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[No. 1204.]

PROKLAMASIE

VAN DIE STAATSPRESIDENT VAN DIE REPUBLIEK VAN
SUID-AFRIKA.

No. R. 203, 1965.]

WINTERGRAANSKEMA.—WYSIGINGS.

Nademaal die Minister van Landbou-ekonomie en -bemarking ingevolge die voorskrifte van subartikel (4) van artikel *drie-en-twintig* gelees met paragraaf (c) van subartikel (3) van artikel *sewentien* van die Bemarkingswet, 1937 (Wet No. 26 van 1937), soos gewysig, sekere voorgestelde wysigings, soos in die Bylae hierby uiteengesit, van die Wintergraanskema, afgekondig by Proklamasie No. R. 370 van 1960, soos gewysig, aangeneem het en kragtens paragraaf (b) van subartikel (1) van artikel *een-en-twintig* van genoemde Wet goedkeuring van daardie voorgestelde wysigings aanbeveel het.

So is dit dat ek, kragtens die bevoegdheid my verleen by paragraaf (a) van subartikel (1) van artikel *twee-en-twintig* gelees met subartikel (4) van artikel *drie-en-twintig* van genoemde Wet, hierby verklaar dat genoemde wysigings vanaf 1 November 1965 in werking tree.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Pretoria, op hierdie Sesde dag van Augustus Eenduisend Negehonderd Vyf-en-sestig.

C. R. SWART,
Staatspresident.

Op las van die Staatspresident-in-rade.

D. C. H. UYS.

BYLAE.

Die Wintergraanskema, gepubliseer by Proklamasie No. R. 370 van 1960, soos gewysig (hierna „die Skema” genoem), word hierby soos volg gewysig:—

1. Artikel 22 van die Skema word hierby gewysig—

- (a) deur in paragraaf (k) van subartikel (1) na die woord „om” die woorde „op die voorwaardes wat die Minister goedkeur,” in te voeg; en
- (b) deur in paragraaf (m) van genoemde subartikel na die woord „om” die woorde „op die voorwaardes wat die Minister goedkeur,” in te voeg, en deur aan die end van daardie paragraaf die woorde „of ’n deel daarvan aan die mark te onthou” by te voeg.

PROCLAMATION

BY THE STATE PRESIDENT OF THE REPUBLIC OF
SOUTH AFRICA.

No. R. 203, 1965.]

WINTER CEREAL SCHEME.—AMENDMENTS.

Whereas the Minister of Agricultural Economics and Marketing has, by virtue of the provisions of sub-section (4) of section *twenty-three* read with paragraph (c) of sub-section (3) of section *seventeen* of the Marketing Act, 1937 (Act No. 26 of 1937), as amended, accepted certain proposed amendments, as set out in the Schedule hereto, to the Winter Cereal Scheme, published by Proclamation No. R. 370 of 1960, as amended, and has under the provisions of paragraph (b) of sub-section (1) of section *twenty-one* of the said Act recommended the approval of the said proposed amendments.

Now, therefore, under the powers vested in me by paragraph (a) of sub-section (1) of section *twenty-two* read with sub-section (4) of section *twenty-three* of the said Act, I do hereby declare that the said amendments shall come into operation with effect from 1st November, 1965.

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

C. R. SWART,
State President.

By Order of the State President-in-Council.

D. C. H. UYS.

SCHEDULE.

The Winter Cereal Scheme, published by Proclamation No. R. 370 of 1960, as amended (hereinafter referred to as “the Scheme”), is hereby amended as follows:—

1. Section 22 of the Scheme is hereby amended—

- (a) by the insertion in paragraph (k) of sub-section (1) before the word “to” of the words “on such conditions as the Minister may approve,”; and
- (b) by the insertion in paragraph (m) of the said sub-section before the word “to” of the words “on such conditions as the Minister may approve,” and by the addition at the end of the said paragraph of the words “or withhold any part of it from the market”.

2. Artikel 23 van die Skema word hierby deur die volgende artikel vervang:—

„Heffing op gars, hawer, rog en koring.

23. (1) Die Raad kan, met die Minister se goedkeuring en op so 'n basis as wat die Raad mag bepaal, 'n heffing lê op gars, hawer, rog of koring of op so 'n graansoort van 'n bepaalde klas, wat aan of deur die Raad verkoop word: Met dien verstande dat sodanige heffing hoogstens 7c per 150 lb. in die geval van enige klas hawer of gars (uitgesonderd kaalgars) en hoogstens 10c per 200 lb. in die geval van enige klas koring, rog of kaalgars bedra.

(2) 'n Heffing opgelê kragtens subartikel (1) kan—

(a) ten opsigte van 'n besondere klas, graad of kwaliteitstandaard van so 'n graansoort, verskil van so 'n heffing ten opsigte van 'n ander klas, graad of kwaliteitstandaard van daardie graansoort;

(b) ten opsigte van 'n eenheid of hoeveelheid van so 'n graansoort wat uit 'n ander land of gebied in die Republiek ingevoer word, verskil van, maar nie meer wees nie dan, 'n heffing ten opsigte van 'n eenheid of hoeveelheid van daardie graansoort wat in die Republiek geproduseer word;

(c) bygevoeg by en op dieselfde tydstip betaalbaar gemaak word as die prys waarteen die Raad die betrokke graansoort aan enige persoon van die hand sit, of afgetrek word van die pryse wat deur die Raad betaalbaar is aan die produsente van daardie graansoort wanneer betaling gemaak word.

(3) Vir die doeleindes van hierdie artikel—

(a) word gars, hawer, rog of koring wat in die Republiek ingevoer word geag van 'n ander klas te wees as dieselfde graansoort wat in die Republiek geproduseer is; en

(b) word koring wat van die Raad gekoop word vir die vervaardiging van meelblom, meel of semolina deur persone wat as 'n besigheid koring maal, breek tot gruis maak of andersins verwerk, geag van 'n ander klas te wees as koring wat die Raad vir ander doeleindes verkoop.”

3. Artikel 24 van die Skema word hierby deur die volgende artikel vervang:—

„Spesiale heffing op gars, hawer, rog en koring.

24. Die Raad kan, met die Minister se goedkeuring en op so 'n basis as wat die Raad mag bepaal, 'n spesiale heffing lê op gars, hawer, rog of koring of op so 'n graansoort van 'n bepaalde klas, wat aan of deur die Raad verkoop word en vir die doeleindes van sodanige spesiale heffing is die bepalings van subartikels (2) en (3) van artikel 23 *mutatis mutandis* van toepassing.”

4. Artikels 25 en 26 van die Skema word hierby deur die volgende artikel vervang:—

„Instelling van fondse.

25. (1) Behoudens die bepalings van subartikels (2) en (3) moet die Raad 'n fonds instel wat bekend moet staan as die Algemene Fonds, wat deur die Raad bestuur en beheer moet word en waarin alle bedrae verkry uit heffings wat kragtens artikel 23 opgelê is en alle ander gelde wat aan die Raad mag toeval, gestort moet word en waaruit alle betalings deur die Raad gedoen moet word.

2. The following section is hereby substituted for section 23 of the Scheme:—

“Levy on Barley, Oats, Rye and Wheat.

23. (1) The Board may, with the approval of the Minister and on such basis as the Board may determine, impose a levy on barley, oats, rye or wheat, or on such a cereal of a particular class, sold to or through the Board: Provided that such levy shall not exceed 7c per 150 lb. in the case of any class of oats or barley (excluding hull-less barley) and 10c per 200 lb. in the case of any class of wheat, rye or hull-less barley.

(2) A levy imposed in terms of sub-section (1) may—

(a) in respect of any particular class, grade or standard of quality of such cereal, differ from any such levy in respect of any other class, grade or standard of quality of such cereal;

(b) in respect of any unit or quantity of such cereal which is imported into the Republic from any other country or territory, differ from but not exceed any levy in respect of any unit or quantity of such cereal which is produced in the Republic;

(c) be added to and made payable at the same time as the price at which the Board disposes of the cereal concerned to any person, or deducted from the prices payable by the Board to the producers of such cereal when payment is made.

(3) For the purpose of this section—

(a) barley, oats, rye or wheat imported into the Republic shall be deemed to be a class separate from the same cereal produced in the Republic; and

(b) wheat purchased from the Board for the manufacture of flour, meal, or semolina by persons who in the course of trade grind, crush, grist or otherwise process wheat, shall be deemed to be a class separate from wheat sold by the Board for other purposes.”

3. The following section is hereby substituted for section 24 of the Scheme:—

“Special Levy on Barley, Oats, Rye and Wheat.

24. The Board may, with the approval of the Minister and on such basis as the Board may determine, impose a special levy on barley, oats, rye or wheat or on such a cereal of a particular class, sold to or by the Board and for the purposes of such special levy the provisions of sub-sections (2) and (3) of section 23 shall *mutatis mutandis* apply.”

4. The following section is hereby substituted for sections 25 and 26 of the Scheme:—

“Establishment of Funds.

25. (1) Subject to the provisions of sub-sections (2) and (3) the Board shall establish a fund to be known as the General Fund to be administered and controlled by the Board, into which all amounts derived from levies imposed in terms of section 23 and all other moneys which may accrue to the Board, shall be paid and from which all payments by the Board shall be made.

(2) Die Raad moet 'n spesiale heffingsfonds instel en die opbrengs van 'n spesiale heffing kragtens artikel 24 opgelê en sodanige ander bedrae tot die beskikking van die Raad as wat deur die Minister goedgekeur mag word, in hierdie fonds stort en die Raad kan met gelde in hierdie fonds handel op die wyse wat deur die Minister goedgekeur mag word.

(3) Die Raad moet een of meer afsonderlike reserwefondse vir elk van die graansoorte gars, hawer, rog en koring instel waarin sodanige bedrae tot die beskikking van die Raad gestort moet word as wat die Minister van tyd tot tyd mag goedkeur of wat hy na afloop van 'n boekjaar onder die skema en na oorlegpleging met die Raad bepaal, en die Raad kan oor gelde in so 'n fonds beskik op die wyse wat die Minister mag goedkeur.

(4) Die gelde wat in die fondse van die Raad op die datum van inwerkingtreding van hierdie artikel, moet na die onderskeie fondse kragtens hierdie artikel ingestel, oorgedra word."

5. Artikel 27 van die Skema word hierby gewysig—

(a) deur in subartikel (1) die woorde „of om gars, hawer of rog aan enigeen behalwe iemand wat volgens subartikel (2) van artikel 29 by die Raad geregistreer is om gars, hawer of rog van produsente daarvan te koop, te verkoop" te skrap; en

(b) deur subartikel (3) deur die volgende subartikel te vervang:—

„(3) Met die Minister se goedkeuring kan die Raad vrystelling verleen op die voorwaardes deur die Raad bepaal, van die werking van 'n verbod deur die Raad opgelê kragtens subartikel (1) en indien 'n heffing vermeld in artikel 23 of 'n spesiale heffing vermeld in artikel 24 nie betaalbaar is nie ten opsigte van die klas graansoort ten opsigte waarvan so 'n vrystelling verleen is, ook op voorwaarde dat 'n bedrag geld wat deur die Raad met die Minister se goedkeuring bepaal word, ten opsigte van enige eenheid of hoeveelheid daarvan aan die Raad betaal word deur die persone, op die ty- en wyse deur die Raad bepaal, maar wat hoogstens soveel is as die bedrag van die hoogste sodanige heffing en die hoogste sodanige spesiale heffing wat betaalbaar is ten opsigte van 'n eenderse eenheid of hoeveelheid van enige klas van daardie graansoort wat aan of deur die Raad verkoop word, en die Raad moet met geld wat uit hoofde van hierdie subartikel aan hom betaal word, slegs handel op die wyse wat die Minister goedkeur."

6. Artikel 29 van die Skema word hierby deur die volgende artikel vervang:—

„Registrasie van sekere persone.

29. (1) Niemand wat met gars, hawer, rog of koring of 'n gars-, hawer-, rog- of koringprodukt as 'n besigheid handel, mag gars, hawer, rog of koring of 'n rog- of koringprodukt vervaardig of verwerk, of in 'n ander produkt of handelsartikel omsit of aldus laat vervaardig, verwerk of omsit nie, tensy hy by die Raad geregistreer is.

(2) Niemand word kragtens hierdie artikel geregistreer nie, tensy hy voldoen het aan sodanige vereistes as wat by regulasie kragtens die Wet voorgeskryf mag word.

(3) Die Raad kan weier om enige persoon wat ingevolge hierdie artikel om registrasie aansoek doen, te registreer of kan enige sodanige persoon registreer vir sodanige tydperk en op sodanige voorwaardes as wat die Raad mag bepaal, en kan die registrasie van enige sodanige persoon intrek indien hy enige voorwaarde aldus bepaal of enige vereiste genoem in subartikel (2) oortree het of versuim het om daaraan te voldoen.

(2) The Board shall establish a special levy fund into which shall be paid the proceeds of any special levy imposed in terms of section 24 and such other amounts at the Board's disposal as may be approved by the Minister and the Board may deal with any moneys in this fund in such manner as may be approved by the Minister.

(3) The Board shall establish one or more separate reserve funds for each of the cereals barley, oats, rye and wheat into which shall be paid such amounts at the disposal of the Board as may from time to time be approved by the Minister or as may after consultation with the Board be determined by him after the end of any financial year under this Scheme, and the Board may deal with any moneys in any such fund in such manner as may be approved by the Minister.

(4) The moneys in the funds of the Board on the date on which this section comes into operation, shall be transferred to the various funds established in terms of this section."

5. Section 27 of the Scheme is hereby amended—

(a) by the deletion in sub-section (1) of the words "or barley, oats, or rye to a person registered with the Board in terms of sub-section (2) of section 29 to purchase barley, oats or rye from producers thereof"; and

(b) by the substitution for sub-section (3) of the following sub-section:—

"(3) With the approval of the Minister the Board may grant exemption on the conditions determined by the Board from the operation of any prohibition imposed by the Board in terms of sub-section (1) and if a levy referred to in section 23 or a special levy referred to in section 24 is not payable in respect of the class of the cereal in respect of which such an exemption was granted, also on condition that an amount of money, determined by the Board with the approval of the Minister be paid to the Board in respect of any unit or quantity thereof by such persons, at such times and in such manner as the Board may determine, but not exceeding the amount of the highest such levy and the highest such special levy payable in respect of an equal unit or quantity of any class of that cereal which is sold to or through the Board, and the Board shall deal with moneys paid to it in terms of this sub-section only in such manner as the Minister may approve."

