.38	6.92
During the second year of experience.....	10.32	9.35	8.70	8.08
During the third year of experience.....	12.12	10.85	10.04	9.23
During the fourth year of experience.....	13.90	12.35	11.37	10.38
Clerk, male, qualified.....	23.07	21.23	19.62	18.46
Clerk, male, unqualified—				
During the first year of experience.....	9.23	8.31	7.85	7.38
During the second year of experience.....	12.00	10.85	10.15	9.58
During the third year of experience.....	14.77	13.38	12.46	11.77
During the fourth year of experience.....	17.55	15.92	14.77	13.97
During the fifth year of experience.....	20.31	18.46	17.08	16.15

	In District A.	In District B.	In District C.	In District D.
	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.	9.00	8.50	8.25	8.00
(ii) exceeds 1,000 lb. but not 6,000 lb.	14.80	12.00	11.00	10.00
(iii) exceeds 6,000 lb. but not 10,000 lb.	17.55	14.50	13.25	12.20
(iv) exceeds 10,000 lb.	21.80	17.55	17.55	17.55
Driver of a steam wagon	21.80	17.55	17.55	17.55
Engine driver	15.00	13.50	12.00	11.25
Factory clerk, qualified	11.00	10.50	10.00	9.50
Factory clerk, unqualified—				
During the first three months of experience	9.00	8.50	8.00	7.50
During the second three months of experience	10.00	9.50	9.00	8.50
Factory driver	9.50	9.00	8.50	8.00
Handyman	14.00	12.50	11.00	10.00
Laboratory assistant, qualified	14.00	12.50	11.00	10.00
Laboratory assistant, unqualified—				
During the first six months of experience	8.50	7.00	6.00	5.00
During the second six months of experience	11.00	9.50	8.50	7.50
Machine handyman	16.50	16.50	16.50	16.50
Mill attendant, qualified	17.00	17.00	17.00	17.00
Mill attendant, unqualified—				
During the first three months of experience	8.50	8.50	8.50	8.50
During the second three months of experience	10.50	10.50	10.50	10.50
During the third three months of experience	12.50	12.50	12.50	12.50
During the fourth three months of experience	14.50	14.50	14.50	14.50
Part-time driver of a motor vehicle	10.35	8.50	8.25	8.00
Traveller, qualified	32.31	32.31	32.31	32.31
Traveller, unqualified—				
During the first year of experience	23.07	23.07	23.07	23.07
During the second year of experience	25.38	25.38	25.38	25.38
During the third year of experience	27.69	27.69	27.69	27.69
During the fourth year of experience	30.00	30.00	30.00	30.00
Traveller's assistant	9.50	9.50	9.50	9.50

(iii) In alle afdelings van die Maalnywerheid.

	In Distrik A.	In Distrik B.	In Distrik C.	In Distrik D.
	Per week. R	Per week. R	Per week. R	Per week. R
Ambagsman	34.00	34.00	34.00	34.00
Bakselmenger, gekwalifiseer	17.00	15.60	14.20	12.80
Bakselmenger, ongekwalifiseer—				
Gedurende die eerste drie maande ondervinding	8.50	8.00	7.50	7.00
Gedurende die tweede drie maande ondervinding	12.50	11.60	10.50	9.80
Chaufeur	9.50	9.50	9.50	9.50
Klerk, vrou, gekwalifiseer	15.69	13.85	12.69	11.54
Klerk, vrou, ongekwalifiseer—				
Gedurende die eerste jaar ondervinding	8.54	7.85	7.38	6.92
Gedurende die tweede jaar ondervinding	10.32	9.35	8.70	8.08
Gedurende die derde jaar ondervinding	12.12	10.85	10.04	9.23
Gedurende die vierde jaar ondervinding	13.90	12.35	11.37	10.38
Klerk, man, gekwalifiseer	23.07	21.23	19.62	18.46
Klerk, man, ongekwalifiseer—				
Gedurende die eerste jaar ondervinding	9.23	8.31	7.85	7.38
Gedurende die tweede jaar ondervinding	12.00	10.85	10.15	9.58
Gedurende die derde jaar ondervinding	14.77	13.38	12.46	11.77
Gedurende die vierde jaar ondervinding	17.55	15.92	14.77	13.97
Gedurende die vyfde jaar ondervinding	20.31	18.46	17.08	16.15
Bestuurder van 'n motorvoertuig waarvan die onbelaste gewig tesame met die onbelaste gewig van enige sleepwa of sleepwaens wat deur sodanige voertuig getrek word—				
(i) hoogstens 1,000 lb. is	9.00	8.50	8.25	8.00
(ii) 1,000 lb. maar nie 6,000 lb. nie, te bowe gaan	14.80	12.00	11.00	10.00
(iii) 6,000 lb. maar nie 10,000 lb. nie, te bowe gaan	17.55	14.50	13.25	12.20
(iv) 10,000 lb. te bowe gaan	21.80	17.55	17.55	17.55
Drywer van 'n stoomwa	21.80	17.55	17.55	17.55
Enjinbediener	15.00	13.50	12.00	11.25
Fabrieksklerk, gekwalifiseer	11.00	10.50	10.00	9.50
Fabrieksklerk, ongekwalifiseer—				
Gedurende die eerste drie maande ondervinding	9.00	8.50	8.00	7.50
Gedurende die tweede drie maande ondervinding	10.00	9.50	9.00	8.50
Fabrieksdrywer	9.50	9.00	8.50	8.00
Faktotum	14.00	12.50	11.00	10.00
Laboratoriumassistent, gekwalifiseer	14.00	12.50	11.00	10.00
Laboratoriumassistent, ongekwalifiseer—				
Gedurende die eerste ses maande ondervinding	8.50	7.00	6.00	5.00
Gedurende die tweede ses maande ondervinding	11.00	9.50	8.50	7.50
Masjienfaktotum	16.50	16.50	16.50	16.50
Meulwerker, gekwalifiseer	17.00	17.00	17.00	17.00
Meulwerker, ongekwalifiseer—				
Gedurende die eerste drie maande ondervinding	8.50	8.50	8.50	8.50
Gedurende die tweede drie maande ondervinding	10.50	10.50	10.50	10.50
Gedurende die derde drie maande ondervinding	12.50	12.50	12.50	12.50
Gedurende die vierde drie maande ondervinding	14.50	14.50	14.50	14.50
Deeltydse motorvoertuigbestuurder	10.35	8.50	8.25	8.00
Handelsreisiger, gekwalifiseer	32.31	32.31	32.31	32.31
Handelsreisiger, ongekwalifiseer—				
Gedurende die eerste jaar ondervinding	23.07	23.07	23.07	23.07
Gedurende die tweede jaar ondervinding	25.38	25.38	25.38	25.38
Gedurende die derde jaar ondervinding	27.69	27.69	27.69	27.69
Gedurende die vierde jaar ondervinding	30.00	30.00	30.00	30.00
Handelsreisiger se helper	9.50	9.50	9.50	9.50

(iv) In all Sections of the Milling Industry.

								In Area H.		In Area I.	
	In Area A.	In Area B.	In Area C.	In Area D.	In Area E.	In Area F.	In Area G.	During the first twelve months after this Determination becomes binding.	Thereafter.	During the first twelve months after this Determination becomes binding.	Thereafter.
	Per Week. R.	Per Week. R.	Per Week. R.	Per Week. R.	Per Week. R.	Per Week. R.	Per Week. R.	Per Week. R.	Per Week. R.	Per Week. R.	Per Week. R.
Carton cutter, qualified.....	11.25	11.00	9.50	9.00	8.50	8.00	7.50	7.00	7.00	6.75	6.75
Carton cutter, unqualified—											
During the first three months of experience..	8.50	8.25	7.25	6.75	6.25	5.75	5.25	4.75	4.75	4.50	4.50
During the second three months of experience..	9.00	8.75	7.75	7.25	6.75	6.25	5.75	5.25	5.25	5.00	5.00
During the third three months of experience..	9.75	9.50	8.25	7.75	7.25	6.75	6.25	5.75	5.75	5.50	5.50
During the fourth three months of experience	10.50	10.25	8.75	8.25	7.75	7.25	6.75	6.25	6.25	6.00	6.00
Grade I employee—											
Female.....	5.75	5.60	4.90	4.55	4.20	4.00	3.75	3.50	3.50	3.10	3.10
Male of the age of 18 years or over.....	8.25	8.00	7.00	6.50	6.00	5.50	5.00	4.00	4.50	3.80	4.25
Male under the age of 18 years.....	5.40	5.20	4.55	4.25	3.90	3.60	3.40	3.00	3.00	2.80	2.80
Grade II employee, qualified.....	8.50	8.25	7.25	6.75	6.25	5.75	5.25	4.25	4.75	4.00	4.50
Grade II employee, unqualified.....	8.25	8.00	7.00	6.50	6.00	5.50	5.00	4.00	4.50	3.75	4.25
Grade III employee, qualified.....	9.50	9.25	8.25	7.75	7.25	6.75	6.25	5.75	5.75	5.50	5.50
Grade III employee, unqualified—											
During the first three months of experience	8.25	8.00	7.00	6.50	6.00	5.50	5.00	4.50	4.50	4.25	4.25
During the second three months of experience	8.50	8.25	7.25	6.75	6.25	5.75	5.25	4.75	4.75	4.50	4.50
During the third three months of experience..	9.00	8.75	7.75	7.25	6.75	6.25	5.75	5.25	5.25	5.00	5.00
Operator of a bag mending machine, female.....	7.00	6.60	6.50	6.00	5.60	5.20	5.00	4.50	4.50	4.25	4.25
Operator of a bag mending machine, male.....	8.25	8.00	7.00	6.50	6.00	5.50	5.00	4.50	4.50	4.25	4.25
Packet wrapping machine attendant, qualified....	9.25	9.00	8.00	7.50	7.00	6.50	6.00	5.50	5.50	5.25	5.25
Packet wrapping machine attendant, unqualified—											
During the first three months of experience..	8.25	8.00	7.00	6.50	6.00	5.50	5.00	4.50	4.50	4.25	4.25
During the second three months of experience	8.50	8.25	7.25	6.75	6.25	5.75	5.25	4.75	4.75	4.50	4.50
During the third three months of experience..	8.75	8.50	7.50	7.00	6.50	6.00	5.50	5.00	5.00	4.75	4.75
Supervisor packer.....	11.00	10.75	9.75	9.25	8.75	8.25	7.75	7.25	7.25	7.00	7.00
Employee not elsewhere in this sub-clause specifically mentioned.....	8.50	8.25	8.00	8.00	7.75	7.75	7.75	7.25	7.25	7.25	7.25

(iv) In alle Afdelings van die Maalwyerheid.