6. The following section is hereby substituted for section 29 of the Scheme:—

"Registration of Certain Persons.

29. (1) No persons dealing in the course of trade with barley, oats, rye or wheat or barley, oats, rye or wheaten products, shall manufacture or process any barley, oats, rye or wheat or a rye or wheaten product, or convert it into any other product or commodity or cause it to be so manufactured, processed or converted unless he has been registered with the Board.

(2) No person shall be registered under this section unless he has complied with such requirements as may be prescribed by regulations under the Act.

(3) The Board may refuse to register any person who applies for registration in terms of this section or may register any such person for such period and on such conditions as it may determine, and may cancel the registration of any such person if he has contravened or failed to comply with any condition so determined or any requirement referred to in sub-section (2).

(4) Die Raad kan benewens enige ander voorwaardes wat hy wettiglik mag opleë, voorwaardes opleë wat die aard van die toerusting en die maksimum kapasiteit van enige uitrusting of masjinerie wat geïnstalleer kan word of die klas, graad of maksimum hoeveelheid van enige produk of handelsartikel wat vervaardig of verwerk of omgesit of as 'n besigheid mee gehandel mag word deur 'n persoon wat kragtens subartikel (1) geregistreer is, en die wyse waarop, en die plek waar of die gebied waarbinne, en die doel die aard van die toerusting en die maksimum produk of enige produk of handelsartikel wat daarvan verkry is van die hand gesit mag word, voorskryf.

(5) Wanneer die Raad die registrasie van 'n persoon kragtens hierdie artikel goedgekeur het, moet hy 'n sertifikaat van registrasie, in so 'n vorm as wat hy mag voorskryf, aan so 'n persoon laat uitreik, en as die Raad sodanige registrasie goedgekeur het onderworpe aan voorwaardes, moet hy sulke voorwaardes in die betrokke sertifikaat van registrasie laat spesifiseer.

(6) Iemand wat ontevrede is met 'n besluit van die Raad met betrekking tot enige aangeleentheid betreffende sy registrasie deur die Raad ingevolge hierdie artikel, kan binne negentig dae nadat hy of sy verteenwoordiger van sodanige besluit in kennis gestel is, teen sodanige besluit by die Minister appell aanteken."

7. Artikel 30 van die Skema word hierby geskrap.

8. Artikel 32 van die Skema word hierby deur die volgende artikel vervang:—

"Misdrywe en strafbepalings."

32. Iedereen wat—

(a) 'n oortreding begaan van of versuim om te voldoen aan—

(i) enige bepaling van hierdie skema of enige verbod, vereiste, voorskrif, besluit of vasstelling ingevolge daarvan opgelê, voorgeskryf, uitgereik, geneem of gemaak of enige verbod, vereiste, voorskrif, besluit of vasstelling van krag as gevolg van die bepaling van subartikel (1) van artikel 34; of

(ii) enige voorwaarde voorgeskryf in verband met sodanige bepaling, verbod, vereiste, voorskrif, besluit of vasstelling; of

(iii) enige voorwaarde onderworpe waaraan hy ooreenkomstig sodanige bepaling, verbod, vereiste, voorskrif, besluit of vasstelling gemagtig is om enige daad te verrig; of

(b) versuim om enige rekord, faktuur, rekening, staat of opgawe te hou, uit te reik of te verstrek wat hy ingevolge hierdie skema of 'n vereiste voorgeskryf kragtens hierdie skema of van krag as gevolg van die bepaling van subartikel (1) van artikel 34 of ingevolge 'n voorwaarde genoem in subparagraaf (ii) of (iii) van paragraaf (a) moet hou, uitreik of verstrek; of

(c) versuim om enige rekord te bewaar vir die tydperk wat hy dit ingevolge 'n vereiste kragtens hierdie skema voorgeskryf of van krag as gevolg van die bepaling van subartikel (1) van artikel 34, moet bewaar; of

(d) in enige rekord, faktuur, rekening, staat of opgawe genoem in paragraaf (b) enige inligting verstrek, wat onjuis is of daarop bereken is om te mislei;

is skuldig aan 'n misdryf en by skuldigverklaring strafbaar met 'n boete van hoogstens tweehonderd rand of met gevangenisstraf vir 'n tydperk van hoogstens ses maande of met beide sodanige boete en gevangenisstraf."

(4) The Board may impose, in addition to any other conditions which it may lawfully impose, conditions prescribing the nature of the equipment and the maximum capacity of any plant or machinery to be installed or the class, grade or maximum quantity of any product or commodity which may be manufactured or processed or converted or be dealt with in the course of trade by a person registered in terms of sub-section (1), and the manner in which, and the place where or area within which, and the purpose for which, and the classes of persons to whom such product or any product or commodity derived therefrom may be disposed of.

(5) Whenever the Board has approved of the registration of any person under this section, it shall cause a certificate of registration, in such form as it may prescribe, to be issued to such person, and if the Board has approved of such registration subject to any conditions, it shall cause such conditions to be specified in the relevant certificate of registration.

(6) Any person who is dissatisfied with a decision of the Board in connection with any matter relating to his registration by the Board in pursuance of this section, may within ninety days after he or his representative has been notified of such decision, appeal to the Minister against such decision."

7. Section 30 of the Scheme is hereby deleted.

8. The following section is hereby substituted for section 32 of the Scheme:—

"Offences and Penalties."

32. Any person who—

(a) contravenes or fails to comply with—

(i) any provision of this scheme or any prohibition, requirement, direction, decision or determination imposed, prescribed, given, taken or made thereunder, or any prohibition, requirement, direction, decision or determination in force in consequence of the provisions of sub-section (1) of section 34; or

(ii) any condition prescribed in connection with any such provision, prohibition, requirement, direction, decision or determination; or

(iii) any condition subject to which he has in pursuance of any such provision, prohibition, requirement, direction, decision or determination been authorised to do any act; or

(b) fails to keep, issue or render any record, invoice, account, statement or return, which he is required to keep, issue or render in terms of this scheme or a requirement prescribed under this scheme or in force in consequence of the provisions of sub-section (1) of section 34 or in terms of a condition referred to in sub-paragraph (ii) or (iii) of paragraph (a); or

(c) fails to retain any record for the period which he is required to retain it in terms of a requirement prescribed under this scheme or in force in consequence of the provisions of sub-section (1) of section 34; or

(d) in any record, invoice, account, statement or return referred to in paragraph (b) furnishes any information which is incorrect or calculated to mislead;

shall be guilty of an offence and on conviction liable to a fine not exceeding two hundred rand or to imprisonment for a period not exceeding six months or to both such fine and imprisonment."

DEPARTEMENT VAN LANDBOU-TEGNIËSE DIENSTE.

No. R. 1224.] [20 Augustus 1965.

WET OP SAAD, 1961 (WET No. 28 VAN 1961).—NAME VAN PLANTVARIËTEITE OPGENEEM IN DIE VARIËTEITSLYS GEHOU INGEVOLGE ARTIKEL 4GT VAN DIE WET.

Ingevolge die bepaling van artikel *tien* van die Wet op Saad, 1961 (Wet No. 28 van 1961), word hierby bekendgemaak dat die name van die variëteite wat in die Bylae hiervan vervat is, opgeneem is in die variëteitslys gehou ingevolge artikel *agt* van die Wet en gepubliseer in Goewermentskennisgewing No. R. 1966 van 27 November 1964, soos gewysig.

BYLAE.

(d) Groentegewasse.

Soort.	Variëteitsname.	Sinoniem.
68 <i>Pisum Sativum</i> L. (Tuinert.)	Cape Freezer.	—

DEPARTEMENT VAN WATERWESE.

No. R. 1227.] [20 Augustus 1965.

REGULASIES TEN OPSIGTE VAN DIE BERGRIVIER - STAATSWATERSKEMA (SWARTLANDSTREEK).

Kragtens die bevoegdheid my verleen by paragrawe (a), (b), (c) en (e) van artikel *sewentig* van die Waterwet, 1956 (Wet No. 54 van 1956), wysig ek, PIETER MATTHEUS KRUGER LE ROUX, Minister van Waterwese vir die Republiek van Suid-Afrika, hierby die regulasies ten opsigte van die Bergrivier-staatswaterskema (Swartlandstreek), afgekondig by Goewermentskennisgewing No. 881 van 27 Junie 1958, soos volg:—

Paragraaf 10 word geskrap en deur die volgende paragraaf vervang:—

„VERSKAFFING VAN WATER AAN PRIVATE VERBRUIKERS.

10. Op aansoek van die geregistreerde eienaar word hoogstens een aansluiting per geregistreerde eiendom, volgens die diskresie van die Minister, verskaf. Met dien verstande dat genoemde eiendom as 'n aparte stuk grond in die betrokke Akteskantoor geregistreer is op 27 Junie 1958.”

No. R. 1228.] [20 Augustus 1965.

REÛLS EN VOORWAARDES VIR DIE VERSKAFING VAN WATER UIT DIE BERGRIVIER-STAATSWATERSKEMA (SALDANHABAALSTREEK).

Kragtens die bevoegdheid my verleen by artikel *twee* van die Saldanhabaai-watervoorsieningswet, 1945 (Wet No. 23 van 1945), wysig ek, PIETER MATTHEUS KRUGER LE ROUX, Minister van Waterwese vir die Republiek van Suid-Afrika, hierby die reëls en voorwaardes ten opsigte van die verskaffing van water uit die Bergrivier-staatswaterskema (Saldanhabaai-streek), afgekondig by Goewermentskennisgewing No. 1138 van 5 Augustus 1960, soos volg:—

Subparagraaf (a) van paragraaf 10 word geskrap en deur die volgende subparagraaf vervang:—

10. (a) Water word op aansoek van die geregistreerde eienaar, volgens die diskresie van die Minister, aan enige geregistreerde eiendom verskaf.

DEPARTMENT OF AGRICULTURAL TECHNICAL SERVICES.

No. R. 1224.] [20 August 1965.

SEEDS ACT, 1961 (ACT No. 28 OF 1961).—NAMES OF VARIETIES INCLUDED IN THE VARIETAL LIST KEPT IN TERMS OF SECTION EIGHT OF THE ACT.

It is hereby notified, in terms of the provision of section *ten* of the Seeds Act, 1961 (Act No. 28 of 1961), that the names of the varieties which appear in the Schedule hereto have been included in the varietal list kept in terms of section *eight* of the said Act and published in Government Notice No. R. 1966 of 27th November, 1964, as amended.

SCHEDULE.

(d) Vegetables.

Kind.	Variety Names.	Synonym.
68 <i>Pisum Sativum</i> L. (Garden Pea.)	Cape Freezer.	—

DEPARTMENT OF WATER AFFAIRS.

No. R. 1227.] [20 August 1965.

REGULATIONS IN RESPECT OF THE BERG RIVER GOVERNMENT WATER SCHEME (SWARTLAND REGION).

Under the powers vested in me by paragraphs (a), (b), (c) and (e) of section *seventy* of the Water Act, 1956 (Act No. 54 of 1956), I, PIETER MATTHEUS KRUGER LE ROUX, Minister of Water Affairs for the Republic of South Africa, hereby amend the regulations in respect of the Berg River Government Water Scheme (Swartland Region), published by Government Notice No. 881, dated 27th June, 1958, as follows:—

Paragraph 10 is deleted and the following paragraph substituted therefor:—

“SUPPLY OF WATER TO PRIVATE CONSUMERS.

10. Upon application by the registered owner not more than one offtake per registered property is provided in the discretion of the Minister: Provided that the said property is registered as a separate piece of land in the Deeds Registry concerned on the 27th June, 1958.”

No. R. 1228.] [20 August 1965.

RULES AND CONDITIONS FOR THE SUPPLY OF WATER FROM THE BERG RIVER GOVERNMENT WATER SCHEME (SALDANHA BAY REGION).

Under the powers vested in me by section *two* of the Saldanha Bay Water Supply Act, 1945 (Act No. 23 of 1945), I, PIETER MATTHEUS KRUGER LE ROUX, Minister of Water Affairs for the Republic of South Africa, hereby amend the rules and conditions in respect of the supply of water from the Berg River Government Water Scheme (Saldanha Bay Region), published by Government Notice No. 1138 dated 5th August, 1960, as follows:—

Sub-paragraph (a) of paragraph 10 is deleted and the following sub-paragraph substituted therefor:—

10. (a) Water is supplied upon application by the registered owner, in the discretion of the Minister, to any registered property.

DEPARTEMENT VAN POS- EN TELEGRAAFWESE.

No. R. 1226.] [20 Augustus 1965.
WYSIGING VAN TELEFOONREGULASIES.

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

Telefoonregulasie 37.

Voeg, met ingang van 28 Augustus 1965, na „Stellenbosch”, „(met inbegrip van Koelenhof, Lynedoch en Muldersvlei),” in.

DEPARTEMENT VAN VERDEDIGING.

No. R. 1223.] [20 Augustus 1965.
AFKONDIGING VAN ALGEMENE REGULASIES
VIR DIE SUID-AFRIKAANSE WEERMAG EN
DIE RESERWE.

Dit het die Staatspresident behaag om, kragtens die bepalings van paragraaf (s) van subartikel (1) van artikel sewe-en-tagtig van die Verdedigingswet, 1957 (Wet No. 44 van 1957), soos gewysig, die volgende Algemene Regulasies vir die Suid-Afrikaanse Weermag en die Reserwe uit te vaardig:—

“HOOFSTUK XIX.

VEGDIENS.

WOORDBEPALINGS.

1. In hierdie hoofstuk, tensy dit uit die samehang anders blyk, beteken—

- (i) ‘beklee’—
 - (a) met betrekking tot ‘n rang, die behoud ingevolge hierdie regulasies, deur ‘n lid van ‘n rang wat aan hom toegeken is; en
 - (b) met betrekking tot ‘n pos, die vul van die betrokke pos deur ‘n lid wat daarin ingedeel is en wat die pligte aan sodanige pos verbonde, verrig;
- (ii) ‘botallig’ met betrekking tot sterktes, ‘n lid in diens stel by ‘n eenheid waar daar uit hoofde van sy rang, klassifikasie of vakindeling nie ‘n pos in die sterkte tabel vir hom beskikbaar is nie;
- (iii) ‘die Wet’ die Verdedigingswet, 1957 (Wet No. 44 van 1957);
- (iv) ‘eenheid’, ook enige regiment, bataljon, kommando, militêre kollege, skool, gimnasium, militêre opleidingsinrigting, stasie, eskader, basis, skip, hospitaal, versterkingsdepot, onafhanklike hoofkwartier of soortgelyke eenheid wat, ingevolge artikel twee-en-dertig of vyf-en-sewentig van die Wet, as sodanig ingestel en aangewys is;
- (v) ‘gevegsverlies’ ‘n lid wat—
 - (a) ‘n ongeskiktheid opgedoen het as gevolg van—
 - (i) die aanwending van vyandelike of eie wapens in ‘n geveg teen ‘n vyand; of
 - (ii) vyandelike optrede of die optrede van eie troepe teen ‘n vyand; of
 - (b) krygsgevangene geneem is of vermis word in enige operasie ter verdediging van die Republiek of ter voorkoming of onderdrukking van binnelandse onluste in die Republiek;
- (vi) ‘lid’ ‘n lid van die SAW of die Reserwe wat vegdiens verrig;

DEPARTMENT OF POSTS AND TELEGRAPHS.

No. R. 1226.] [20 August 1965.
AMENDMENT OF TELEPHONE REGULATIONS.

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

Telephone Regulation 37.

After “Stellenbosch”, insert “(including Koelenhof, Lynedoch and Muldersvlei),” with effect from the 28th August, 1965.

DEPARTMENT OF DEFENCE.

No. R. 1223.] [20 August 1965.
PROMULGATION OF GENERAL REGULATIONS
FOR THE SOUTH AFRICAN DEFENCE FORCE
AND THE RESERVE.

The State President has been pleased, in terms of paragraph (s) of sub-section (1) of section eighty-seven of the Defence Act, 1957 (Act No. 44 of 1957), as amended, to promulgate the following General Regulations for the South African Defence Force and the Reserve:—

“CHAPTER XIX.

COMBAT SERVICE.

DEFINITIONS.

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

- (i) ‘the Act’ means the Defence Act, 1957 (Act No. 44 of 1957);
- (ii) ‘battle casualty’ means a member who—
 - (a) has suffered any disablement as a result of—
 - (i) the employment of enemy or own weapons in combat against an enemy; or
 - (ii) enemy action or action by own troops against an enemy; or
 - (b) has been taken prisoner of war or is missing in any operation in defence of the Republic or in the prevention or suppression of internal disorder in the Republic;
- (iii) ‘combat service’ means any service in terms of chapter X or in terms of paragraph (b) of sub-section (1) of section one hundred and thirty-one of the Act, or anything done in connection with or to ensure the effective command, support or performance of any such service;
- (iv) ‘disablement’ means any wound, injury or sickness necessitating the evacuation of a member for the purpose of receiving medical care other than that provided in his unit;
- (v) ‘emergency rank’ means a rank held by a member which is higher than his substantive rank and which is held by him whilst this chapter is applicable to him without interruption, as though it were his substantive rank;
- (vi) ‘enemy’ includes any person or persons against whom operations for the prevention or suppression of internal disorder are undertaken;

- (vii) 'noodrang' 'n rang wat hoër as die substantiewe rang van 'n lid is en wat hy, solank hierdie hoofstuk sonder onderbreking op hom van toepassing is, beklee asof dit sy substantiewe rang is;
- (viii) 'ongeskiktheid' enige wond, besering of siekte wat die afvoering van 'n lid noodsaak om ander mediese sorg as dié wat in sy eenheid verskaf word, te ontvang;
- (ix) 'rang' 'n rang in die SAW of die Reserwe, wat in regulasie 3 van hierdie hoofstuk bedoel word;
- (x) 'regulasie' 'n regulasie wat kragtens die Wet uitgevaardig is;
- (xi) 'rekenbare diens' diens wat kragtens regulasie 10 geld as kwalifiserende diens vir die toekenning van noodrang;
- (xii) 'SA' Suid-Afrika of Suid-Afrikaans of Suid-Afrikaanse, na gelang van die geval;
- (xiii) 'SAW' die Suid-Afrikaanse Weermag;
- (xiv) 'sterkte' die getal lede wat in elke rang, klassifikasie of vakindeling op 'n sterkte-tabel gevoer word;
- (xv) 'sterkte-tabel' die diensstaat van 'n eenheid waarin die getal poste van elke rang in elke klassifikasie of vakindeling ingesluit is soos kragtens subregulasie (2) van regulasie 5 van hierdie hoofstuk goedgekeur, en ook 'n goedgekeurde sterkte-tabel van die Staande Mag, met inbegrip van 'n getalsverhoging wat kragtens daardie regulasie daaraan toegewys is;
- (xvi) 'substantiewe rang' die substantiewe rang wat 'n lid kragtens die regulasies vir dié deel van die SAW of die Reserwe waarvan hy lid is, beklee en wat, behoudens sy toestemming of die bepalings van subartikel (3) van artikel honderd-en-vyf van die Wet of die vonnis van 'n militêre hof, hom nie ontnem kan word nie;
- (xvii) 'tydelike rang' 'n hoër rang, as die substantiewe rang of noodrang wat 'n lid beklee, wat sodanige lid tydelik kragtens die bepalings van hierdie hoofstuk beklee;
- (xviii) 'vegdiens' enige diens ingevolge hoofstuk X of ingevolge paragraaf (b) van subartikel (1) van artikel honderd een-en-dertig van die Wet, of enigiets wat gedoen word in verband met, of ter versekering van die doeltreffende bevel oor of ondersteuning of verrigting van sodanige diens;
- (xix) 'vyand' ook enige persoon of persone teen wie operasies ter voorkoming of onderdrukking van binnelandse onluste gevoer word.

TOEPASSING.

2. (1) Die bepalings van hierdie hoofstuk is van toepassing op alle lede van die SAW of die Reserwe wat vegdiens verrig of wat ten gevolge van sodanige diens krygsgevangenes geword het of vermis word en is aldus van toepassing slegs vanaf 'n datum deur die Minister bepaal by kennisgewing in die *Staatskoerant* of op sodanige ander wyse as wat hy dienstig ag en bly aldus van krag tot op 'n datum wat daarna op dieselfde wyse deur die Minister bepaal word.

(2) Terwyl die bepalings van hierdie hoofstuk kragtens subregulasie (1) op 'n lid van toepassing is, is die ooreenstemmende bepalings van die regulasies wat die diensvoorwaardes bepaal van dié deel van die SAW of die Reserwe waarvan hy lid is, nie op of ten opsigte van sodanige lid van toepassing is nie indien daardie bepalings onbestaanbaar met die bepalings van hierdie hoofstuk is.

RANGE.

3. (1) Die rang kommandant-generaal is die hoogste rang in die SAW en 'n offisier wat as Kommandant-generaal, SAW, aangestel word, kan tot daardie rang bevorder word.

- (vii) 'establishment table' means the establishment of a unit in which is included the number of posts of each rank in each classification or mustering as approved in terms of sub-regulation (2) of regulation 5 of this chapter and also an approved establishment table of the Permanent Force including an increase in number allocated thereto in terms of that regulation;
- (viii) 'hold'—
 - (a) in relation to a rank means the retention in terms of these regulations by a member of a rank accorded to him; and
 - (b) in relation to a post means the filling of the post concerned by a member who has been posted thereto and performs the duties attaching to such post;
- (ix) 'member' means a member of the SADF or the Reserve employed on combat service;
- (x) 'rank' means any rank in the SADF or the Reserve referred to in regulation 3 of this chapter;
- (xi) 'reckonable service' means service which in terms of regulation 10 counts as qualifying service for the grant of emergency rank;
- (xii) 'regulation' means a regulation made under the Act;
- (xiii) 'SA' means South Africa or South African as the circumstances may require;
- (xiv) 'SADF' means the South African Defence Force;
- (xv) 'strength' means the number of members in each rank, classification or mustering held against an establishment table;
- (xvi) 'substantive rank' means the substantive rank held by a member pursuant to the regulations for that part of the SADF or the Reserve of which he is a member and of which he cannot without his consent or except for sub-section (3) of section one hundred and five of the Act or the sentence of a military court, be deprived;
- (xvii) 'supernumerary' in relation to strengths means employing a member at a unit where, owing to his rank, classification or mustering, no post is available for him on the establishment table;
- (xviii) 'temporary rank' means a rank, higher than the substantive or emergency rank held by a member, held temporarily by such member in terms of the provisions of this chapter;
- (xix) 'unit' includes any regiment, battalion, commando, military college, school, gymnasium, military training establishment, station, squadron, base, ship, hospital, reinforcement depot, independent headquarters or similar unit established and designated as such in terms of section thirty-two or seventy-five of the Act.

APPLICATION.

2. (1) The provisions of this chapter shall apply to all members of the SADF or the Reserve rendering combat service or who, as a result of such service, have become prisoners of war or are missing and shall so apply only as from a date determined by the Minister by notice in the *Gazette* or in such other manner as he may deem expedient and shall so remain in force until a date subsequently determined by the Minister in like manner.

(2) While the provisions of this chapter are applicable to any member in terms of sub-regulation (1), the corresponding provisions of the regulations which determine the conditions of service of that part of the SADF or Reserve of which he is a member be applicable shall not be applicable to or in respect of such member should such provisions be inconsistent with the provisions of this chapter.

RANKS.

3. (1) The rank of commandant general shall be the highest rank in the SADF and an officer appointed as Commandant General, SADF, may be promoted to that rank.

(2) Die range wat in die tabel uiteengesit is, kan, behoudens die ander bepalings van hierdie regulasie, aan die ander offisiere en die manskappe van die SAW toegeken word.

TABEL.

(i) OFFISIERS.

SA Leër.	SA Lugmag.	SA Vloot.
Luitenant-generaal...	Luitenant-generaal...	Vise-admiraal.
Veggeneraal.....	Veggeneraal.....	Skout-admiraal.
Brigadier.....	Brigadier.....	Kommandoor.
Kolonel.....	Kolonel.....	Kaptein.
Kommandant.....	Kommandant.....	Kommandeur.
Majoor.....	Majoor.....	Luitenant-kommandeur.
Kaptein.....	Kaptein.....	Luitenant.
Veldkornet.....	Luitenant.....	Onderluitenant.
Assistent-veldkornet..	Tweede Luitenant..	Vaandrig.

(ii) MANSKAPPE.

SA Leër.	SA Lugmag.	SA Vloot.
Adjutant-offisier, Klas I	Adjutant-offisier, Klas I	Adjutant-offisier, Klas I.
Adjutant-offisier, Klas II	Adjutant-offisier, Klas II	Adjutant-offisier, Klas II.
Stafersant.....	Vlugsersant.....	Eerste Onderoffisier.
Sersant.....	Lugsersant.....	Onderoffisier.
Korporaal.....	Lugkorporaal.....	Baasseeman.
Onderkorporaal.....	Baaslugwerktuigkundige	Bevare Seeman I.
Weerman.....	Lugwerktuigkundige	Bevare Seeman II.

(3) Elke sodanige rang is laer as die rang wat dit in die betrokke kolom van die tabel voorafgaan en die rang in iedere kolom staan gelyk aan die rang wat daarmee in elke ander kolom van die tabel in rangorde ooreenstem.

(4) Die rang kandidaat-offisier kan toegeken word aan enige lid van die SA Leër of SA Lugmag en die rang adelbors aan enige lid van die SA Vloot, wat vir opleiding as offisier ingeskryf is.

(5) Die rang kandidaat-offisier of adelbors staan gelyk aan die rang weerman: Met dien verstande dat 'n adelbors in die loop van sy opleiding of by die uitvoering van sy pligte, oor enige manskap in 'n posisie van gesag gestel kan word: Voorts met dien verstande dat 'n adelbors, wat aldus in 'n posisie van gesag gestel is, terwyl hy sodanige gesag uitoefen, met betrekking tot enige manskap oor wie hy sodanige gesag uitoefen, geag word die rang van adjutant-offisier klas I te beklee.

(6) Elke rang in subregulasie (2) bedoel, sluit ook iedere ander benaming van sodanige rang in wat, met inagneming van militêre tradisie, ten opsigte van 'n besondere deel of korps van die SAW in ander regulasies voorgeskryf is, of deur die Kommandant-generaal, SAW, goedgekeur en in SAW-orders bekendgemaak is.

(7) Die range wat in die eerste kolom van onderstaande tabel voorkom, kan aan lede van die S.A. Militêre Verpleegdiens toegeken word, en elke sodanige rang stem ooreen met die rang wat in die tweede kolom van die tabel daarteenoor aangegee word:—

(i) OFFISIERS.

SA Militêre Verpleegdiens.	SA Leër.
Hoofmatrone.....	Kolonel.
Eerste Matrone.....	Kommandant.
Senior Matrone.....	Majoor.
Junior Matrone.....	Kaptein.
Senior Suster-dosent.....	
Suster-dosent.....	
Suster, Graad I.....	
Suster, Graad II.....	Veldkornet.

(ii) MANSKAPPE.

SA Militêre Verpleegdiens.	SA Leër.
Verpleegassistent.....	Weerman.

(8) Tensy 'n ander bedoeling uit die samehang blyk, sluit 'n rang wat in hierdie hoofstuk genoem word, ook die rang in wat ingevolge hierdie regulasie daaraan gelykstaan of daarmee ooreenstem.

(2) The ranks set out in the table may, subject to the other provisions of this regulation, be conferred on the other officers and other ranks of the SADF.

TABLE.

(i) OFFICERS.

SA Army.	SA Air Force.	SA Navy.
Lieutenant General...	Lieutenant General...	Vice Admiral.
Combat General....	Combat General....	Rear Admiral.
Brigadier.....	Brigadier.....	Commodore.
Colonel.....	Colonel.....	Captain.
Commandant.....	Commandant.....	Commander.
Major.....	Major.....	Lieutenant Commander.
Captain.....	Captain.....	Lieutenant.
Field Cornet.....	Lieutenant.....	Sub-Lieutenant.
Assistant Field Cornet	Second Lieutenant..	Ensign.