								In Gebied H.		In Gebied I.	
	In gebied A.	In gebied B.	In gebied C.	In gebied D.	In gebied E.	In gebied F.	In gebied G.	Gedurende die eerste twaalf maande na hierdie Vastelling bindend word.	Daarna.	Gedurende die eerste twaalf maande na hierdie Vastelling bindend word.	Daarna.
	Per week. R.	Per week. R.	Per week. R.	Per week. R.	Per week. R.	Per week. R.	Per week. R.	Per week. R.	Per week. R.	Per week. R.	Per week. R.
Kartonsnyer, gekwalifiseer.....	11.25	11.00	9.50	9.00	8.50	8.00	7.50	7.00	7.00	6.75	6.75
Kartonsnyer, ongekwalifiseer—											
Gedurende die eerste drie maande ondervinding	8.50	8.25	7.25	6.75	6.25	5.75	5.25	4.75	4.75	4.50	4.50
Gedurende die tweede drie maande ondervinding	9.00	8.75	7.75	7.25	6.75	6.25	5.75	5.25	5.25	5.00	5.00
Gedurende die derde drie maande ondervinding	9.75	9.50	8.25	7.75	7.25	6.75	6.25	5.75	5.75	5.50	5.50
Gedurende die vierde drie maande ondervinding	10.50	10.25	8.75	8.25	7.75	7.25	6.75	6.25	6.25	6.00	6.00
Graad I-werknemer—											
Vrou.....	5.75	5.60	4.90	4.55	4.20	4.00	3.75	3.50	3.50	3.10	3.10
Man, 18 jaar oud of ouer.....	8.25	8.00	7.00	6.50	6.00	5.50	5.00	4.00	4.50	3.80	4.25
Man, onder die ouderdom van 18 jaar.....	5.40	5.20	4.55	4.25	3.90	3.60	3.40	3.00	3.00	2.80	2.80
Graad II-werknemer, gekwalifiseer.....	8.50	8.25	7.25	6.75	6.25	5.75	5.25	4.25	4.75	4.00	4.50
Graad II-werknemer, ongekwalifiseer.....	8.25	8.00	7.00	6.50	6.00	5.50	5.00	4.00	4.50	3.75	4.25
Graad III-werknemer, gekwalifiseer.....	9.50	9.25	8.25	7.75	7.25	6.75	6.25	5.75	5.75	5.50	5.50
Graad III-werknemer, ongekwalifiseer—											
Gedurende die eerste drie maande ondervinding	8.25	8.00	7.00	6.50	6.00	5.50	5.00	4.50	4.50	4.25	4.25
Gedurende die tweede drie maande ondervinding	8.50	8.25	7.25	6.75	6.25	5.75	5.25	4.75	4.75	4.50	4.50
Gedurende die derde drie maande ondervinding	9.00	8.75	7.75	7.25	6.75	6.25	5.75	5.25	5.25	5.00	5.00
Bediener van 'n sakheelmaakmasjien, vrou.....	7.00	6.60	6.50	6.00	5.60	5.20	5.00	4.50	4.50	4.25	4.25
Bediener van 'n sakheelmaakmasjien, man.....	8.25	8.00	7.00	6.50	6.00	5.50	5.00	4.50	4.50	4.25	4.25
Bediener van 'n pakkietoedraaimasjien, gekwalifiseer.....	9.25	9.00	8.00	7.50	7.00	6.50	6.00	5.50	5.50	5.25	5.25
Bediener van 'n pakkietoedraaimasjien, ongekwalifiseer—											
Gedurende die eerste drie maande ondervinding	8.25	8.00	7.00	6.50	6.00	5.50	5.00	4.50	4.50	4.25	4.25
Gedurende die tweede drie maande ondervinding	8.50	8.25	7.25	6.75	6.25	5.75	5.25	4.75	4.75	4.50	4.50
Gedurende die derde drie maande ondervinding	8.75	8.50	7.50	7.00	6.50	6.00	5.50	5.00	5.00	4.75	4.75
Opsigter-verpakker.....	11.00	10.75	9.75	9.25	8.75	8.25	7.75	7.25	7.25	7.00	7.00
Werknemer nie elders in hierdie subklousule spesifiek vermeld nie.....	8.50	8.25	8.00	8.00	7.75	7.75	7.75	7.25	7.25	7.25	7.25

(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.

(c) The wages prescribed in (a) hereof for a screensman, shift miller, siloman, siloman-grader, storeman or a storeman-grader, shall be increased by an employer of such employee at a rate of not less than one per cent for each point by which the Consumer Price Index Number for all items, as published from time to time by the Director of Statistics in the *Gazette*, exceeds 110 and the wages prescribed in (a) hereof for such employee may be decreased at a rate of not more than one per cent for each point by which the said Index Number drops below 103, and such increases or decreases, as the case may be, shall be adjusted annually on the first day of March and be effected as from the first pay-day for such employee after that date.

(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 an employee who works a six-day week;

(iii) seven, in the case of an employee who works a seven-day week.

(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 vehicle the weight of which does not exceed 2,500 lb. and which has not more than four cylinders: 6 cents;

(ii) a vehicle the weight of which exceeds 2,500 lb. but not 2,900 lb. and which has not more than four cylinders: 7½ cents;

(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: Met dien verstande dat waar die werkgewer van 'n los werknemer vereis om die werk te verrig van 'n klas werknemer vir wie 'n loon, teen 'n stygende skaal voorgeskryf word, die uitdrukking „weekloon” die weekloon beteken wat voorgeskryf is vir 'n gekwalifiseerde werknemer van daardie klas; en voorts met dien verstande dat waar die werkgewer van 'n los werknemer vereis om vir 'n tydperk van hoogstens vier agtereenvolgende ure op 'n dag te werk, sy loon met vyftig persent verminder kan word.

(c) Die loon wat in (a) hiervan vir 'n sifwerker, skofmeulenaar, silowerker, silowerker-gradeerder, pakhuisman of 'n pakhuisman-gradeerder voorgeskryf is, moet deur 'n werkgewer van sodanige werknemer verhoog word teen 'n koers van minstens een persent vir elke punt waarmee die verbruikers-prysindekssyfer vir alle items, soos van tyd tot tyd deur die Direkteur van Statistiek in die *Staatskoerant* gepubliseer word, 110 te bowe gaan, en die loon wat in (a) hiervan vir sodanige werknemer voorgeskryf is, kan teen 'n koers van hoogstens een persent verminder word vir elke punt waarmee genoemde indekssyfer onderkant 103 daal, en sulke verhogings of verminderings, na gelang van die geval, moet jaarliks op die eerste dag van Maart aangepas word en vanaf die eerste betaaldag vir sodanige werknemer na daardie datum in werking gestel word.

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

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

(a) of '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 is, moet sodanige werknemer ten opsigte van daardie dag soos volg betaal—

(i) in die geval in paragraaf (a) genoem, minstens die dagloon bereken teen die hoër tarief, en,

(ii) in die geval in paragraaf (b) genoem, minstens die dagloon bereken op die kerf in die stygende skaal onmiddellik bokant die loon wat die werknemer vir sy gewone werk ontvang het:

Met dien verstande—

(i) dat die bepalings van hierdie klousule nie geld waar die verskil tussen klasse ingevolge subklousule (1) op ouderdom, ondervinding of geslag gebaseer is nie;

(ii) dat, tensy uitdruklik anders bepaal in 'n skriftelike kontrak tussen 'n werkgewer en sy werknemer, niks in hierdie Vastelling so uitgelê moet word dat dit 'n werkgewer belet om van 'n werknemer te vereis om werk van 'n ander klas te verrig waarvoor dieselfde of 'n laer loon voorgeskryf is as dié wat vir sodanige werknemer voorgeskryf is nie.

(4) *Loonberekening*.—(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 'n werknemer wat ses dae per week werk;

(iii) sewe, in die geval van 'n werknemer wat sewe dae per week werk.