(ii) OTHER RANKS.

SA Army.	SA Air Force.	SA Navy.
Warrant Officer, Class I	Warrant Officer, Class I	Warrant Officer, Class I.
Warrant Officer, Class II	Warrant Officer, Class II	Warrant Officer, Class II.
Staff Sergeant.....	Flight Sergeant.....	Chief Petty Officer.
Sergeant.....	Air Sergeant.....	Petty Officer.
Corporal.....	Air Corporal.....	Leading Seaman.
Lance Corporal....	Leading Air Mechanic	Able Seaman, 1st Class.
Private.....	Air Mechanic.....	Able Seaman, 2nd Class.

(3) Every such rank shall take precedence over the rank which it precedes in the column concerned of the table and the rank in each column shall be equivalent to the rank in every other column of the table which corresponds thereto in order of precedence.

(4) The rank of candidate officer may be conferred on any member of the SA Army or SA Air Force and the rank of ensign on any member of the S.A. Navy, who has been enrolled for training as an officer.

(5) The rank of candidate officer or midshipman shall be equivalent to the rank of private: Provided that a midshipman may in the course of his training or in the execution of his duties be placed in authority over any other rank: Provided further that a midshipman who has been so placed in authority shall, whilst he exercises such authority, be deemed, in relation to any other rank over whom he exercises such authority, to hold the rank of warrant officer class I.

(6) Each rank referred to in sub-regulation (2) shall include also every other designation of such rank which in respect of any particular portion or corps of the SADF and with regard to military tradition, has been prescribed by any other regulation or been approved by the Commandant General, SADF, and published in SADF Orders.

(7) The ranks appearing in the first column of the table hereunder may be conferred on members of the SA Military Nursing Service and each such rank shall correspond to the rank set out opposite thereto in the second column of the table:—

(i) OFFICERS.

SA Military Nursing Service.	SA Army.
Chief Matron.....	Kolonel.
Principal Matron.....	Kommandant.
Senior Matron.....	Majoor.
Junior Matron.....	Kaptein.
Senior Tutor Sister.....	
Tutor Sister.....	
Sister, Grade I.....	
Sister, Grade II.....	Field Cornet.

(ii) OTHER RANKS.

SA Military Nursing Service.	SA Army.
Nursing Assistant.....	Private.

(8) Any reference in these regulations to a rank shall, unless the context otherwise indicates, include also the rank which in terms of this regulation is equivalent or corresponds thereto.

TOEKENNING VAN RANG, KLASSIFIKASIES EN
VAKINDELINGS.

4. (1) Aan 'n persoon wat vrywillig diens neem of wat ingevolge hoofstuk X van die Wet vir vegdiens opgeroep word, en wat nie kragtens die Wet of enige regulasie substantiewe rang beklee nie, word—

- (a) indien hy as offisier aangestel word, die substantiewe rang van assistent-veldkornet op proef toegeken; en
- (b) indien hy as manskap ingeskryf word, die substantiewe rang van weerman toegeken.

Met dien verstande dat, in uitsonderlike omstandighede, 'n hoër substantiewe rang aan sodanige persoon op proef toegeken kan word, en dat 'n persoon aan wie so 'n hoër rang aldus toegeken is, op proef dien op die voorwaardes voorgeskryf in die regulasies wat die diensvoorwaardes van die Staande Mag bepaal.

(2) Wanneer hierdie hoofstuk op 'n lid van die SAW of die Reserwe van toepassing word, behou hy die substantiewe rang wat hy op daardie tydstip beklee.

(3) Indien 'n lid ingevolge die regulasies vir dié deel van die SAW waarvan hy lid is, 'n tydelike rang met of sonder soldy beklee, behou hy sodanige tydelike rang wanneer hierdie hoofstuk op hom van toepassing word asof die tydelike rang kragtens hierdie hoofstuk aan hom toegeken is.

(4) Enige waarnemende hoër rang wat 'n lid beklee kragtens die regulasies vir dié deel van die SAW waarvan hy lid is, word, sodra hierdie hoofstuk op sodanige lid van toepassing word, geag tydelike rang daarkragtens aan hom toegeken te wees.

(5) Behoudens subregulasie (2) van regulasie 11 van hierdie hoofstuk, behou 'n lid van die Reserwe op wie hierdie hoofstuk van toepassing is en wat met sy eie toestemming ingevolge artikel twee-en-vyftig of drie-en-vyftig van die Wet 'n laer substantiewe rang aanvaar het, sodanige laer substantiewe rang: Met dien verstande dat sodra hy na die Reserwe teruggaan hy weer met die goedkeuring van die Adjutant-generaal herstel kan word in die substantiewe rang wat hy tevore in die Reserwe beklee het.

(6) Aan 'n manskap (uitgesonderd 'n manskap in die Staande Mag) op wie hierdie hoofstuk van toepassing is, word, sodra hy as offisier aangestel word, die substantiewe rang van assistent-veldkornet op proef toegeken.

(7) 'n Manskap van die Staande Mag aan wie tydelike kommissierang toegeken word, terwyl hierdie hoofstuk op hom van toepassing is en wat tydelik as offisier aangestel word, behou die substantiewe rang wat hy as manskap beklee tot tyd en wyl kommissierang (uitgesonderd tydelike kommissierang) aan hom toegeken word: Met dien verstande dat 'n manskap wat aldus tydelik aangestel word, op proef aangestel en by die toepassing van hierdie hoofstuk geag word die substantiewe rang van assistent-veldkornet te beklee.

(8) Behoudens die bepalings van subregulasie (9), behou elke lid wat in enige klassifikasie of vakindeling ingedeel is sodanige klassifikasie of vakindeling terwyl hierdie hoofstuk op hom van toepassing is.

(9) 'n Lid op wie hierdie hoofstuk van toepassing is, kan vanweë—

- (a) sy besondere bekwaamheid om die pligte van 'n besondere klassifikasie of vakindeling te verrig; of
- (b) sy onbevoegdheid of onvermoë om die pligte verbonde aan sy klassifikasie of vakindeling doeltreffend te verrig.

op gesag van die betrokke Staf- of Afdelingshoof, met inagneming van die Ambags- en Vakreglement vir die Staande Mag en ander administratiewe voorskrifte, by enige klassifikasie of vakindeling ingedeel of her-ingedeel word.

ALLOCATION OF RANKS, CLASSIFICATIONS AND
MUSTERINGS.

4. (1) Any person who voluntarily enrolls or who is called up for combat service in terms of chapter X of the Act and who does not in terms of the Act or any regulation hold substantive rank shall—

- (a) if he is appointed as an officer be granted the substantive rank of assistant field cornet on probation; and
- (b) if he is enrolled as an other rank be granted the substantive rank of private.

Provided that in exceptional circumstances a higher substantive rank may be granted on probation to such person and that a person to whom such higher rank is thus granted shall serve on probation under the conditions prescribed in the regulations which determine the conditions of service of the Permanent Force.

(2) Whenever this chapter becomes applicable to a member of the SADF or the Reserve he shall retain the substantive rank which he holds at the time.

(3) If a member holds any temporary rank with or without pay in terms of the regulations for that part of the SADF of which he is a member he shall retain such temporary rank when this chapter becomes applicable to him as if the temporary rank were conferred upon him in terms of this chapter.

(4) Any acting higher rank held by a member pursuant to the regulations for that part of the SADF of which he is a member, shall, as soon as this chapter becomes applicable to such member, be deemed to be temporary rank granted to him thereunder.

(5) A member of the Reserve to whom this chapter is applicable and who has with his own consent in terms of section fifty-two or fifty-three of the Act assumed a lower substantive rank, shall, subject to sub-regulation (2) of regulation 11 of this chapter, retain such lower substantive rank: Provided that when he reverts to the Reserve he may with the approval of the Adjutant General be reinstated in the substantive rank previously held by him on the Reserve.

(6) Any other rank (other than an other rank of the Permanent Force) to whom this chapter is applicable, shall on his appointment as an officer be granted the substantive rank of assistant field cornet on probation.

(7) Any other rank of the Permanent Force to whom temporary commissioned rank is granted while this chapter is applicable to him and who is temporarily appointed as an officer shall retain the substantive rank which he holds as an other rank until such time as commissioned rank (other than temporary commissioned rank) is conferred on him: Provided that an other rank who is thus temporarily appointed shall be appointed on probation and shall for the purposes of this chapter be deemed to hold the substantive rank of assistant field cornet.

(8) Every member who is classified in any classification or mustering shall, subject to the provisions of sub-regulation (9), retain such classification or mustering while this chapter is applicable to him.

(9) A member to whom this chapter is applicable may, by reason of—

- (a) his particular ability to perform the duties attaching to any particular classification or mustering; or
- (b) his incompetence or inability to perform efficiently the duties attaching to his classification or mustering.

on the authority of the Chief of Staff or Head of Section concerned with due regard to the Standing Orders and Instructions for Artisans and Artificers and other administrative directives, be classified or reclassified or mustered or remustered to any classification or mustering.

PERSENEELORGANISASIE EN BEHEER VAN STERKTES EN VAKATURES.

5. (1) Die Minister kan te eniger tyd, of hierdie hoofstuk ingevolge subregulasie (1) van regulasie 2 van krag is of nie (benewens die sterkte-tabelle wat van tyd tot tyd vir die Staande Mag goedgekeur word) vasstel hoeveel lede van die Burgermag, die kommando's en die Reserwe vir vegdiens gebruik kan word, sodat—

- (a) 'n voldoende getal eenhede van die SAW ingestel, aangewys, opgeroep en van personeel voorsien kan word vir die uitvoering van die taak wat die SAW volgens sy oordeel te eniger tyd aangesê kan word om te verrig; en
- (b) daar voorsiening gemaak kan word vir die gereelde vervanging van verliese van enige aard in iedere sodanige eenheid.

(2) Die Kommandant-generaal, SAW, of 'n offisier deur hom daartoe gemagtig, kan te eniger tyd, binne die perke wat die Minister ingevolge subregulasie (1) bepaal het—

- (a) 'n sterkte-tabel goedkeur vir iedere eenheid in subregulasie (1) bedoel;
- (b) 'n vermeerdering van poste uit die getalle wat ingevolge subregulasie (1) bepaal is, aan enige eenheid waarvoor 'n goedgekeurde sterkte-tabel vir die Staande Mag bestaan, toewys en sodanige vermeerdering word dan geag deel van die Burgermag te wees;
- (c) die getal versterkingstrope wat in opleidings- en versterkingsdepots gehou kan word, bepaal; en
- (d) 'n persentasie reserwes bepaal vir troepe wat as gevegsverliese of as gevolg van afwesigheid weens krygsgevangenskap, siekte of ongeskiktheid, vervoer tussen eenhede of lang verlof, te eniger tyd nie by eenhede ingedeel is of in opleidings- of versterkingsdepots gehou word nie.

(3) 'n Sterkte-tabel of 'n getalsverhoging wat ingevolge subregulasie (2) goedgekeur of toegewys word, moet minstens voorsiening maak vir die getal poste in iedere rang en klassifikasie of vakindeling wat aan elke hoofkwartier en subeenheid van die betrokke eenheid toegewys word, moet die benaming van elke pos aangee, en kan alternatiewe range aan enige pos toewys op voorwaardes wat die Adjutant-generaal kan bepaal.

(4) 'n Sterkte-tabel of getalsverhoging in subregulasie (3) bedoel, tree in werking sodra hierdie hoofstuk ten opsigte van die betrokke eenheid van toepassing word.

(5) 'n Vakature in 'n pos in enige sterkte-tabel wat kragtens subregulasie (4) in werking is, kan, behoudens subregulasie (6) of (7), slegs gevul word deur die indeling van 'n lid—

- (a) wat 'n rang wat aan sodanige pos toegewys is of 'n laer rang beklee;
- (b) wie se klassifikasie of vakindeling ooreenkom met die klassifikasie of vakindeling van sodanige pos; en
- (c) wat die pligte aan sodanige pos verbonde sal verrig.

(6) Die betrokke Staf- of Afdelingshoof of 'n offisier wat hy vir die doel aanwys, kan in uitsonderlike omstandighede wat uit operasies voortspruit, magtig dat 'n lid—

- (a) tydelik botallig by enige eenheid toegevoeg word; of
- (b) tydelik gevoer word in 'n pos—
 - (i) waarin 'n vakature bestaan terwyl hy pligte wat nie aan sodanige pos verbonde is nie, verrig; of
 - (ii) waaraan 'n laer rang toegewys is as wat so 'n lid beklee, of 'n klassifikasie of vakindeling wat nie ooreenkom met die betrokke lid se klassifikasie of vakindeling nie.

(7) 'n Lid van 'n kommando wat ingedeel word in enige pos in enige sterkte-tabel, uitgesonderd 'n pos in 'n kommando, word vir die duur van sodanige indeling geag by die Burgermag ingedeel te wees.

PERSONNEL ORGANISATION AND CONTROL OF STRENGTHS AND VACANCIES.

5. (1) The Minister may at any time, whether or not this chapter is in force in terms of sub-regulation (1) of regulation 2, determine (in addition to the establishment tables approved from time to time for the Permanent Force) how many members of the Citizen Force, the Commandos and the Reserve may be employed on combat service so that—

- (a) a sufficient number of units of the SADF be established, designated, called out and be provided with personnel for the execution of the task which in his opinion the SADF may at any time be called upon to perform; and
- (b) provision may be made for the regular replacement of casualties of any nature in every such unit.

(2) The Commandant General, SADF, or an officer acting on his authority may, at any time, within the limits determined by the Minister in terms of sub-regulation (1)—

- (a) approve an establishment table for every unit referred to in sub-regulation (1);
- (b) allocate an increase of posts from the numbers determined in terms of sub-regulation (1) to any unit for which an approved establishment table for the Permanent Force exists and such increase shall be deemed to be part of the Citizen Force;
- (c) determine the number of reinforcements which may be held in training and in reinforcement depots; and
- (d) determine a percentage of reserves for troops who, as battle casualties, or as a result of absence due to enemy captivity, sickness or disablement, transport between units or long leave, are at any time not posted to units nor held in training or reinforcement depots.