(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 werkgewer se motorvervoer gebruik maak of wat per trein of enige ander vervoermiddel as sy eie moet reis, moet sy werkgewer hom al die redelike koste terugbetaal wat hy in verband met sodanige vervoer in die uitvoering van sy pligte aangegaan het, en by die toepassing van hierdie subklousule word daar geag dat die koste van die stalling van 'n motorvoertuig gedurende die nag, vervoerkoste is;

(b) 'n handelsreisiger wat motorvervoer vir die uitvoering van sy pligte moet verskaf, moet sy werkgewer hom 'n vervoertoelae van minstens die volgende betaal ten opsigte van elke myl wat hy in die uitvoering van sy pligte gereis het, nl. in die geval van—

(i) 'n voertuig waarvan die gewig hoogstens 2,500 lb. is en wat nie meer as vier silinders het nie: 6 sent;

(ii) 'n voertuig waarvan die gewig 2,500 lb. maar nie 2,900 lb. nie, te bowe gaan en met hoogstens vier silinders: 7½ sent;

- (iii) a vehicle the weight of which does not exceed 2,900 lb. and which has more than four cylinders: 7½ cents;
- (iv) 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 R3 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 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 R0.80 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 allowances 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 reimbursement 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.

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

4. PAYMENT OF REMUNERATION.

(1) *Employees other than Casual Employees.*—Save as provided in 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 thirty minutes of ceasing work, on the usual pay-day of the establishment for such employees (or in the case of a shift worker at a time agreed upon between such employee and his employer, which time shall be during the usual office hours of the establishment, but not later than twenty-four hours after the usual pay-day) or on termination of employment if this takes place before the usual pay-day, and such amount shall be contained in an envelope or container, on which shall be recorded, or which shall be accompanied by a statement showing—

- (a) the employer's name;
- (b) the employee's name or his number on the pay roll and 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;

- (iii) 'n voertuig met 'n gewig van hoogstens 2,900 lb. en wat meer as vier silinders het: 7½ sent;
 - (iv) 'n voertuig waarvan die gewig 2,900 lb. te bowe gaan: 10 sent;
- en by die toepassing van hierdie subklousule beteken die uitdrukking „gewig" die gewig soos aangeteken in 'n lisensie of sertifikaat wat ten opsigte van sodanige voertuig uitgereik is deur 'n owerheid wat by wet gemagtig is om sodanige lisensie of sertifikaat uit te reik.

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

- (a) 'n handelsreisiger wat op enige reis wat in die uitvoering van sy pligte onderneem word, vir 'n tydperk van langer as ses agtereenvolgende uur van sy woonplek en sy werk-gewer se bedryfsinrigting afwesig is, moet sy werk-gewer hom—
 - (i) alle koste vergoed wat hy redelikerwys aangegaan het vir enige etes en tee vir homself gedurende elke sodanige tydperk van afwesigheid wat nie oor 'n nag strek nie;
 - (ii) 'n verblyfstoelae van minstens R3 betaal vir elke nag, waar sodanige afwesigheid oor een of meer nagte strek;
- (b) 'n handelsreisiger se helper wat 'n handelsreisiger op enige reis vergesel wat hy in die uitvoering van sy pligte onderneem en vir 'n tydperk van langer as ses agtereenvolgende uur van sy woonplek en sy werk-gewer se bedryfsinrigting afwesig is, moet sy werk-gewer hom—
 - (i) alle koste vergoed wat hy redelikerwys aangegaan het vir enige etes en tee vir homself gedurende elke sodanige tydperk van afwesigheid wat nie oor 'n nag strek nie;
 - (ii) 'n verblyfstoelae van minstens 80c betaal vir elke nag, waar sodanige afwesigheid oor een of meer nagte strek;

Met dien verstande dat by die toepassing van hierdie subklousule die uitdrukking „nag" die tydperk tussen 11-uur nm. en 4-uur vm. beteken.

(7) (a) Enige toelae en koste wat ingevolge subklousules (5) en (6) aan 'n werknemer betaal moet word, moet binne sewe dae na die werknemer se skriftelike eis daarvoor deur die werk-gewer betaal word: Met dien verstande dat 'n werknemer enige sodanige eis binne 'n maand vanaf die datum waarop hy daarop geregtig geword het, moet indien, maar dat hy nie meer as een eis in 'n bepaalde week mag indien nie.

(b) 'n Werk-gewer mag van sy handelsreisiger vereis om enige eis so op te stel dat dit die volgende aantoon:—

- (i) Die middel waarmee gereis is, die vervoerkoste aangegaan, of die aard van enige ander koste waarvoor vergoeding geëis word, ten opsigte van enige eis kragtens subklousule (5) (a);
- (ii) die getal myle wat hy elke dag gereis het, die aandoen-plekke en, uitgesonderd in munisipale gebiede, die roete wat gevolg is, ten opsigte van enige eis kragtens subklousule (5) (b);
- (iii) die aanvangstyd en die aflooptyd van elke tydperk van afwesigheid, ten opsigte van enige eis kragtens subklousule (6);

en om 'n handelsreisiger in staat te stel om aan sodanige vereistes te voldoen, moet sy werk-gewer, voordat so 'n handelsreisiger enige sodanige reis onderneem, hom voorsien van 'n geskikte boek of vorms waarin of waarop hy geskikte aantekeninge kan hou.

(8) *Fietstoelae.*—'n Werk-gewer wat van 'n werknemer vereis om sy eie fiets in die uitvoering van sy pligte te gebruik, moet hom, benewens enige ander besoldiging aan hom verskuldig, 'n toelae van minstens 40 sent per week betaal, of, indien hy 'n los werknemer is, minstens agt sent per dag.

4. BETALING VAN BESOLDIGING.

(1) *Werknemers, uitgesonderd los werknemers.*—Behoudens die bepalinge van klousules 3 (7) en 6 (4), moet enige bedrag wat aan 'n werknemer, uitgesonderd 'n los werknemer, verskuldig is, wekeliks in kontant, of, as die werknemer daartoe instem, maandeliks in kontant of per tjek betaal word gedurende die werkure of binne dertig minute na staking van die werk op die gewone betaaldag van die bedryfsinrigting vir so 'n werknemer (of in die geval van 'n skofwerker, op 'n tydstip waarvoor deur sodanige werknemer en sy werk-gewer ooreengekom is, nl. 'n tydstip wat binne die gewone kantoorure van die bedryfsinrigting moet val, maar nie later nie as vier-en-twintig uur na die gewone betaaldag) of by diensbeëindiging indien dit voor die gewone betaaldag plaasvind, en sodanige bedrag moet ingesluit wees in 'n kovert of houer waarop die volgende aangeteken is of wat vergesel moet gaan van 'n staat met die volgende inligting:—

- (a) Die werk-gewer se naam;
- (b) die werknemer se naam of sy nommer op die betaalstaat en sy beroep;
- (c) die getal gewone werkure deur die werknemer gewerk;
- (d) die getal oortydure deur die werknemer gewerk;
- (e) die werknemer se loon;
- (f) die besonderhede van enige ander besoldiging wat uit die werknemer se diens voortvloei;

- (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 Bantu (Urban Areas) Consolidation Act, 1945, an employer shall not require his employee to board or lodge or board and lodge with him or with any person or at any place nominated by him.

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

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

	In all Municipal Areas in District A.		In all Other Areas.	
	Per Week. R	Per Month. R	Per Week. R	Per Month. R
Board.....	0.80	3.47	0.60	2.60
Lodging.....	0.40	1.73	0.30	1.30
Board and lodging.....	1.20	5.20	0.90	3.90;

	In alle munisipale gebiede in Distrik A.		In alle ander gebiede.	
	Per week. R	Per maand. R	Per week. R	Per maand. R
Etes.....	0.80	3.47	0.60	2.60
Huisvesting.....	0.40	1.73	0.30	1.30
Etes en huisvesting.....	1.20	5.20	0.90	3.90;

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

- (i) that 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;
 (ii) that no deduction shall be made in the case of short-time arising out of slackness of trade or shortage of raw materials or railway trucks, unless the employer has given his employee notice on the previous work day of his intention to reduce the ordinary hours of work;
 (iii) that no deduction shall be made in the case of short-time owing to vagaries of the weather or 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 Bantu village under the control of such council or other local authority.

- (g) die besonderhede van enige bedrae afgetrek;
 (h) die werklike bedrag aan die werknemer betaal; en
 (i) die tydperk ten opsigte waarvan 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 beëindiging van sy diens in kontant betaal.

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

(4) *Koop van goedere*.—'n Werkgewer mag nie van sy werknemer vereis om van hom of van 'n winkel of plek of persoon wat hy aanwys, goedere te koop nie.

(5) *Etes en huisvesting*.—Behoudens die bepalings van die Bantoe (Stadsgebiede) Konsolidasiewet, 1945, mag 'n werkgewer nie van sy werknemer vereis om van hom of van enige persoon of plek wat hy aanwys etes of huisvesting of etes en huisvesting aan te neem nie.