(3) An establishment table approved or an increase in number allocated in terms of sub-regulation (2) shall provide at least for the number of posts in every rank, classification or mustering which shall be allocated to every headquarter and sub-unit of the unit concerned, shall reflect the designation of every post and may assign alternative ranks to any post on conditions which the Adjutant General may determine.

(4) An establishment table or increase in number referred to in sub-regulation (3) shall become operative as soon as this chapter becomes applicable in respect of the unit concerned.

(5) A vacancy in a post in any establishment table which is operative in terms of sub-regulation (4) may, subject to sub-regulation (6) or (7), only be filled by the posting of a member—

- (a) who holds a rank allocated to such post or a lower rank;
- (b) whose classification or mustering corresponds to the classification or mustering of such post; and
- (c) who will perform the duties attaching to such post.

(6) The Chief of Staff or Head of Section concerned or as officer designated by him for the purpose may, in exceptional circumstances arising out of operations, authorise a member to be—

- (a) a temporarily attached supernumerary to any unit; or
- (b) temporarily carried in a post—
 - (i) in which a vacancy exists while he performs duties not attached to such post; or
 - (ii) to which a lower rank than that held by such member, or a classification or mustering which does not correspond to the classification or mustering of the member concerned, has been allotted.

(7) Any member of a commando who is posted to fill any post in any establishment table other than in a post in a commando, shall for the duration of such posting be deemed to have been posted to the Citizen Force.

(8) 'n Register, wat bekend staan as die 'X'-Lys, word bygehou deur 'n offisier deur die Kommandant-generaal, SAW, vir die doel aangewys en die name van al die lede wat in paragrawe (c) en (d) van subregulasie (2) bedoel word, moet daarin opgeneem word.

(9) Die Adjutant-generaal moet toesien dat die getalle en persentasies kragtens subregulasie (2) bepaal, nie sonder die Minister se goedkeuring oorskry word nie.

VAKATURES VIR INDELING EN BEVORDERING GEDURENDE VEGDIENS.

6. (1) 'n Vakature waarin 'n lid kragtens subregulasie (5) van regulasie 5 van hierdie hoofstuk ingedeel kan word, word geag te bestaan in enige pos in enige sterkhetabel indien die betrokke pos deur niemand gevul word nie, en word geag te ontstaan sodra die bekleër van sodanige pos—

- sy eenheid verlaat om ingevolge artikel sewe-en-negentig van die Wet van diens onthef te word;
- sewe agtereenvolgende dae (uitgesonderd as gevolg van 'n ongeskiktheid of as 'n gevegsverlies) sonder magtiging van diens afwesig is of in burgerlike bewaring geneem word;
- sy eenheid verlaat met afwesigheidsverlof vir 'n ononderbroke tydperk van meer as 30 dae;
- sy eenheid as gevolg van 'n ongeskiktheid of as 'n gevegsverlies verlaat, of by sy eenheid sneuwel of sterf;
- sy eenheid verlaat om 'n kursus by te woon of tydelike diens te verrig wat langer as dertig dae sal duur of 'n langer tydperk wat die Adjutant-generaal kan bepaal;
- sy eenheid verlaat om—
 - 'n ander pos elders te vul;
 - in 'n versterkingspoel opgeneem te word;
 - met die oog op dissiplinêre optrede teen hom, vir tydelike diens by 'n ander eenheid toegevoeg te word; of
 - 'n vonnis van gevangenisstraf, detensie of veldstraf uit te dien;
- se klassifikasie of vakindeling verander of hy tot 'n laer rang teruggaan of gedegradeer word en sy indeling diensgevolge of om enige ander rede beëindig word; of
- ophou om in die SAW te dien.

(2) 'n Vakature waartoe 'n lid kragtens hierdie hoofstuk bevorder kan word, word, behoudens regulasie 11 of 13 van hierdie hoofstuk, geag te ontstaan sodra die betrokke lid 'n pos beklee waaraan 'n hoër rang as die rang wat hy beklee, toegewys is.

(3) Niks in hierdie regulasie word uitgelê dat dit die vervanging van 'n lid, wat enige pos beklee, deur 'n ander bevoegde lid verbied nie.

MAGTIGING VIR BEVORDERING OF TOEKENNING VAN HOËR RANG.

7. (1) Aan 'n lid wat vegdiens verrig, kan, benewens die substantiewe rang wat hy kragtens hierdie hoofstuk beklee, 'n hoër rang toegeken word wat deur hom behou kan word as 'n tydelike rang sonder soldy, 'n tydelike rang met soldy of 'n noodrang. Met dien verstande dat—

- 'n lid wat 'n noodrang beklee, sodanige rang behou ondanks sy bevordering tot 'n hoër tydelike rang;
- 'n lid aan wie, terwyl hy 'n tydelike rang beklee, 'n laer noodrang toegeken word, nie as gevolg daarvan die betrokke hoër tydelike rang verbeur nie; en
- 'n lid wat 'n tydelike rang met soldy beklee het en tot 'n hoër tydelike rang bevorder is, totdat hy geregtig word om ten opsigte van sodanige hoër rang besoldig te word, besoldig word asof hy die laer tydelike rang behou het.

(8) A register to be known as the 'X'-list shall be kept by an officer designated for the purpose by the Commandant General, SADF, and the names of all such members referred to in paragraphs (c) and (d) of sub-regulation (2) shall be recorded therein.

(9) The Adjutant General shall ensure that the numbers and percentages determined in terms of sub-regulation (2) are not exceeded without the Minister's approval.

VACANCIES FOR POSTINGS AND PROMOTIONS DURING COMBAT SERVICE.

6. (1) A vacancy to which a member may be posted in terms of sub-regulation (5) of regulation 5 of this chapter, shall be deemed to exist in any post on any establishment table if the post concerned is not filled by any person and shall be deemed to occur immediately when the incumbent of such post—

- leaves his unit to be released from service in terms of section ninety-seven of the Act;
- has been absent without authority from duty for seven consecutive days (except as a result of a disablement or as a battle casualty) or is taken in civil custody;
- leaves his unit on leave of absence for an uninterrupted period of more than 30 days;
- leaves his unit as a result of a disablement or as a battle casualty or is killed or dies at his unit;
- leaves his unit to attend a course or to perform temporary duty which is due to exceed 30 days or such longer period as the Adjutant General may determine;
- leaves his unit—
 - to fill another post elsewhere;
 - to be absorbed into a reinforcement pool;
 - to be attached for temporary duty with another unit for the purpose of disciplinary action against him; or
 - to serve a sentence of imprisonment, detention or field punishment;
- is reclassified or remustered or reverts to a lower rank or is demoted and ceases to be so posted in consequence thereof or for any other reason; or
- ceases to serve in the SADF.

(2) A vacancy to which a member may be promoted in terms of this chapter shall be deemed, subject to regulation 11 or 13 of this chapter, to occur as soon as the member concerned holds any post to which a higher rank than the rank which he holds, has been allotted.

(3) Nothing in this regulation shall be construed as prohibiting the replacement in any post of any member by any other competent member.

AUTHORITY FOR PROMOTION OR THE CONFERMENT OF HIGHER RANK.

7. (1) A higher rank may be conferred on any member on combat service in addition to the substantive rank held by him in terms of this Chapter, which may be retained by him as a temporary rank without pay, a temporary rank with pay or an emergency rank. Provided that—

- a member who holds any emergency rank, shall retain such rank notwithstanding his promotion to a higher temporary rank;
- a member on whom a lower emergency rank is conferred while he is holding any temporary rank shall not by reason thereof forfeit the higher temporary rank concerned; and
- a member who has held a temporary rank with pay and who has been promoted to a higher temporary rank, shall until he becomes entitled to be paid the emoluments attaching to such higher rank, be paid as if he had retained the lower temporary rank.

(2) 'n Lid wat 'n pos beklee waaraan 'n hoër rang toegewys is as die rang wat hy beklee, kan, behoudens die bepalings van regulasie 11 of 13 van hierdie hoofstuk, met nood- of tydelike rang tot sodanige hoër rang of tot enige laer rang bevorder word.

(3) Bevordering tot tydelike hoër rang kragtens hierdie hoofstuk, geskied—

- (a) indien bevordering tot 'n hoër rang as majoor daarby betrokke is, op gesag van die Minister of 'n offisier deur hom daartoe gemagtig;
- (b) indien bevordering tot majoor-rang daarby betrokke is, op gesag van die Kommandant-generaal, SAW, of 'n offisier deur hom daartoe gemagtig;
- (c) indien bevordering tot kapteins- of laer offisierrang daarby betrokke is, op gesag van die betrokke Stafhoof of 'n offisier deur hom daartoe gemagtig; en
- (d) in die geval van bevordering tot of in adjutant-offisierrang of onderoffisierrang, op gesag van die betrokke formasiebevelvoerder of 'n offisier deur hom daartoe gemagtig.

(4) Noodrang word op gesag van die betrokke Staf- of Afdelingshoof toegeken.

VOORWAARDES VIR BEVORDERING TOT TYDELIKE RANG SONDER SOLDY.

8. 'n Lid kan tot 'n tydelike rang sonder soldy bevorder word indien hy—

- (a) 'n pos beklee waaraan sodanige rang of 'n hoër rang toegewys is; of
- (b) nie so 'n pos beklee nie maar—
 - (i) dit van hom vereis word om enige diens of plig te verrig wat gewoonlik verrig word deur 'n lid wat 'n hoër rang beklee; of
 - (ii) sodanige bevordering nodig is om ansiënniteit te bepaal.

TOEKENNING VAN TYDELIKE RANG MET SOLDY.

9. Sodra 'n lid wat kragtens paragraaf (a) van regulasie 8 van hierdie hoofstuk bevorder is, die betrokke tydelike rang sonder soldy sonder onderbreking vir 21 dae beklee het, word die ooreenstemmende tydelike rang met soldy in plaas daarvan met terugwerkende krag aan hom toegeken van die datum af waarop hy tot sodanige tydelike rang sonder soldy bevorder is.

TOEKENNING VAN NOODRANG.

10. (1) Noodrang kan toegeken word aan 'n lid wat die ooreenstemmende tydelike rang met of sonder soldy vir 'n tydperk van minstens 730 dae beklee het. Met dien verstande dat—

- (a) die betrokke tydperk nie aaneenlopend hoef te wees nie;
- (b) diens in enige tydelike rang, behoudens paragraaf (c), gereken moet word as rekenbare diens vir die toekenning van die ooreenstemmende noodrang en enige laer noodrang;
- (c) geen tydperk van diens in 'n tydelike rang as rekenbare diens vir die ooreenstemmende noodrang in ag geneem word nie indien sodanige tydperk beëindig is as gevolg van—
 - (i) dissiplinêre optrede teen die betrokke lid;
 - (ii) die lid se ernstige wangedrag;
 - (iii) die lid se degradering kragtens artikel honderden-vyf van die Wet; of
 - (iv) die lid se onbekwaamheid of onbevoegdheid om die pligte van die betrokke rang uit te voer;

(d) 'n tydperk wat kragtens paragraaf (c) nie in aanmerking kom as rekenbare diens in 'n besondere tydelike rang nie, as dié diens in die laer tydelike rang waarheen die lid by die beëindiging van die betrokke tydperk teruggegaan het, in aanmerking geneem moet word by die bepaling van rekenbare diens vir die noodrang wat met sodanige laer tydelike rang ooreenstem;

(2) A member who holds a post to which a rank has been allotted higher than the rank which he holds, may, subject to the provisions of regulation 11 or 13 of this chapter, be promoted in emergency or temporary rank to such higher rank or to any lower rank.

(3) Promotion to temporary higher rank in terms of this chapter shall—

- (a) if promotion to a rank higher than major is involved, be effected on the authority of the Minister or an officer authorised thereto by him;
- (b) if promotion to the rank of major is involved, be effected on the authority of the Commandant General, SADF, or an officer authorised thereto by him;
- (c) if promotion to the rank of captain or lower commissioned rank is involved, be effected on authority of the Chief of Staff concerned or an officer authorised thereto by him; and
- (d) in the case of promotion to or in warrant or non-commissioned rank, be effected on the authority of the formation commander concerned or an officer authorised thereto by him.

(4) Emergency rank shall be conferred on the authority of the Chief of Staff or Head of Section concerned.

CONDITIONS FOR PROMOTION TO TEMPORARY RANK WITHOUT PAY.

8. A member may be promoted to any temporary rank without pay if he—

- (a) holds a post to which such rank or any higher rank has been allotted; or
- (b) does not hold such post but—
 - (i) is required to perform any service or duty which is normally performed by a member holding a higher rank; or
 - (ii) such promotion is necessary to determine seniority.

GRANT OF TEMPORARY RANK WITH PAY.

9. As soon as a member, promoted in terms of paragraph (a) of regulation 8 of this chapter, has held the temporary rank concerned without pay without interruption for 21 days, the corresponding temporary rank with pay shall be conferred on him in lieu thereof retrospectively from the date on which he was promoted to such temporary rank without pay.

GRANT OF EMERGENCY RANK.

10. (1) Emergency rank may be conferred on a member who has held the corresponding temporary rank with or without pay for a period of not less than 730 days: Provided that—

- (a) the period concerned need not be continuous;
- (b) subject to paragraph (c) service in any temporary rank shall count as reckonable service for the grant of the corresponding emergency rank and any lower emergency rank;
- (c) no period of service in a temporary rank shall count as reckonable service for the corresponding emergency rank if such period is terminated as a result of—
 - (i) disciplinary action against the member concerned;
 - (ii) the member's serious misconduct;
 - (iii) the member's reduction in rank in terms of section one hundred and five of the Act; or
 - (iv) the member's inefficiency or incompetency to execute the duties of the rank concerned;

(d) any period which in terms of paragraph (c) is not regarded as reckonable service in any particular temporary rank, shall be considered as such service in the lower temporary rank to which the member reverted on the termination of the period concerned in determining the reckonable service for the emergency rank which corresponds to such lower temporary rank;

(e) 'n lid alle rekenbare diens opgee of verbeur sodra hierdie hoofstuk ophou om op hom van toepassing te wees; en

(f) die rekenbare diens wat 'n lid kragtens paragraaf (e) opgegee of verbeur het, op las van die Adjutant-generaal herstel kan word as hierdie hoofstuk weer op dié lid van toepassing word.

(2) Aan 'n lid wat kragtens hierdie hoofstuk vir 'n ononderbroke tydperk van minstens 90 dae 'n tydelike rang met soldy beklee het, wat twee range of meer hoër is as sy substantiewe rang of 'n noodrang wat hy beklee, kan, ondanks die bepalings van subregulasie (1), noodrang toegeken word wat een rang laer is as die tydelike rang.

BEVORDERING TOT SUBSTANTIEWE RANG.

11. (1) 'n Lid van die Staande Mag kan kragtens die regulasies wat die diensvoorwaardes vir die Staande Mag bepaal, in 'n pos in die sterkketabel van 'n eenheid van die Staande Mag [uitgesonderd 'n vermeerdering van poste in paragraaf (b) van subregulasie (2) van regulasie 5 van hierdie hoofstuk bedoel] tot substantiewe rang bevorder word: Met dien verstande dat—

(a) dié lid, ondanks die bepalings van subregulasie (5) van regulasie 5 van hierdie hoofstuk, ten tye van sodanige bevordering nie in die betrokke pos hoef te dien nie; en

(b) vegdiens na goedvinde van die Minister of 'n offisier wat op sy gesag handel, as 'n kwalifikasie vir sodanige bevordering aanvaar kan word in plaas van enige voorgeskrewe kwalifikasie.

(2) 'n Lid van die Reserwe wat kragtens artikel twee-en-veertig of drie-en-veertig van die Wet 'n laer substantiewe rang aanvaar het, kan tot sy substantiewe rang in die Reserwe of tot enige laer substantiewe rang bevorder word terwyl hierdie hoofstuk op hom van toepassing is.

(3) 'n Offisier wat die rang assistent-veldkornet beklee wanneer hierdie hoofstuk op hom van toepassing word, kan ooreenkomstig die regulasies vir daardie deel van die SAW waaraan hy behoort, tot dié substantiewe rang veldkornet bevorder word: Met dien verstande dat sodanige offisier nie aldus bevorder word totdat hy twee jaar diens in enige deel van die SAW as substantiewe assistent-veldkornet voltooi het nie.

BEKRAGTIGING VAN AANSTELLING OP PROEF EN BEVORDERING VAN 'N SUBSTANTIEWE ASSISTENT-VELDKORNET TOT DIE NOODRANG VELDKORNET.

12. (1) 'n Offisier wat, terwyl hierdie hoofstuk op hom van toepassing is, aangestel word of diens aanvaar as 'n substantiewe assistent-veldkornet, kan, ondanks enige hoër tydelike rang wat hy beklee en ondanks die bepalings van regulasie 11 van hierdie hoofstuk, tot die noodrang veldkornet bevorder word sodra hy 180 dae vegdiens tot bevrediging van die betrokke Staf- of Afdelingshoof voltooi het.

(2) Die proeftydperk in paragraaf (a) van subregulasie (1) van regulasie 4 en subregulasies (6) en (7) van regulasie 5 van hierdie hoofstuk bedoel, word beëindig deur die bevordering van die betrokke offisier tot noodrang kragtens subregulasie (1) en die aanstelling van 'n offisier wat aldus bevorder word, word daarby in die substantiewe rang van assistent-veldkornet bekragtig.

BEVORDERING IN POSTE WAARAAN ALTERNATIEWE RANGE TOEGEWYS IS.

13. (1) Indien alternatiewe range kragtens subregulasie (3) van regulasie 5 van hierdie hoofstuk aan 'n pos in enige sterkketabel toegewys is, kan 'n lid, behoudens die ander bepalings van hierdie regulasie, slegs tot die laagste van sodanige alternatiewe range bevorder word.

(2) Indien alternatiewe range aan 'n pos toegewys is op voorwaardes deur die Adjutant-generaal bepaal, kan 'n lid tot dié hoër alternatiewe rang bevorder word indien hy aan bedoelde voorwaardes voldoen het.

(e) a member shall relinquish or forfeit all reckonable service as soon as this chapter ceases to be applicable to him; and

(f) any reckonable service relinquished or forfeited by a member in terms of paragraph (e) may be restored on the authority of the Adjutant General if this chapter again becomes applicable to such member.

(2) A member, who in terms of this chapter has for an uninterrupted period of not less than 90 days, held temporary rank with pay, which is two ranks or more higher than his substantive rank or any emergency rank held by him, may notwithstanding the provisions of sub-regulation (1), be granted emergency rank which is one rank lower than such temporary rank.

PROMOTION TO SUBSTANTIVE RANK.

11. (1) A member of the Permanent Force may, in terms of the regulations which determine the conditions of service for the Permanent Force, be promoted to substantive rank against a post on the establishment table of a unit of the Permanent Force [other than an increase in number of posts referred to in paragraph (b) of sub-regulation (2) of regulation 5 of this chapter]: Provided that—

(a) notwithstanding the provisions of sub-regulation (5) of regulation 5 of this chapter, such a member need not at the time of such promotion be serving in the post concerned; and

(b) combat service may, at the discretion of the Minister or an officer acting on his authority, be accepted as a qualification for such promotion in lieu of any prescribed qualification.

(2) A member of the Reserve who in terms of section fifty-two or fifty-three of the Act has assumed a lower substantive rank may, while this chapter is applicable to him, be promoted to his substantive rank on the Reserve or to any lower substantive rank.

(3) An officer who, when this chapter becomes applicable to him, holds the rank of assistant field cornet, may in accordance with the regulations for that part of the SADF to which he belongs, be promoted to the substantive rank of field cornet: Provided that such officer shall not be so promoted until he has completed two years service as a substantive assistant field cornet in any portion of the SADF.

CONFIRMATION OF APPOINTMENT ON PROBATION AND PROMOTION OF A SUBSTANTIVE ASSISTANT FIELD CORNET TO THE EMERGENCY RANK OF FIELD CORNET.

12. (1) An officer who, while this chapter is applicable to him, is appointed or assumes services as a substantive assistant field cornet may, notwithstanding any higher temporary rank which he holds and notwithstanding the provisions of regulation 11 of this chapter, be promoted to the emergency rank of field cornet as soon as he has completed 180 days combat service to the satisfaction of the Chief of Staff or Head of Section concerned.

(2) The period of probation referred to in paragraph (a) of sub-regulation (1) of regulation 4 and sub-regulations (6) and (7) of regulation 5 of this chapter shall be terminated by the promotion to emergency rank in terms of sub-regulation (1) of the officer concerned and the appointment of an officer who is thus promoted shall thereby be confirmed in the substantive rank of assistant field cornet.

PROMOTION IN POSTS TO WHICH ALTERNATIVE RANKS HAVE BEEN ALLOTTED.

13. (1) If alternative ranks have, in terms of sub-regulation (3) of regulation 5 of this chapter, been allotted to a post on any establishment table a member may, subject to the other provisions of this regulation, be promoted to the lowest of such alternative ranks only.

(2) If alternative ranks have been allotted to a post on conditions determined by the Adjutant General a member may, if such conditions have been complied with, be promoted to the higher alternative rank allotted to such post.

(3) Indien alternatiewe range aan 'n yakkundige pos wat as sodanig geklassifiseer is, toegewys word op voorwaardes betreffende yakkundige kwalifikasies of ondervinding soos deur die Adjutant-generaal bepaal, kan 'n offisier wat aan dié voorwaardes voldoen, tot enigeen van die betrokke range bevorder word.

(4) Hierdie regulasie word nie so uitgelê dat dit die bevordering van 'n lid van die Staande Mag tot substantiewe rang magtig in 'n pos waaraan daar in die diensstaat van die Staande Mag alternatiewe range toegewys is nie tensy sodanige lid voldoen aan die vereistes wat vir sodanige substantiewe bevordering voorgeskryf is in die regulasies wat die diensvoorwaardes van lede van daardie Mag bepaal.

VERBEURING OF OPGEE VAN TYDELIKE RANG.

14. (1) Ondanks die ander bepalings van hierdie regulasie gee 'n lid 'n tydelike rang wat hy beklee op—

- (a) op die datum waarop 'n gelyke of hoër noodrang of substantiewe rang aan hom toegeken word;
- (b) indien hy sodanige rang beklee ingevolge sy bevordering kragtens paragraaf (b) van regulasie 8 van hierdie hoofstuk, sodra—
 - (i) die rede waarom hy aldus bevorder is, nie meer bestaan nie; of
 - (ii) hy nie meer die pligte ten opsigte waarvan hy aldus bevorder is, verrig nie;
- (c) sodra hy ingevolge die bepalings van artikel *ses-en-negentig* van die Wet as lid van 'n eenheid van vegdiens onthef word;
- (d) op die datum waarop hy uit hoofde van sy vrystelling kragtens artikel *sewe-en-negentig* van die Wet van vegdiens onthef word; of
- (e) op die datum waarop sy diens in die SAW om watter rede ookal beëindig word.

(2) Behoudens die bepalings van subregulasie (5) verbeur 'n lid enige tydelike rang wat hy beklee—

- (a) op die agste agtereenvolgende dag waarop hy sonder magtiging (uitgesonderd as gevolg van 'n ongeskiktheid of as 'n gevegsverlies) van diens afwesig is of in burgerlike bewaring is;
- (b) op die aanvangsdatum van 'n ononderbroke tydperk van meer as 30 dae afwesigheidsverlof;
- (c) sodra hierdie hoofstuk ophou om op hom van toepassing te wees; of
- (d) sodra hy om enige rede, wat nie in subregulasie (3) genoem word nie, teruggestel word tot 'n laer rang.

(3) Behoudens die bepalings van subregulasie (4) of (5) gee 'n lid enige tydelike rang wat hy beklee op—

- (a) met ingang van die datum wat onmiddellik volg op die datum van die beëindiging van sy indeling in 'n pos waarin hy uit hoofde van die bepalings van paragraaf (a) van regulasie 8 van hierdie hoofstuk tydelike rang beklee het;
- (b) op die een-en-dertigste agtereenvolgende dag waarop hy as gevolg van 'n ongeskiktheid (uitgesonderd as 'n gevegsverlies) nie 'n pos beklee het waaraan 'n rang gelyk aan of hoër as sodanige tydelike rang, toegewys is nie;
- (c) op die een-en-negentigste agtereenvolgende dag waarop hy as 'n gevegsverlies nie 'n pos beklee het waaraan 'n rang, gelyk aan of hoër as sodanige tydelike rang toegewys is nie; of
- (d) indien hy in sy eenheid die junior in sy rang is, sodra 'n ander lid, wat 'n gelykstaande noodrang of substantiewe rang beklee en bevoeg is om die pos te vul wat die betrokke lid beklee, botallig by sy eenheid begin dien of sodra hy deur die ander lid vervang word.

(3) If alternative ranks have been allotted to a professional post, which is classified as such, on conditions relating to professional qualifications or experience determined by the Adjutant General, an officer who complies with such conditions may be promoted to any of the ranks concerned.

(4) This regulation shall not be construed as authorising the promotion of a member of the Permanent Force to substantive rank in a post to which alternative ranks have in the establishment table for the Permanent Force been allotted unless such member complies with the requirements prescribed for such substantive promotion in the regulations determining the conditions of service for members of that Force.

FORFEITING OR RELINQUISHING OF TEMPORARY RANK.

14. (1) Notwithstanding the other provisions of this regulation, a member shall relinquish any temporary rank held by him—

- (a) on the date on which an equivalent or higher emergency rank or substantive rank is conferred on him;
- (b) if he holds such rank pursuant to his promotion in terms of paragraph (b) of regulation 8 of this chapter, as soon as—
 - (i) the reason for such promotion ceases to exist; or
 - (ii) he no longer performs the duties in respect of which he had thus been promoted;
- (c) as soon as he is released from combat service as a member of a unit in terms of the provisions of section *ninety-six* of the Act;
- (d) on the date on which he is released from combat service as a result of his exemption in terms of section *ninety-seven* of the Act; or
- (e) on the date on which his service in the SADF is terminated for any reason.

(2) Subject to the provisions of sub-regulation (5), a member shall forfeit or relinquish any temporary rank held by him—

- (a) on the eighth consecutive day on which he is absent without leave from duty (except as a result of a disablement or as a battle casualty) or is in civil custody;
- (b) on the date of the commencement of a continuous period of more than 30 days leave of absence;
- (c) as soon as this chapter ceases to be applicable to him; or
- (d) as soon as he is reverted to a lower rank for any reason not specified in sub-regulation (3).

(3) Subject to sub-regulation (4) or (5) a member shall relinquish any temporary rank held by him—

- (a) with effect from the date immediately following the date of termination of his posting to a post in which he held a temporary rank pursuant to the provisions of paragraph (a) of regulation 8 of this chapter;
- (b) on the thirty-first consecutive day on which he as a result of a disablement (other than as a battle casualty) did not hold a post to which a rank equivalent to or higher than such temporary rank has been allotted;
- (c) on the ninety-first consecutive day on which he as a battle casualty did not hold a post to which a rank equivalent to or higher than such temporary rank has been allotted; or
- (d) if in his unit, he is the junior in his rank, as soon as another member who holds an equivalent emergency rank or substantive rank and is capable of filling the post held by the member concerned, commences to serve supernumerary at his unit or as soon as he is replaced by such other member.