(6) *Aftrappings*.—'n Werkgewer mag sy werknemer geen boetes ople of van sy werknemer se besoldiging enige bedrae aftrek nie, uitgesonderd die volgende:—

- (a) Met die skriftelike toestemming van sy werknemer, 'n bedrag vir verlof-, siektebystands-, versekerings-, spaar-, voorsorg- of pensioenfondse; of ledegeld aan 'n vakvereniging;
 (b) behoudens waar anders in hierdie Vasstelling bepaal, wanneer 'n werknemer ook al van sy werk afwesig is, uitgesonderd op las of op versoek van sy werkgewer, 'n bedrag in verhouding tot die tydperk van sy afwesigheid, bereken op die grondslag van die loon wat so 'n werknemer ten tyde van sodanige afwesigheid ten opsigte van sy gewone werkure ontvang het;
 (c) enige bedrag wat 'n werkgewer ingevolge enige wet of op bevel van 'n bevoegde hof moet of mag aftrek;
 (d) wanneer 'n werknemer daartoe instem, of ingevolge die Bantoe (Stadsgebiede) Konsolidasiewet, 1945, verplig is om etes en huisvesting of etes of huisvesting van sy werkgewer aan te neem, 'n bedrag van hoogstens die volgende:—

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

- (i) dat sodanige vermindering nie een-derde van die werknemer se weekloon te bowe mag gaan nie, ongeag die getal ure waarmee die gewone werkure aldus verminder word;
 (ii) dat geen bedrag afgetrek moet word in die geval van korttyd wat uit bedryfslapte of tekort aan grondstowwe of spoorwegtrokke ontstaan nie, tensy die werkgewer sy werknemer op die vorige werkdag kennis gegee het van sy voorneme om die gewone werkure aldus te verminder;
 (iii) dat geen bedrag afgetrek word nie in die geval van korttyd weens ongunstige weersomstandighede of '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 werkgewer sy werknemer op die vorige dag kennis gegee het dat geen werk beskikbaar sal wees nie;
 (f) met die skriftelike toestemming van 'n werknemer, 'n bedrag wat 'n werkgewer aan 'n munisipale raad of ander plaaslike bestuur betaal het ten opsigte van die huur van enige huis of akkommodasie in enige hostel wat sodanige werknemer in 'n lokasie of Bantoeoord onder die beheer van sodanige raad of ander plaaslike bestuur, bewoon.

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

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

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

Provided that in the case of a shift worker the ordinary hours of work in any two out of three consecutive weeks may be increased to forty-eight a week in which event the ordinary hours of work in the remaining week shall not exceed forty-two hours.

(2) 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.

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

- (i) that 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;
- (ii) that in the case of a driver of a motor vehicle or a grade 1 employee assisting on such vehicle, the meal interval may be reduced to not less than half an hour;
- (iii) that periods of work interrupted by intervals of less than one hour, except when proviso (i), (ii) or (vii) applies shall be deemed to be continuous;
- (iv) that, if such interval be longer than one hour, any period in excess of one and one-quarter hour shall be deemed to be time worked;
- (v) 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;
- (vi) that in the case of a shift miller, screensman, siloman, siloman-grader, storeman or a storeman-grader, who is a shift worker, or a boiler attendant, such interval need not be granted 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;
- (vii) that in the case of a shift worker, other than an employee mentioned in proviso (vi) to this sub-clause, the provisions of this sub-clause shall not apply if and for so long as such an employee is granted a meal interval of not less than twenty minutes as near as practicable in the middle of each shift worked by him, which interval shall be deemed to be part of his ordinary hours of work or overtime, as the case may be, and during which interval he shall not be required or permitted to work;
- (viii) that no 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;
- (ix) 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.

(4) *Night Shift Work.*—(a) An employer shall not require or permit his employee to work on night shift for more than three weeks consecutively.

(b) An employee who has worked a consecutive period of longer than one week on night shift shall not, after completion thereof, be required or permitted to work on night shift again until he shall have worked on a shift other than a night shift for a period not less than the period during which he was employed on night shift as aforesaid.

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

(6) *Overtime.*—All time worked by an employee, other than on a Sunday, in excess of the number of ordinary hours of work prescribed in sub-clauses (1) and (2) shall be overtime.

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

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

- (a) In die geval van 'n werknemer wat ses dae per week werk—
 - (i) ses-en-veertig in enige week vanaf Maandag tot en met Saterdag; en
 - (ii) behoudens subparagraaf (i) hiervan, agt op enige dag, tensy die ure op een dag nie vyf te bowe gaan nie, wanneer die werkure op enigen van die ander dae tot agt en 'n half verleng mag word;
- (b) in die geval van 'n werknemer wat vyf dae per week werk—
 - (i) ses-en-veertig in enige week vanaf Maandag tot en met Vrydag; en
 - (ii) behoudens subparagraaf (i) hiervan nege en 'n kwart op enige dag;

Met dien verstande dat in die geval van 'n skofwerker die gewone werkure in enige twee uit drie agtereenvolgende weke tot agt-en-veertig per week vermeerder mag word, en dan mag die gewone werkure in die oorblywende week nie twee-en-veertig uur te bowe gaan nie.

(2) 'n Werkgewer mag nie van 'n los werknemer vereis of hom toelaat om meer gewone werkure as agt en 'n half op 'n dag te werk nie.

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

- (i) dat 'n werkgewer met sy werknemer mag ooreenkom om die tydperk van sodanige etenspouse tot minstens 'n halfuur te verkort, en in daardie geval en nadat die werkgewer 'n verklaring oor sodanige ooreenkomst by die Afdelingsinspekteur, Departement van Arbeid, vir sy gebied ingedien het, mag die etenspouse aldus verkort word;
- (ii) dat, in die geval van 'n motorvoertuigbestuurder of 'n graad 1-werknemer wat op sodanige voertuig help, die etenspouse tot minstens 'n halfuur verkort mag word;
- (iii) dat werktydperke wat deur pouses van minder as een uur onderbreek word, uitgesonderd wanneer voorbehoudsbepaling (i), (ii) of (vii) geld, as aaneenlopend beskou word;
- (iv) dat, indien sodanige pouse langer as een uur duur enige tydperk langer as een en 'n kwart uur as tyd wat gewerk is, geag moet word;
- (v) dat 'n motorvoertuigbestuurder wat gedurende sodanige 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 nie gedurende sodanige pouse te gewerk het nie;
- (vi) dat in die geval van 'n skofmeulenaar, sifwerker, silowerker, silowerker-gradeerder, pakhuisman of 'n pakhuisman-gradeerder wat volgens skofte werk, of 'n stoomketelbediener, sodanige pouse nie gedurende sy gewone werkure op enige skof toegestaan hoef te word nie indien aan hom gedurende sodanige ure die geleentheid gegee word om 'n ete te nuttig terwyl hy op sy pos is;
- (vii) dat in die geval van 'n skofwerker, uitgesonderd 'n werknemer wat in voorbehoudsbepaling (vi) van hierdie subklousule gemeld word, die bepaling van hierdie subklousule nie van toepassing is nie indien en vir solank as wat aan sodanige werknemer 'n etenspouse van minstens twintig minute toegestaan word so na as doenlik aan die middel van elke skof wat hy werk, en sodanige pouse word geag deel van sy gewone werkure of oortydure, na gelang van die geval, uit te maak en gedurende sodanige pouse mag daar nie van hom vereis word of mag hy nie toegelaat word om te werk nie;
- (viii) dat hoogstens een sodanige pouse gedurende die gewone werkure van 'n werknemer op enige dag geag word nie deel van die gewone werkure uit te maak nie;
- (ix) dat wanneer 'n werkgewer op enige dag as gevolg van 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 wat die werknemer na die eerste etenspouse van die dag werk, nie langer as sewe uur is nie.

(4) *Nagskofwerk.*—(a) 'n Werkgewer mag nie van sy werknemer vereis of hom toelaat om langer as drie weke aaneenlopend nagskof te werk nie.

(b) 'n Werknemer wat 'n aaneenlopende tydperk van langer as 'n week op nagskof gewerk het, mag nie na voltooiing daarvan vereis of toegelaat word om weer nagskofwerk te verrig alvorens hy nie vir 'n tydperk wat nie korter is as die tydperk waartydens hy soos hierbo genoem, nagskofwerk verrig het, 'n ander skof as nagskof gewerk het nie.

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

(6) *Oortyd.*—Alle tyd wat 'n werknemer langer werk as die getal gewone werkure wat in subklousules (1) en (2) voorgeskryf word, uitgesonderd tyd op 'n Sondag gewerk, is oortyd.

(7) *Limitation of Overtime.*—An employer shall not require or permit his employee to work overtime for more than ten hours in any week: Provided that, in the case of a driver of a motor vehicle engaged in delivering goods and a grade I employee accompanying such driver, an employer may require or permit such an employee to work overtime for not more than fifteen hours in any week but so that not more than forty hours overtime is worked in any period of four consecutive weeks.

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

- (a) between 6 o'clock p.m. and 6 o'clock a.m.;
- (b) after 1 o'clock p.m. on more than five days a week;
- (c) overtime for more than two hours on any day, except that an employee who works a five-day week may work up to four hours overtime on a Saturday;
- (d) overtime on more than three consecutive days in any week;
- (e) overtime on more than sixty days in any year;
- (f) overtime after completion of her ordinary hours of work for more than one hour on any day unless he has—
 - (i) before midday given notice thereof to such employee; or
 - (ii) provided such employee with an adequate meal and allowed her sufficient time to have it before she has to commence overtime; or
 - (iii) paid such employee not less than R0.25 in sufficient time to enable her to obtain and have a meal before overtime is due to commence.

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

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

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

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

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

(d) The provisions of sub-clauses (3) and (5) shall not apply to a chauffeur.