(4) 'n Lid in subregulasie (3) bedoel wat tydelike rang met soldy beklee of wat ingevolge paragraaf (a) van regulasie 8 van hierdie hoofstuk tot 'n tydelike rang sonder soldy bevorder is, behou sodanige rang behoudens die bepalinge van regulasie 9 of 10 van hierdie hoofstuk—

(a) waar hy buite regimentsverband 'n kursus volg totdat—

- (i) hy weer in die pos wat hy voorheen beklee het, diens hervat;
- (ii) hy diens in 'n ander pos aanvaar;
- (iii) hy in 'n versterkingspoel opgeneem word; of
- (iv) indien sodanige kursus 'n bekwaamheidskursus vir aanstelling met offisiërsrang is, hy as offisiër aangestel word of hy weer as manskap ingedeel of in 'n versterkingspoel opgeneem word;

(b) waar hy tydelike diens buite regimentsverband doen en na sy eenheid moet terugkeer, totdat—

- (i) hy ná die afhandeling van sodanige tydelike diens, diens in die pos wat hy voorheen beklee het, hervat;
- (ii) hy diens in 'n ander pos aanvaar; of
- (iii) hy in 'n versterkingspoel opgeneem word; of

(c) waar hy 'n pos waarin hy sodanige tydelike rang beklee het, ontruim om 'n ander pos waaraan 'n gelyke of hoër rang toegewys is, te vul totdat—

- (i) hy diens in sy nuwe pos aanvaar; of
- (ii) sodanige indeling ingetrek word.

(5) 'n Lid wat, terwyl hy vegdiens verrig, krygsgevangene word of wat as vermis aangemeld word en wat op die betrokke datum tydelike rang beklee het [uitgesonderd tydelike rang waartoe hy ingevolge paragraaf (b) van regulasie 8 van hierdie hoofstuk bevorder is], behou, behoudens die toekenning van tydelike rang met soldy of noodrang, aan hom kragtens regulasie 9 of 10 van hierdie hoofstuk, sodanige tydelike rang totdat—

- (a) hy weer in enige pos in die SAW diens aanvaar; of
- (b) hy uit hoofde van 'n vonnis van 'n militêre hof of kragtens artikel honderd-en-vyf van die Wet tot 'n laer rang gedegradeer is.

(6) Indien 'n lid tydelike rang opgee of verbeur, aanvaar hy die hoogste laer tydelike rang, noodrang of substantiewe rang waarop hy geregtig is kragtens hierdie hoofstuk of, ingeval sy vegdiens beëindig is, die regulasies van dié deel van die SAW of Reserwe wat dan op hom van toepassing is.

VERBEURING OF OPGEË VAN NOODRANG.

15. (1) 'n Lid wat noodrang beklee, verbeur of gee dié rang op sodra—

- (a) gelyke of hoër substantiewe rang aan hom toegeken word;
- (b) hy, ingevolge die bepalinge van artikel ses-en-negentig of sewe-en-negentig van die Wet of enige regulasie, uit diens vrygestel, onthef of ontslaan word;
- (c) afwesigheidsverlof sonder soldy vir 'n onbepaalde tydperk aan hom toegestaan word;
- (d) sy diens in die SAW beëindig word;
- (e) hy uit hoofde van 'n vonnis van 'n militêre hof of kragtens artikel honderd-en-vyf van die Wet tot 'n laer rang gedegradeer word; of
- (f) hierdie hoofstuk ophou om op hom van toepassing te wees.

(2) Indien 'n lid noodrang opgee of verbeur, aanvaar hy die hoogste tydelike rang, noodrang of substantiewe rang, waarop hy geregtig is kragtens hierdie hoofstuk, of ingeval sy vegdiens beëindig is, die regulasies van dié deel van die SAW of Reserwe wat dan op hom van toepassing is.

VRYWILLIGE OPGEË VAN RANG.

16. (1) Die Kommandant-generaal, SAW, kan enige lid, wat daarom versoek, magtig om na 'n laer rang terug te gaan. Met dien verstande dat—

- (a) 'n offisiër wat na manskaprang wil teruggaan sy kommissie moet bedank; en

(4) A member referred to in sub-regulation (3) who holds temporary rank with pay or who has in terms of paragraph (a) of regulation 8 of this chapter been promoted to temporary rank without pay, shall retain such rank subject to the provisions of regulation 9 or 10 of this chapter—

(a) where he attends a course extra-regimentally until—

- (i) he resumes duty in the post previously held by him;
- (ii) he assumes duty in another post;
- (iii) he is absorbed into a reinforcement pool; or
- (iv) if such course is a qualifying course for appointment to commissioned rank, he is appointed as an officer or is again posted as an other rank or is absorbed into a reinforcement pool;

(b) where he performs temporary extra-regimental duty and is due to return to his unit, until he—

- (i) on completion of such temporary duty resumes duty in the post previously held by him;
- (ii) assumes duty in another post; or
- (iii) is absorbed into a reinforcement pool; or

(c) where he vacates a post in which he held such temporary rank to fill another post to which an equivalent or higher rank has been allotted, until—

- (i) he assumes duty in his new post; or
- (ii) such posting is withdrawn.

(5) A member who, whilst he is on combat service, is taken prisoner of war or is reported missing and who on the date concerned held temporary rank [other than temporary rank to which he was promoted in terms of paragraph (b) of regulation 8 of this chapter] shall retain such temporary rank subject to the conferment of temporary rank with pay or emergency rank in terms of regulation 9 or 10 of this chapter until—

- (a) he again assumes duty in any post in the SADF; or
- (b) he is, pursuant to a sentence of a military court or in terms of section one hundred and five of the Act reduced to a lower rank.

(6) If a member forfeits or relinquishes temporary rank he shall assume the highest lower temporary, emergency or substantive rank to which he is entitled in terms of this chapter or in the event of his combat service having been terminated, the regulations of that part of the SADF or Reserve then applicable to him.

FORFEITING OR RELINQUISHING OF EMERGENCY RANK.

15. (1) A member holding emergency rank shall forfeit or relinquish such rank as soon as—

- (a) equivalent or higher substantive rank is conferred on him;
- (b) pursuant to the provisions of section ninety-six or ninety-seven of the Act or any regulation, he is exempted, released or discharged from service;
- (c) leave of absence without pay for an indefinite period is granted to him;
- (d) his service in the SADF is terminated;
- (e) pursuant to a sentence of a military court or in terms of section one hundred and five of the Act, he is reduced to a lower rank; or
- (f) this chapter ceases to be applicable to him.

(2) If a member forfeits or relinquishes emergency rank he shall assume the highest temporary, emergency or substantive rank to which he is entitled in terms of this chapter, or in the event of his combat service having been terminated, the regulations for that part of the SADF or Reserve then applicable to him.

VOLUNTARY RELINQUISHING OF RANK.

16. (1) The Commandant General, SADF, may authorise any member who has so requested, to revert to any lower rank: Provided that—

- (a) an officer who wishes to revert to the ranks shall resign his commission; and

(b) aan niemand aldus magtiging verleen word om terug te gaan na 'n laer rang om sodoende enige dissiplinêre optrede of optrede ingevolge artikel honderd-en-vyf van die Wet te ontduik nie.

(2) Die Kommandant-generaal, SAW, kan met betrekking tot manskappe, die bevoegdheid hom by subregulasie (1) verleen, aan 'n ander offisier delegeer.

OORPLASING EN VERPLASINGS.

17. 'n Lid kan, behoudens regulasie 6 van hierdie hoofstuk en artikel vyf-en-negentig van die Wet, van enige pos na enige ander pos oorgeplaas word, en teen Staatskoste met sy roerende goed van enige plek na enige ander plek waar hy moet diens doen, verplaas word; Met dien verstande dat die huishouding van 'n lid van die Staande Mag, wat vegdiens verrig en die roerende goed van sodanige lid se huishouding nie aldus verplaas word nie tensy magtiging daarvoor ooreenkomstig die regulasies van die Staande Mag uitdruklik verkry is.

AFWESIGHEIDSVERLOF.

18. Gedurende vegdiens kan afwesigheidsverlof aan 'n lid van die Staande Mag kragtens die Regulasies vir die Staande Mag en aan 'n lid van die Burgermag kragtens die Burgermagregulasies toegestaan word; Met dien verstande dat diensverlof soos in regulasie 6 van Hoofstuk VI van die Burgermagregulasies voorgeskryf, as spesiale verlof met besoldiging ooreenkomstig regulasie 37 van Hoofstuk VI van die Regulasies vir die Staande Mag aan 'n lid van die Staande Mag toegestaan kan word.

ANSIËNNITEIT EN VOORRANG.

19. (1) By die bepaling van ansiënniteit kragtens hierdie regulasie—

- (a) word substantiewe rang, noodrang en tydelike rang in regulasie 3 van hierdie hoofstuk bedoel, binne elke rang as aparte range beskou;
- (b) word substantiewe rang hoër as noodrang en noodrang hoër as tydelike rang geag;
- (c) word die toekenning van enige substantiewe rang, noodrang of tydelike rang as bevordering geag;
- (d) beteken 'rang' ook die betrokke substantiewe rang, noodrang of tydelike rang in elke rang in die rangorde soos in paragraaf (b) bepaal; en
- (e) beteken 'aanstelling' ook diensneming of inskrywing.

(2) Terwyl hy vegdiens verrig, word die ansiënniteit van 'n lid, ongeag die deel van die SAW of Reserwe waaraan hy behoort, kragtens hierdie regulasie bepaal; Met dien verstande dat—

- (a) 'n lid van die Staande Mag die senior geag word van enige lid van enige ander deel van die SAW wat dieselfde, 'n gelykstaande of 'n ooreenstemmende substantiewe, nood- of tydelike rang beklee; en
- (b) 'n lid wat kragtens regulasie 20 van hierdie hoofstuk bevel voer, die senior van die lede onder sy bevel geag word terwyl hy aldus bevel voer.

(3) Die ansiënniteit van 'n lid wat op die dag wat die datum onmiddellik voorafgaan waarop hierdie hoofstuk op hom van toepassing word, 'n lid van die SAW was, word, in die rang waarin hy vegdiens aanvaar het, bepaal deur die datum van sy jongste aanstelling in of bevordering tot sodanige rang in dié deel van die SAW waaraan hy behoort.

(4) Die ansiënniteit van 'n lid wat—

- (a) aangestel word terwyl hierdie hoofstuk ingevolge regulasie 2 in werking is en vir wie subregulasie (3) nie geld nie; of

(b) no person shall be so authorised to revert to a lower rank for the purpose of evading any disciplinary action or action under section one hundred and five of the Act.

(2) The Commandant General, SADF, may, in respect of other ranks, delegate to any other officer the power conferred on him by sub-regulation (1).

TRANSFER AND MOVES.

17. A member may, subject to regulation 6 of this chapter and section ninety-five of the Act be transferred from any post to any other post and be moved with his movable property at Government expense from any place to any other place where he is required to serve; Provided that the household of a member of the Permanent Force who performs combat service and the movable property of such member's household shall not thus be moved unless express authority has been obtained therefor in accordance with the Regulations for the Permanent Force.

LEAVE OF ABSENCE.

18. Leave of absence whilst on combat service may be granted to a member of the Permanent Force in accordance with the Regulations for the Permanent Force and to a member of the Citizen Force in accordance with the Citizen Force Regulations: Provided that service leave as prescribed in regulation 6 of chapter VI of the Citizen Force Regulations may be granted to a member of the Permanent Force as special leave with pay in accordance with regulation 37 of chapter VI of the Regulations for the Permanent Force.

SENIORITY AND PRECEDENCE.

19. (1) In the determination of seniority in terms of this regulation—

- (a) substantive rank, emergency rank and temporary rank referred to in regulation 3 of this chapter shall in each rank be regarded as separate ranks;
- (b) substantive rank shall be deemed to be higher than emergency rank and emergency rank higher than temporary rank;
- (c) the conferment of any substantive, emergency or temporary rank shall be regarded as promotion;
- (d) 'rank' shall include the substantive rank, emergency rank or temporary rank concerned in every rank in the order of precedence provided in paragraph (b); and
- (e) 'appointment' shall include engagement or enrolment.

(2) The seniority of any member shall, whilst performing combat service, be determined in terms of this regulation without regard to the part of the SADF or the Reserve to which he belongs; Provided that—

- (a) a member of the Permanent Force shall be deemed to be the senior of any member of any other part of the SADF who holds the same, an equivalent or a corresponding substantive, emergency or temporary rank; and
- (b) a member who in terms of regulation 20 of this chapter exercises command, shall while he thus exercises command be deemed to be the senior of the members under his command.

(3) The seniority of a member, who on the day immediately preceding the date on which this chapter becomes applicable to him was a member of the SADF, shall, in the rank in which he has assumed combat service, be determined by the date of his latest appointment in or promotion to such rank in that part of the SADF to which he belongs.

(4) The seniority of a member who—

- (a) is appointed while this chapter is in operation in terms of regulation 2 and to whom sub-regulation (3) is not applicable; or

(b) bevorder word terwyl hierdie hoofstuk ingevolge regulasie 2 in werking is,

word, behoudens subregulasies (5), (6) en (7), bepaal deur die datum van sy jongste aanstelling in of bevordering tot die betrokke rang. Met dien verstande dat die ansiënniteit van 'n lid wat as gevegsverlies enige tydelike rang opgegee het, by sy latere bevordering tot dieselfde of 'n laer tydelike rang aangepas kan word deur die inrekening vir ansiënniteitsbepaling, van die tydperk van sy vorige diens in die tydelike rang wat hy aldus opgegee het.

(5) 'n Lid wat op enige datum in enige rang aangestel word,—

(a) word die junior van al die lede wat in dieselfde rang in die SAW gedien het op die datum wat bedoelde datum onmiddellik voorafgegaan het; en

(b) word, indien hy lid is van die Reserwe van Offisiere, die Staande Magreserwe of die Burgermagreserwe, die senior van 'n lid wat op daardie datum in dieselfde rang aangestel word en nie lid van enige sodanige Reserwe is nie.

(6) Indien meer as een lid op enige datum in dieselfde rang aangestel word, kan die Adjutant-generaal of 'n offisier wat op sy gesag handel, die onderlinge ansiënniteit van sodanige lede na goedvinde, behoudens subregulasie (5), bepaal. Met dien verstande dat indien meer as een manskop op dieselfde datum met offisiërsrang aangestel word—

(a) na bekwaaming op 'n kursus vir sodanige aanstelling, elke sodanige lid ooreenkomstig die rangorde van sy prestasie op bedoelde kursus aansienneit aanvaar teenoor die ander lede wat dieselfde kursus meegemaak het; en

(b) die betreklike ansiënniteit van kandidaat-offisiere van die Staande Mag wat as offisiere aangestel word, kragtens die Regulasies vir die Staande Mag bepaal word.