6. ANNUAL LEAVE.

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

- (a) in the case of a watchman who works a seven-day week, a screensman, shift miller, siloman, siloman-grader, storeman, storeman-grader, traveller or a traveller's assistant, twenty-one consecutive calendar days' leave;
- (b) in the case of every other employee, fourteen consecutive calendar days' leave,

and shall pay such employee in respect of such leave—

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

Provided that for the purpose of this clause the weekly wage of 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, by dividing the total remuneration so payable to him during his period of such employment by the number of completed weeks in such period: Provided further that for the purpose of this clause the weekly wage of any employee who is engaged on piece-work shall be calculated on the basis set out in section twenty (5) (a) of the Factories, Machinery and Building Work Act, 1941.

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

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

(7) *Beperking van oortyd.*—'n Werkgewer mag nie van sy werknemer vereis of hom toelaat om langer as tien uur in 'n week oortyd te werk nie: Met dien verstande dat in die geval van 'n motorvoertuigbestuurder wat goedere aflewer en 'n graad I-werknemer wat sodanige bestuurder vergesel, 'n werkgewer van sodanige werknemer kan vereis of hom kan toelaat om vir hoogstens vyftien uur in 'n week oortyd te werk, maar op so 'n wyse dat hoogstens veertig uur oortyd in enige tydperk van vier agtereenvolgende weke gewerk word.

(8) *Vroulike werknemers.*—Ondanks andersluidende bepalings in hierdie klousule mag 'n werkgewer nie van 'n vroulike werknemer vereis of haar toelaat om soos volg te werk nie:—

- (a) Tussen 6-uur nm. en 6-uur vm.;
- (b) na 1-uur nm. op meer as dae per week;
- (c) oortyd vir langer as twee uur op 'n dag, behalwe dat 'n werknemer wat vyf dae per week werk tot vier uur oortyd op 'n Saterdag kan werk;
- (d) oortyd op meer as drie agtereenvolgende dae in 'n week;
- (e) oortyd op meer as sestig dae in 'n jaar;
- (f) oortyd na voltooiing van haar gewone werkure vir langer as een uur op 'n dag, tensy hy—
 - (i) sodanige werknemer voor twaalfuur middag daarvan kennis gegee het; of
 - (ii) sodanige werknemer van 'n toereikende ete voorsien het en haar voldoende tyd toegelaat het om dit te nuttig voordat sy met oortyd moet begin; of
 - (iii) sodanige werknemer minstens R0.25 betyds betaal om haar in staat te stel om 'n ete te verkry en te nuttig voordat oortydwerk moet begin.

(9) *Betaling vir oortydwerk.*—'n Werkgewer moet 'n werknemer wat oortyd werk 'n loon van 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 sodanige werknemer op enige dag aldus werk;
- (b) in die geval van enige ander werknemer, een en 'n derde maal sy gewone loon ten opsigte van die totale tydperk wat sodanige werknemer in enige week aldus werk.

(10) *Voorbehoudsbepalings.*—(a) Die bepalings van hierdie klousule geld nie vir 'n handelsreisiger, 'n handelsreisiger se helper of 'n wag nie.

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

(c) Die bepalings van subklousules (3), (5) en (7) geld nie vir 'n werknemer terwyl hy noodwerk verrig nie.

(d) Die bepalings van subklousules (3) en (5) geld nie vir 'n chauffeur nie.

6. JAARLIKSE VERLOF.

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

- (a) in die geval van 'n wag wat sewe dae per week werk, 'n sifwerker, 'n skofmeulenaar, 'n silowerker, 'n silowerker-gradeerder, 'n pakhuisman, 'n pakhuisman-gradeerder, 'n handelsreisiger of 'n handelsreisiger se helper, een-en-twintig agtereenvolgende kalenderdae verlof toestaan;
- (b) in die geval van alle ander werknemers, veertien agtereenvolgende kalenderdae verlof toestaan,

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

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

Met dien verstande dat by die toepassing van hierdie klousule die weekloon van 'n handelsreisiger wat kommissiewerk verrig, bereken word deur die besoldiging ingevolge sy ooreenkoms ooreenkomstig klousule 9 (7) aan hom betaalbaar ten opsigte van die twaalf maande wat die datum waarop die verlof hom toeval onmiddellik voorafgaan deur twee-en-vyftig te deel, of indien hy minder as twaalf maande sodanig werksaam was, deur die totale besoldiging aldus aan hom betaalbaar gedurende sy tydperk van sodanige diens deur die getal voltooië weke in sodanige tydperk te deel: Voorts met dien verstande dat by die toepassing van hierdie klousule die weekloon van 'n werknemer wat stukwerk verrig, bereken moet word op die grondslag in artikel twintig (5) (a) van die Wet op Fabriek, Masjinerie en Bouwerk, 1941, vermeld.

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

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

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

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

(7) For the purpose of this clause the expression "employment" shall be deemed to include—

- (a) any period in respect of which an employer, in terms of clause 12, pays an employee in lieu of notice;
- (b) any period during which an employee is absent—
 - (i) on leave in terms of this clause;
 - (ii) on sick leave in terms of clause 7;
 - (iii) on the instructions or at the request of his employer, amounting in the aggregate, in any one year, to not more than ten weeks; and
- (c) any period during which an employee is absent undergoing military training in pursuance of the Defence Act, 1957: Provided that an employee shall not be entitled to claim as employment more than four months of any one period of such training,

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) dat die tydperk van verlof nie met siekteverlof toegestaan kragtens klousule 7 mag saamval nie, of, tensy die werknemer aldus versoek en die werkgever skriftelik daartoe instem met enige tydperk van militêre opleiding ingevolge die Verdedigingswet, 1957, nie;

(iii) dat indien Nuwejaarsdag, Goeie Vrydag, Hemelvaartsdag, Geloftedag of Kersdag binne die tydperk van sodanige verlof val, nog 'n werkdag vir elke sodanige vakansiedag as 'n verdere verloftydperk by genoemde tydperk bygetel moet word, en die werknemer moet 'n bedrag van minstens sy dagloon ten opsigte van elke sodanige bygevoegde dag betaal word;

(iv) dat 'n werkgever enige dae geleentheidsverlof met volle betaling aan sy werknemer toegestaan op sy werknemer se skriftelike versoek gedurende die tydperk van twaalf maande diens waarop die verloftydperk betrekking het, van sodanige verloftydperk kan aftrek.

(3) (a) Op die skriftelike versoek van 'n werknemer kan 'n werkgever toelaat dat die verlof oor 'n tydperk van hoogstens vier-en-twintig maande diens ooploop: Met dien verstande—

- (i) dat sodanige werknemer sodanige versoek doen binne vier maande na die verstryking van die eerste tydperk van twaalf maande diens waarop die verlof betrekking het; en
- (ii) dat die werkgever die ontvangsdatum van sodanige versoek op die versoek moet endosseer en dit moet onderteken en hy sodanige versoek vir 'n tydperk van minstens drie jaar vanaf sodanige datum of die afloopdatum van die eerste tydperk van twaalf maande diens waarop die verlof betrekking het, na gelang van die jongste datum, moet bewaar.

(b) Die bepaling van subklousule (2) is *mutatis mutandis* op die verlof in hierdie subklousule vermeld, van toepassing.

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

(5) 'n Werknemer wie se dienskontrak gedurende enige tydperk van twaalf maande diens eindig voor die verloftydperk in subklousule (1) voorgeskryf ten opsigte van die tydperk opgeloop het, moet by sodanige beëindiging, en benewens enige ander besoldiging wat aan hom verskuldig mag wees, ten opsigte van elke voltooide maand van sodanige dienstydperk 'n bedrag van minstens die volgende betaal word:—

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

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

- (i) wat sy diens verlaat sonder om die kennis te gee wat in klousule 12 voorgeskryf is, tensy die werkgever van sodanige kennisgewing afgesien het of die werknemer die werkgever in plaas van kennisgewing betaal het; of
- (ii) wat sy diens sonder enige regsgeldige rede verlaat; of
- (iii) wat deur sy werkgever sonder kennisgewing ontslaan word om enige rede wat by wet as voldoende vir sodanige ontslag sonder kennisgewing erken word;

nie op enige betaling kragtens hierdie subklousule geregtig is nie.

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

(7) By die toepassing van hierdie klousule word die uitdrukking „diens” geag die volgende in te sluit:—

- (a) Enige tydperk ten opsigte waarvan 'n werkgever ingevolge klousule 12 'n werknemer betaal in plaas van kennis van diensbeëindiging te gee;
- (b) enige tydperk wat 'n werknemer afwesig is—
 - (i) met verlof kragtens hierdie klousule;
 - (ii) met siekteverlof kragtens klousule 7;
 - (iii) op bevel of op versoek van sy werkgever, wat in enige bepaalde jaar altesaam hoogstens tien weke beloop; en
- (c) enige tydperk wat 'n werknemer afwesig is terwyl hy militêre opleiding ingevolge die Verdedigingswet, 1957, ondergaan: Met dien verstande dat 'n werknemer nie daarop geregtig is om meer as vier maande van enige bepaalde tydperk van sodanige opleiding as diens te eis nie;

en diens word geag te begin—

- (i) in die geval van 'n werknemer wat voor hierdie Vasstelling van krag geword het op 'n tydperk van jaarlikse verlof kragtens enige wet geregtig geword het, vanaf die datum waarop sodanige werknemer laas op sodanige verlof kragtens sodanige wet geregtig geword het;

(ii) in the case of an employee who was in employment before the coming into force of this Determination and to whom any law providing for annual leave applied but who had not become entitled to a period of leave in terms thereof, on the date on which such employment commenced;

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

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

7. SICK LEAVE.

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

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

(b) in the case of every other employee, not less than twenty-four work-days;

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

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

(ii) that this clause shall not apply to an employee at whose written request an employer makes contributions, at least equal to those made by the employee, to any fund or 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—

(a) for a period covering more than three consecutive calendar days; or

(b) on the work-day immediately preceding or the work-day immediately succeeding a Sunday or New Year's Day, Good Friday, Ascension Day, the Day of the Covenant or Christmas Day,

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.

(ii) in die geval van 'n werknemer wat in diens was voor hierdie Vasstelling van krag geword het, en op wie enige wet wat vir jaarlikse verlof voorsiening maak, van toepassing was, maar wat nog nie op 'n tydperk van verlof daarkragtens geregtig geword het nie, vanaf die datum waarop sodanige diens begin het;

(iii) in die geval van enige ander werknemer, vanaf die datum waarop sodanige werknemer by sy werkgever in diens getree het of die datum waarop hierdie Vasstelling van krag word, na gelang van die jongste datum.

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

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

7. SIEKTEVERLOF.

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

(a) in die geval van 'n werknemer wat vyf dae per week werk, altesaam minstens twintig werkdae; en

(b) in die geval van alle ander werknemers, altesaam minstens vier-en-twintig werkdae,

siekteverlof gedurende elke kringloop van vier-en-twintig agtereenvolgende maande diens by hom toestaan en moet hy sodanige werknemer ten opsigte van enige tydperk van afwesigheid kragtens hierdie subklousule minstens die loon betaal wat hy sou ontvang het as hy gedurende sodanige tydperk gewerk het; Met dien verstande—

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

(ii) dat hierdie klousule nie geld nie vir 'n werknemer op wie se skriftelike versoek 'n werkgever bydraes minstens gelyk aan dié wat die werknemer self daarin stort, betaal, aan enige fonds of organisasie deur die werknemer benoem en wat aan dié werknemer waarborg dat aan hom in die geval van sy ongeskiktheid onder die omstandighede in hierdie klousule uiteengesit, altesaam minstens die ekwivalent van sy loon vir twintig of vier-en-twintig werkdae, na gelang van die geval, in elke kringloop van vier-en-twintig maande diens betaal sal word, behalwe dat gedurende die eerste vier-en-twintig maande waarin bydraes deur die werknemer betaal word, die gewaarborgde skaal nie die koers van aanwas, soos in die eerste voorbehoudsbepaling van hierdie subklousule uiteengesit, te bowe hoef te gaan nie;

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

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

(2) 'n Werkgever kan, as 'n voorafgestelde voorwaarde vir die betaling deur hom van enige bedrag wat 'n werknemer kragtens hierdie klousule eis ten opsigte van enige afwesigheid van sy werk—

(a) vir 'n tydperk wat meer as drie agtereenvolgende kalenderdae dek; of

(b) op die werkdag onmiddellik voor of die werkdag onmiddellik na 'n Sondag of Nuwejaarsdag, Goeie Vrydag, Hemelvaartsdag, Gelofte-dag of Kersdag,

van die werknemer vereis om 'n sertifikaat in te dien wat deur 'n geregistreerde mediese praktisyn onderteken is, en wat die aard en duur van die werknemer se ongeskiktheid vermeld: Met dien verstande dat wanneer 'n werknemer gedurende enige tydperk van tot agt weke by twee of meer geleenthede betaling ingevolge hierdie klousule ontvang het sonder om sodanige sertifikaat in te dien, sy werkgever gedurende dié tydperk van agt weke wat onmiddellik op die laaste sodanige geleentheid volg, van hom kan vereis om so 'n sertifikaat ten opsigte van enige afwesigheid in te dien.

(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—

(i) any period during which an employee is absent—

(aa) on leave in terms of clause 6;

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

(cc) on sick leave in terms of sub-clause (1),

amounting in the aggregate, in any year, to not more than ten weeks; and

(ii) any period during which an employee is absent undergoing military training in pursuance of the Defence Act, 1957: Provided that an employee shall not be entitled to claim as employment more than four months of any one period of such training,

and any period of employment which an employee has had with the same employer immediately before the date of the coming into operation of this Determination shall for the purpose of this clause be deemed to be employment under this Determination, and any sick leave on full pay granted to such an employee during such period shall be deemed to have been granted under this Determination;

(b) "incapacity" means inability to work owing to any sickness or injury other than that caused by—

(i) an employee's own misconduct; or

(ii) 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 works on a Sunday, his employer shall either—

(a) pay the employee—

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

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

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

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,

(3) Waar die werknemer gedurende die eerste kringloop van vier-en-twintig maande diens by dieselfde werkgever weens ongeskiktheid afwesig is vir 'n tydperk wat langer is as enige siekteverlof wat ten tyde van sodanige ongeskiktheid opgeloopt het, is hy geregtig slegs op betaling ten opsigte van sodanige verlof wat aldus opgeloopt het; maar sy werkgever moet, as hy dit nie reeds gedoen het nie, by verstryking van genoemde dienskringloop 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) By die toepassing van hierdie klousule word die uitdrukking—

(a) "diens" geag die volgende te omvat:—

(i) Enige tydperk wat 'n werknemer afwesig is—

(aa) met verlof kragtens klousule 6;

(bb) op las of op versoek van sy werkgever;

(cc) met siekteverlof kragtens subklousule (1), wat in enige jaar altesaam hoogstens tien weke beloop, en

(ii) enige tydperk wat 'n werknemer afwesig is terwyl hy militêre opleiding ingevolge die Verdedigingswet, 1957, ondergaan: Met dien verstande dat 'n werknemer nie geregtig is om meer as vier maande van enige bepaalde tydperk van sodanige opleiding as diens te eis nie,

en enige tydperk wat 'n werknemer by dieselfde werkgever onmiddellik voor die inwerkingtredingsdatum van hierdie Vasstelling in diens was, word vir die toepassing van hierdie klousule geag diens kragtens hierdie Vasstelling te wees, en enige siekteverlof wat met volle betaling 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 veroorsaak word deur—

(i) 'n werknemer se eie wangedrag; of

(ii) 'n ongeluk binne die bedoeling van die Ongevalwet, 1941

8. OPENBARE VAKANSIEDAE EN SONDAG.

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

(2) Wanneer 'n werknemer op Nuwejaarsdag, Goëie Vrydag, Hemelvaartsdag, Geloftedag of Kersdag werk, moet sy werkgever hom, behoudens die bepalinge 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 word 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 op 'n Sondag werk, moet sy werkgever—

(a) of die werknemer—

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

(ii) indien hy aldus vir 'n tydperk van langer as vier uur werk, teen 'n tarief van minstens dubbel sy gewone loon betaal ten opsigte van die totale tydperk wat hy op sodanige Sondag werk, of minstens dubbel sy dagloon, watter ookal die grootste bedrag is; of

(b) hom teen 'n tarief van minstens een en een-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 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 skofwerker 'n skof werk wat gedeeltelik op enige openbare vakansiedag wat in subklousule (1) gemeld word of op 'n Sondag en gedeeltelik op enige ander kalenderdag val, word daar geag dat die hele skof gewerk is op die kalenderdag waarop die grootste gedeelte van sodanige skof val.

(5) Die bepalinge van hierdie klousule geld nie vir 'n los werknemer of 'n handelsreisiger, 'n handelsreisiger se helper of 'n wag nie.

9. STUKWERK EN KOMMISSIEWERK.

(1) 'n Werkgever mag na minstens een week kennisgewing aan sy werknemer, uitgesonderd 'n handelsreisiger, enige stukwerkstelsel invoer en, behoudens die bepalinge van klousule 4 (6), moet die werkgever sodanige werknemer wat volgens sodanige stukwerkstelsel werk, besoldig teen die tariewe wat kragtens

remuneration at the rates applicable under such system: Provided that, irrespective of the quantity of work done, the employer shall pay such employee not less than—

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

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

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

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

(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) 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 this 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. PROPORTION OR RATIO.

(1) An employer shall not employ a shift miller's assistant or a screensroom attendant unless he has in his employ a qualified shift miller and for each qualified shift miller in his employ he shall not employ more than two shift miller's assistants and one screensroom attendant.

(2) An employer shall not employ more than one shift miller's assistant and one screensroom attendant for each qualified screensman in his employ: Provided that where an employer employs a qualified screensman in addition to a qualified shift miller, the number of shift miller's assistants and screensroom attendants who may be employed for each qualified screensman shall be in addition to those who may be employed in terms of sub-clause (1).

(3) An employer shall not employ an unqualified shift miller or screensman unless he has in his employ a qualified shift miller or screensman, respectively, and for each qualified shift miller or screensman in his employ he shall not employ more than one unqualified shift miller or screensman, respectively.

sodanige stelsel geld: Met dien verstande dat die werkgewer ongeag die hoeveelheid gedane werk, sodanige werknemer minstens die volgende moet betaal:—

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

(2) 'n Werkgewer moet in 'n opvallende plek in sy bedryfs-inrigting 'n lys van die tariewe in subklousule (1) genoem, opgeplak hou.

(3) 'n Werkgewer wat voornemens is om enige bestaande stukwerkstelsel, of die tariewe wat daarkragtens van toepassing is, te kanselleer of te wysig, moet sy werknemer wat volgens sodanige stelsel werk minstens een maand kennis van sodanige voorneme gee: Met dien verstande dat 'n werkgewer en sy werknemer oor 'n langer tydperk van kennisgewing kan ooreenkom, wanneer die werkgewer minstens die tydperk van kennisgewing waarvoor ooreengekom is, moet nakom.

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

(5) 'n Handelsreisiger wat by ooreenkoms met sy werkgewer kommissiewerk onderneem, moet voordat met sodanige werk 'n aanvang gemaak word, deur sy werkgewer voorsien word van 'n ware afskrif van die ooreenkoms of 'n verklaring wat die voorwaardes van die ooreenkoms uiteensit, en wat die volgende moet insluit:—

- (a) Die week- of maandloon aan die handelsreisiger betaalbaar, waar sodanige loon hoër is as dié wat in klousule 3 (1) vir sodanige handelsreisiger voorgeskryf is, en die kommissietarief of -tariewe en die voorwaardes waarop hy daartoe geregtig word;
- (b) Die dag van die week of maand waarop verdiende kommissie hom toeval en betaalbaar is;
- (c) die gebied waarin die handelsreisiger moet of mag werk;
- (d) die tipe, soort, getal, hoeveelheid of waarde van bestellings (afsonderlik, weekliks, maandeliks of andersins) wat die werkgewer bereid is om van tyd tot tyd aan te neem; en
- (e) die dag van die betaling van kommissie ten opsigte van bestellings wat deur die werkgewer voor die beëindiging van die dienskontrak aangeneem word: Met dien verstande dat sodanige betaaldag voor of op die laaste werkdag van die kalendermaand moet wees wat volg op die maand waartydens die diens beëindig is.

(6) Die voorwaardes van die ooreenkoms in subklousule (5) genoem, moet finansiële vir die handelsreisiger nie minder gunstig as hierdie Vastelling wees nie: Met dien verstande dat die vervaldatum vir die betaling van besoldiging aan 'n handelsreisiger wat kommissiewerk verrig, ooreenkomstig die ooreenkoms moet wees, en in hierdie verband is die bepalings van klousule 4 (1) nie op sodanige betaling van toepassing nie.

(7) Behoudens die bepalings van klousule 4 (6), moet 'n werkgewer aan sy handelsreisiger wat kommissiewerk verrig, besoldiging betaal teen minstens die skaal waarop hulle ooreengekom het: Met dien verstande dat, afgesien van die getal of waarde van die bestellings deur sy werkgewer aangeneem, die besoldiging van sodanige handelsreisiger ten opsigte van enige tydperk minstens dié moet wees wat ingevolge klousule 3 (1) vir daardie tydperk aan hom verskuldig sou gewees het.

(8) 'n Werkgewer of 'n handelsreisiger wat voornemens is om 'n ooreenkoms in verband met kommissiewerk te kanselleer of om te onderhandel oor 'n wysiging daarvan, moet skriftelik kennis gee van sodanige voorneme, en die tydperk van sodanige kennisgewing mag nie korter wees as die tydperk wat vereis word om die dienskontrak van sodanige handelsreisiger kragtens klousule 12 te beëindig nie.

10. GETALVERHOUDING.

(1) 'n Werkgewer mag nie 'n skofmeulenaar se helper of 'n sifkamerwerker in diens neem nie tensy hy 'n gekwalifiseerde skofmeulenaar in sy diens het en vir elke gekwalifiseerde skofmeulenaar in sy diens mag hy hoogstens twee skofmeulenaar se helpers en een sifkamerwerker in diens hê.

(2) 'n Werkgewer mag hoogstens een skofmeulenaar se helper en een sifkamerwerker in diens neem vir elke gekwalifiseerde sifkamerwerker in diens neem vir elke gekwalifiseerde sifwerker in sy diens: Met dien verstande dat waar 'n werkgewer 'n gekwalifiseerde sifwerker benewens 'n gekwalifiseerde skofmeulenaar in diens het, die getal skofmeulenaar se helpers, en sifkamerwerkers wat in diens geneem mag word vir elke gekwalifiseerde sifwerker, bo en behalwe dié is wat kragtens subklousule (1) in diens geneem mag word.

(3) 'n Werkgewer mag nie 'n ongekwalifiseerde skofmeulenaar of sifwerker in diens neem nie tensy hy, onderskeidelik, 'n gekwalifiseerde skofmeulenaar of sifwerker in sy diens het, en vir elke gekwalifiseerde skofmeulenaar of sifwerker in sy diens mag hy, onderskeidelik, hoogstens een ongekwalifiseerde skofmeulenaar of sifwerker in diens neem.

(4) Notwithstanding anything to the contrary in this clause contained, sub-clauses (1), (2) and (3) shall apply to each shift separately in an establishment in which more than one shift is worked in any period of twenty-four consecutive hours.

(5) For the purposes of this clause—

- (a) an employer or manager who is wholly or mainly engaged in the work of a particular class of employee may be deemed to be a qualified employee in such class;
- (b) an unqualified employee who is receiving a wage of not less than the wage prescribed for a qualified employee of his class and area may be deemed to be a qualified employee.

(6) This clause shall apply separately to each establishment.

11. UNIFORMS, OVERALLS AND PROTECTIVE CLOTHING.

An employer shall supply and maintain in serviceable and clean condition, free of charge, any uniform, overall 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 uniform, overall 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) shall be given on or before the usual pay-day of the establishment for such employee and shall run from the day after such pay-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; and
- (iii) that where only one work day's notice is required to be given such notice may be given on any work-day.

(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. 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.

(4) Ondanks enige andersluidende bepalings in hierdie klousule vervat, is subklousules (1), (2), en (3) op elke skof afsonderlik van toepassing in 'n bedryfsinrigting waarin daar in enige tydperk van 24 agtereenvolgende ure meer as een skof gewerk word.

(5) By die toepassing van hierdie klousule—

- (a) mag 'n werkgewer of bestuurder wat uitsluitlik of hoofsaaklik werk van 'n besondere klas werknemer verrig, as 'n gekwalifiseerde werknemer in sodanige klas geag word;
- (b) mag 'n ongekwalifiseerde werknemer wat 'n loon ontvang gelyk aan minstens die loon wat vir 'n gekwalifiseerde werknemer van sy klas en gebied voorgeskryf is, as 'n gekwalifiseerde werknemer geag word.

(6) Hierdie klousule is op elke bedryfsinrigting afsonderlik van toepassing.

11. UNIFORMS, OORPAKKE EN BESKERMENDE KLERE.

'n Werkgewer moet enige uniform, oorpak of ander beskermende klere wat hy van sy werknemer vereis om te dra of wat hy by enige wet verplig is om aan sy werknemer te verskaf, kosteloos verskaf en in diensbare en skoon toestand hou en sodanige uniform, oorpak of ander beskermende klere bly die werkgewer se eiendom.

12. BEÏNDIGING VAN DIENSKONTRAK.

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

- (a) gedurende die eerste vier weke diens minstens een werkdag kennis gee;
- (b) na die eerste vier weke diens, minstens een week kennis gee van die beëindiging van sy kontrak, of 'n werkgewer of werknemer kan die kontrak sonder kennisgewing beëindig deur aan die werknemer of die werkgewer, na gelang van die geval, in plaas van sodanige kennisgewing, minstens die volgende te betaal:—

- (i) in die geval van een werkdag se kennisgewing, die dagloon wat die werknemer ten tyde van sodanige beëindiging ontvang;
- (ii) in die geval van 'n week se kennisgewing, 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 werknemer om die kontrak om enige regsgeldige rede sonder kennisgewing te beëindig;
- (ii) enige skriftelike ooreenkomste tussen 'n werkgewer en sy werknemer wat voorsiening maak vir 'n tydperk van kennisgewing van gelyke duur aan albei kante en wat langer is as dié wat in hierdie klousule voorgeskryf is;
- (iii) die inwerkingtrekking van enige verbeurings of boetes wat by wet ten opsigte van 'n werknemer wat dros, van toepassing is.

Voorts met dien verstande dat waar die loon van 'n werknemer ten tyde van diensbeëindiging verminder is deur aftrekkings ten opsigte van korttyd, die uitdrukking „ontvang ten tyde van sodanige beëindiging”, wanneer 'n werkgewer 'n werknemer in plaas van kennisgewing betaal, geag moet word om „sou ontvang het ten tyde van sodanige beëindiging indien geen bedrae ten opsigte van korttyd afgetrek is nie” te beteken.

(2) As daar 'n ooreenkomstige ingevolge die tweede voorbehoudsbepaling van subklousule (1) bestaan, moet die betaling in plaas van kennisgewing ooreenstem met die tydperk van kennisgewing waarvoor daar ooreengekom is.

(3) Die kennisgewing in subklousule (1) voorgeskryf, moet voor of op die gewone betaaldag van die bedryfsinrigting vir sodanige werknemer gegee word en neem 'n aanvang vanaf die dag na sodanige betaaldag: Met dien verstande—

- (i) dat die kennisgewingstydperk nie mag saamval nie met en kennis nie gegee mag word nie gedurende 'n werknemer se afwesigheid met verlof wat kragtens klousule 6 toegestaan is, of enige tydperk van militêre opleiding wat 'n werknemer ingevolge die Verdedigingswet, 1957, ondergaan;
- (ii) dat kennis nie gegee mag word gedurende 'n werknemer se afwesigheid met siekteverlof wat kragtens klousule 7 toegestaan is nie; en
- (iii) dat waar slegs een werkdag kennis vereis word, sodanige kennisgewing op enige werkdag mag geskied.

(4) Ondanks enige andersluidende bepalings in hierdie Vasstelling, indien 'n werkgewer sy dienskontrak beëindig deur sy diens sonder kennisgewing te verlaat of sonder om sy werkgewer in plaas van kennisgewing te betaal, mag sy werkgewer van enige gelde wat hy ooreenkomstig enige bepalings van hierdie Vasstelling aan sodanige werknemer skuld, ten gunste van homself 'n bedrag aftrek van hoogstens dié wat sodanige werknemer in plaas van kennisgewing aan hom sou moes betaal het.

13. DIENSSERTIFIKAAT.

'n Werkgewer moet by beëindiging van 'n dienskontrak, uitgesonderd deur die dros van 'n werknemer, sy werknemer, uitgesonderd 'n los werknemer, van 'n dienssertifikaat voorsien wat wesenlik in die vorm is wat in die Bylae van hierdie Vasstelling voorgeskryf is en wat die volle naam van die werkgewer en sy werknemer, die beroep van die werknemer, die aanvangsdatum en die datum van beëindiging van die kontrak asook die werknemer se weekloon ten tyde van sodanige beëindiging, aantoon.

14. LOG BOOK.

(1) An employer shall provide his driver of a motor vehicle or his part-time driver of a motor vehicle with a log book as nearly as practicable in the following form:—

DAILY LOG.

Name of employer _____
 Name of driver _____
 Time of starting work _____ a.m./p.m. _____ a.m./p.m.
 Time of finishing work _____ a.m./p.m. _____ a.m./p.m.
 Number of hours worked _____
 Meal hours from _____ a.m./p.m. to _____ a.m./p.m.
 Particulars of any accident or delay _____

(Signature of Driver.)

Date _____ 19 _____

(2) Every driver of a motor vehicle or part-time driver of a motor vehicle, upon being provided with a log book referred to in sub-clause (1), shall keep the said daily log in duplicate in respect of each day's work, and shall within twenty-four hours of the completion of the day's work to which it relates deliver a copy thereof to his employer and for the purpose of this clause the expression "work" in relation to a part-time driver of a motor vehicle shall refer only to "driving a motor vehicle" as defined in the definition of this class of employee.

(3) Every employer shall retain the copy of the daily log, which in terms of sub-clause (2) has been delivered to him, for a period of three years subsequent to the occurrence of that event.

15. PROHIBITION OF EMPLOYMENT.

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

SCHEDULE.

I/We (a) _____
 carrying on trade in the Milling Industry at _____
 hereby certify that Mr./Mrs./Miss (a) _____
 was employed by me/us (a) from the _____
 day of _____ 19 _____, to the _____
 day of _____ 19 _____, in the occupation of (b) _____
 At the termination of employment his/her (a) _____
 wage was _____ rand _____ cents per week.

Signature of Employer or
Authorised Representative.

Date _____

(a) Delete whichever inapplicable.

(b) State occupation in which employee was wholly or mainly engaged, e.g., clerk, traveller, shift miller, screensroom attendant, grade I employee.

No. R. 1563.]

[9 October 1964.

WAR MEASURES ACT, 1940.

SUSPENSION OF PAYMENT OF COST OF LIVING
ALLOWANCES PAYABLE UNDER WAR
MEASURE No. 43 OF 1942, AS AMENDED.MILLING INDUSTRY, REPUBLIC OF
SOUTH AFRICA.

On behalf of the Minister of Labour, I, MARAIS VILJOEN, Deputy-Minister of Labour, in terms of sub-regulation (1) of regulation 4 of the regulations published under War Measure No. 43 of 1942, as amended, hereby suspend the operation of the said regulations in respect of all employees for whom wages are prescribed in clause 3 of the Wage Determination for the Milling Industry, Republic of South Africa, published under Government Notice No. R. 1562 of the 9th October, 1964.

M. VILJOEN,
Deputy-Minister of Labour.

14. LOGBOEK.

(1) 'n Werkgewer moet sy motorvoertuigbestuurder of sy deeltydse motorvoertuigbestuurder van 'n logboek voorsien wat so na as moontlik die volgende vorm het:—

DAGLIKSE LOG.

Naam van werkgewer _____
 Naam van bestuurder _____
 Aanvangstyd van werk _____ vm./nm. _____ vm./nm.
 Tyd waarop werk gestaak is _____ vm./nm. _____ vm./nm.
 Getal ure gewerk _____
 Etenstye vanaf _____ vm./nm. tot _____ vm./nm.
 Besonderhede van enige ongeluk of vertraging _____

(Handtekening van bestuurder.)

Datum _____ 19 _____

(2) Elke motorvoertuigbestuurder of deeltydse motorvoertuigbestuurder moet, wanneer hy voorsien word van 'n logboek in subklousule (1) genoem, genoemde daaglikse log ten opsigte van elke dag se werk in duplo byhou en moet binne vier-en-twintig uur na die voltooiing van die dag se werk waarop dit betrekking het, 'n afskrif daarvan aan sy werkgewer besorg, en by die toepassing van hierdie klousule beteken die uitdrukking "werk", met betrekking tot 'n deeltydse motorvoertuigbestuurder, slegs "n motorvoertuig bestuur" soos in die woordskrywing van hierdie klas werknemer omskryf.

(3) Elke werkgewer moet die afskrif van die daaglikse log wat ingevolge subklousule (2) aan hom besorg is, vir 'n tydperk van drie jaar daarna hou.

15. VERBOD OP INDIENSNEMING.

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

BYLAE.

Ek/Ons* _____
 wat sake doen in die Maalnywerheid te _____
 sertifiseer hierby dat mnr./mev./mej.* _____
 by my/ons in diens was *vanaf die _____
 dag van _____ 19 _____ tot die _____
 dag van _____ 19 _____ in die beroep van † _____
 By diensbeëindiging was sy/haar* loon _____
 rand _____ sent per week.

Handtekening van werkgewer of
gemagtigde verteenwoordiger.

Datum _____

* Skrap wat nie van toepassing is nie.

† Vermeld die beroep waarin die werknemer uitsluitlik of hoofsaaklik in diens was, byvoorbeeld klerk, handelsreisiger, skofmeulenaar, siëkamerwerker, graad I-werknemer.

No. R. 1563.]

[9 Oktober 1964.

WET OP OORLOGSMAATREELS, 1940.

OPSKORTING VAN BETALING VAN LEWENS-
KOSTETOELAE BETAALBAAR INGEVOLGE
OORLOGSMAATREEL No. 43 VAN 1942, SOOS
GEWYSIG.MAALNYWERHEID, REPUBLIEK VAN
SUID-AFRIKA.

Namens die Minister van Arbeid, skort ek, MARAIS VILJOEN, Adjunk-minister van Arbeid, kragtens die bepalinge van subregulasie (1) van regulasie 4 van die regulasies gepubliseer by Oorlogsmaatregel No. 43 van 1942, soos gewysig, hierby die toepassing van genoemde regulasies op ten opsigte van alle werknemers vir wie lone voorgeskryf word in klousule 3 van die Loonvaststelling vir die Maalnywerheid, Republiek van Suid-Afrika, gepubliseer by Goewermentskennisgewing No. R. 1562 van 9 Oktober 1964.

M. VILJOEN,
Adjunk-minister van Arbeid.

No. R. 1564.] [9 October 1964.
**FACTORIES, MACHINERY AND BUILDING WORK
 ACT, 1941, AS AMENDED.**

**MILLING INDUSTRY, REPUBLIC OF
 SOUTH AFRICA.**

On behalf of the Minister of Labour, I, MARAIS VILJOEN, Deputy-Minister of Labour, in terms of sub-section (1) of section *twenty-two* of the Factories, Machinery and Building Work Act, 1941, as amended, declare the provisions of the Determination for the Milling Industry, Republic of South Africa, published under Government Notice No. R. 1562 of the 9th October, 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.

M. VILJOEN,
 Deputy-Minister of Labour.

No. R. 1564.] [9 Oktober 1964.
**WET OP FABRIEKE, MASJINERIE EN BOUWERK,
 1941, SOOS GEWYSIG.**

**MAALNYWERHEID, REPUBLIEK VAN
 SUID-AFRIKA.**

Namens die Minister van Arbeid, verklaar ek, MARAIS VILJOEN, Adjunk-minister van Arbeid, kragtens subartikel (1) van artikel *twee-en-twintig* van die Wet op Fabriek, Masjinerie en Bouwerk, 1941, soos gewysig, dat die bepalinge van die Vastelling vir die Maalnywerheid, Republiek van Suid-Afrika, gepubliseer by Goewermmentskennisgewing No. R. 1562 van 9 Oktober 1964, oor die algemeen nie vir die werknemers wie se werkure en beloning ten opsigte van oortyd, openbare feesdae en werk op Sondag en openbare feesdae daarby gereël word, minder gunstig as die desbetreffende bepalinge van genoemde Wet is nie.

M. VILJOEN,
 Adjunk-minister van Arbeid.

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