(7) Indien meer as een lid op dieselfde datum op dieselfde rang bevorder word, behou iedere sodanige lid die ansiënniteit wat hy onmiddellik vóór sy bevordering bekleed het.

BEVELVOERING EN UITOEFENING VAN GESAG.

20. (1) 'n Lid voer bevel indien hy—

(a) uit hoofde van die pos wat hy bekleed, verplig is om bevel te voer;

(b) die pos van adjunk-bevelvoerder of tweede-in-bevel bekleed en sy bevelvoerder om enige rede nie in staat is om bevel te voer nie of terwyl niemand die pos van bevelvoerder bekleed nie;

(c) spesiaal aangestel is om oor enige ander lede bevel te voer; of

(d) die senior van 'n aantal lede is onder omstandighede nie in paragraaf (a), (b) of (c) bedoel nie: Met dien verstande dat 'n lid wat in 'n vegtende hoedanigheid geklassifiseer of ingedeel is, bevelvoering aanvaar onder gevegsomstandighede, ondanks die aanwesigheid van 'n senior lid in dieselfde rang wat nie so geklassifiseer of ingedeel is nie.

(2) Hierdie regulasie word nie so uitgelê dat dit bevoegdheid aan 'n vrouspersoon verleen om oor enige manspersoon bevel te voer of gesag uit te oefen nie, uitgesonderd—

(a) waar sodanige vrouspersoon 'n mediese offisier of lid van die SA Militêre Verpleegdiens is en, met betrekking tot 'n manspersoon wat 'n pasiënt is, die gesag uitoefen wat nodig is in verband met sy mediese of ander behandeling of in verband met die dissipline van enige hospitaal of ander inrigting wat vir die versorging van siekes, beseerdes of gewondes opgerig is; of

(b) met die uitdruklike goedkeuring van die betrokke Staf- of Afdelingshoof of 'n offisier wat op sy gesag handel.

(b) is promoted while this chapter is in operation in terms of regulation 2,

shall, subject to sub-regulations (5), (6) and (7), be determined by the date of his latest appointment in or promotion to the rank concerned: Provided that the seniority of a member who as a battle-casualty has relinquished any temporary rank, may on his subsequent promotion to the same or lower temporary rank be adjusted by the inclusion, for the determination of seniority, of the period of his previous service in the temporary rank which he thus relinquished.

(5) A member who is appointed in any rank on any date, shall—

(a) be the junior of all members who served in the SADF in the same rank on the date immediately preceding the said date; and

(b) if he is a member of the Reserve of Officers, the Permanent Force Reserve or the Citizen Force Reserve, be senior to a member who is on that date appointed in the same rank and who is not a member of any such Reserve.

(6) If more than one member is appointed on the same date to the same rank, the Adjutant General or an officer acting on his authority may at his discretion, subject to sub-regulation (5), determine the relative seniority of such members: Provided that if more than one other rank is appointed to commissioned rank on the same date—

(a) after having qualified for such appointment on a course, every such member shall assume seniority in relation to the other members who attended the same course in accordance with his order of merit obtained on the said course; and

(b) the relative seniority of candidate officers of the Permanent Force who are appointed as officers shall be determined in terms of the Regulations for the Permanent Force.

(7) If more than one member is promoted to the same rank on the same date, every such member shall retain the seniority held by him immediately prior to his promotion.

EXERCISE OF COMMAND AND AUTHORITY.

20. (1) A member shall exercise command if he—

(a) by virtue of the post he holds, is required to exercise command;

(b) holds the post of deputy commander or second-in-command and his commander is for any reason unable to exercise command or while no person holds the post of commander;

(c) is specially appointed to exercise command over any other members; or

(d) in circumstances not referred to in paragraph (a), (b) or (c) is the senior of a number of members: Provided that a member who is classified or posted in a combatant capacity shall notwithstanding the presence of a senior member of the same rank who is not so classified or posted, assume command under combat conditions.

(2) This regulation shall not be construed so as to empower any female to exercise command or authority over any male, except—

(a) where such female is a medical officer or member of the SA Military Nursing Service and in relation to any male patient, exercises such authority as may be necessary in connection with his medical or other treatment or in connection with the discipline of any hospital or other establishment which has been established for the care of the sick, injured or wounded; or

(b) with the explicit approval of the Chief of Staff or Head of Section concerned or an officer acting on his authority.

(3) Niemand wat nie 'n blanke is nie, soos in artikel een van die Bevolkingsregistrasiewet, 1950 (Wet No. 30 van 1950), omskryf, voer, ondanks enige rang wat hy beklee, bevel of oefen gesag uit oor enigiemand wat 'n blanke is, of oor enige ander persoon wat nie 'n blanke is nie, soos aldus omskryf, soos die Minister kan bepaal.

(4) 'n Offisier in bevel van 'n skip of vliegtuig oefen gesag uit, ondanks sy rang, vir die duur van enige vaart of vlug met betrekking tot enige aangeleentheid wat in verband staan met die geslaagde voltooiing van sodanige vaart of vlug, oor die bemanning en al die passasiers in sodanige skip of vliegtuig.

VRYSTELLING VAN DIENS KRAGTENS PARAGRAAF (j) VAN SUBARTIKEL (1) VAN ARTIKEL *sewe-en-negentig* VAN DIE WET.

21. Niemand mag ingevolge artikel *een-en-negentig* of *twee-en-negentig* van die Wet vir diens opgeroep word nie indien hy—

- (a) in die voltydse diens van enige plaaslike owerheid regstreeks verbonde is aan enige brandweerdienst van so 'n owerheid;
- (b) 'n verpleër in 'n hospitaal is; of
- (c) 'n tegnikus is wat diens as sodanige by of in enige erkende bloedoortappingsdiens of tak daarvan verrig.

AANSOEK OM VRYSTELLING KRAGTENS ARTIKEL *sewe-en-negentig* VAN DIE WET.

22. (1) Iemand kragtens hoofstuk X van die Wet opgeroep, wat nie aan 'n eenheid behoort nie en vrystelling kragtens artikel *sewe-en-negentig* van die Wet verlang of iemand wat enige belang het by die vrystelling van enigiemand wat aldus opgeroep is of wat vegdiens verrig, kan om sodanige vrystelling by die voorsitter van die Vrystellingsraad aansoek doen.

(2) 'n Lid van die SAW wat vrystelling kragtens artikel *sewe-en-negentig* van die Wet verlang, moet sy aansoek aan sy bevelvoerder rig wat, met inagneming van die gebruikelike diensweg, sodanige aansoek tesame met sy kommentaar en aanbevelings daarop aan die voorsitter van die Vrystellingsraad voorleë.

(3) Enigiemand wat ingevolge subregulasie (1) of (2) namens homself aansoek om vrystelling doen, verstrek saam met sy aansoek—

- (a) sy volle naam en registrasienommer;
- (b) sy stawende beëdigde verklaring waarin die redes vir sy aansoek uiteengesit is; en
- (c) enige ander beëdigde verklarings of dokumentêre getuigenis wat hy nodig ag.

BEÏNDIGING VAN DIENS IN DIE SAW GEDURENDE VEGDIENS.

23. (1) 'n Lid van die Staande Mag se diens kan, terwyl hy vegdiens verrig, kragtens die Wet, die Regulasies vir die Staande Mag of uit hoofde van stappe ooreenkomstig die Eerste Bylae van die Wet gedoen, beëindig word.

(2) Behoudens artikel *ses-en-negentig* van die Wet kan enige ander lid se vegdiens asook, behoudens subregulasie (3), sy diens in die SAW beëindig of daarvan kan afgesien word—

- (a) indien dit ná oorweging van die verslag van 'n geneeskundige raad, deur of op gesag van die Geneesheer-generaal na sy goeddunke saamgestel, tot bevrediging van die Adjudant-generaal, in ooreenstemming met die Geneesheer-generaal, blyk dat die betrokke lid nie meer geneeskundig geskik is vir die diens waartoe hy uit hoofde van sy klassifikasie of indeling verplig kan word nie: Met dien verstande dat so 'n lid, wie se diens nie beëindig word nie, herklassifiseer of heringedeel kan word in ooreenstemming met regulasie 22 van hoofstuk XIII van die Regulasies vir die Staande Mag;

(3) No person who is not a white person as defined in section one of the Population Registration Act, 1950 (Act No. 30 of 1950), shall, notwithstanding any rank which he holds, exercise command or authority over any person who is a white person or over such other person not being a white person as thus defined, as the Minister may determine.

(4) An officer in command of a ship or an aircraft shall, notwithstanding his rank, exercise authority for the duration of any voyage or flight in relation to any matter which is connected with the successful completion of such voyage or flight, over the crew and all the passengers in such ship or aircraft.

EXEMPTION FROM SERVICE IN TERMS OF PARAGRAPH (j) OF SUB-SECTION (1) OF SECTION *ninety-seven* OF THE ACT.

21. No person shall be liable to be called out for service in terms of section *ninety-one* or *ninety-two* of the Act if he is—

- (a) in the full-time employ of a local authority in direct association with any fire brigade service of such authority;
- (b) a male nurse in any hospital; or
- (c) a technician performing service as such at or with any recognised blood transfusion service or branch thereof.

APPLICATION FOR EXEMPTION IN TERMS OF SECTION *ninety-seven* OF THE ACT.

22. (1) Any person called out in terms of chapter X of the Act, who does not belong to a unit and who desires exemption in terms of section *ninety-seven* of the Act or a person who has any interest in the exemption of any person who has been so called out or is performing combat service, may apply for such exemption to the chairman of the Exemption Board.

(2) A member of the SADF, who desires exemption in terms of section *ninety-seven* of the Act, shall submit his application to his commander who, with due regard to the normal service channels, shall submit such application with his comments and recommendation thereon to the chairman of the Exemption Board.

(3) Any person who on his own behalf in terms of sub-regulation (1) or (2) applies for exemption shall submit with his application—

- (a) his full name and registration number;
- (b) his supporting affidavit setting forth the reasons for his application; and
- (c) such other sworn statements or documentary evidence as he may deem necessary.

TERMINATION OF SERVICE IN THE SADF WHILE ON COMBAT SERVICE.

23. (1) The service of a member of the Permanent Force, may, whilst he is performing combat service, be terminated in terms of the Act, the Regulations for the Permanent Force or in pursuance of steps taken in accordance with the First Schedule to the Act.

(2) Subject to section *ninety-six* of the Act the combat service of any other member and, subject to sub-regulation (3), the service of such member in the SADF may be terminated or dispensed with—

- (a) if, after consideration of the report of a medical board, constituted by or on authority of the Surgeon General, as he may deem fit, it appears to the satisfaction of the Adjutant General in consultation with the Surgeon General that the member concerned is no longer medically fit for the duties which he may by virtue of his classification or mustering be required to perform: Provided that such member, whose service is not terminated, may be reclassified or remustered in accordance with regulation 22 of chapter XIII of the Regulations for the Permanent Force.

- (b) sodra hy kragtens artikel *sewe-en-negentig* van die Wet van diens vrygestel is of om 'n ander rede nie meer verplig kan word om kragtens die Wet vegdiens te verrig nie;
- (c) indien sy dienste oortollig word as gevolg van enige reorganisasie in of van die SAW;
- (d) indien sy voortgesette indienshouding na die oordeel van die Kommandant-generaal, SAW, 'n sekerheids-risiko inhou;
- (e) indien—
- feite ten opsigte van die betrokke lid se afstamming of verlede, of van persone met wie hy gereeld omgaan; of
 - die onjuistheid van enige persoonsbesonderhede wat so 'n lid by sy inskrywing of aanstelling verstrekket het,
- volgens die oordeel van die Kommandant-generaal, SAW, die betrokke lid se voortgesette diens in die SAW onwenslik maak;
- (f) uit hoofde van 'n vonnis op grond van subparagraaf (ii) hierbo deur 'n krygsraad gevel;
- (g) indien hy deur 'n burgerlike hof skuldig bevind word aan 'n misdryf van gewelddadige, skandelijke, bedrieglike, oneerlike, onsedelike of onnatuurlike aard of aan 'n misdryf teen die Staat, of indien hy tot gevangenisstraf sonder die keuse van 'n boete of tot lyfstraf gevonnis word, of indien hy te eniger tyd, hetsy vóór of ná sy aanstelling of indiensneming, gevangenisstraf uitgedien het;
- (h) sodra hy die voorgeskrewe ouderdom vir uitdiens-trede bereik;
- (i) indien hy weier om hom aan immunisering te onderwerp;
- (j) sodra hy vir 'n ononderbroke tydperk van 180 dae sonder magtiging van diens afwesig was; of
- (k) indien hy om enige ander rede ongeskik geag word vir militêre diens of sy dienste nie meer benodig word nie.

(3) Indien 'n lid, wat ingevolge artikel *sewentien, negentien, een-en-twintig, twee-en-twintig, drie-en-twintig, vier-en-twintig, vyf-en-dertig* of *ses-en-dertig*, van die Wet tot diens of opleiding verplig kan word, se vegdiens kragtens paragraaf (b), (c) of (f) van subregulasie (2) beëindig word, bly hy, behoudens sy ontslag of ontheffing van diens kragtens die regulasie vir dié deel van die SAW waaraan hy behoort, lid van die Burgermag of 'n Kommando, na gelang van die geval.

KENNISGEWING VAN ADRESVERANDERING.

24. 'n Lid wat kragtens subregulasie (3) van regulasie 23 van hierdie hoofstuk lid van die Burgermag of 'n kommando bly na die beëindiging van sy vegdiens, moet, terwyl sy eenheid nog vegdiens verrig, die Adjutant-generaal binne sewe dae ná sodanige beëindiging en daarna in die maand Junie van elke jaar in kennis stel van sy adres, en moet, totdat hy ander skriftelike opdragte van die Adjutant-generaal ontvang, die Adjutant-generaal skriftelik van elke verandering van sy adres verwittig binne veertien dae nadat sodanige verandering plaasgevind het."

DEPARTEMENT VAN ARBEID.

No. R. 1225.] [20 Augustus 1965.

WET OP NYWERHEIDSVERSOENING, 1956.

MUNISIPALE ONDERNEMING, BOKSBURG.

WYSIGING VAN OOREENKOMS.

Dit word hierby bekendgemaak dat Sy Edele die Minister van Arbeid goedgekeur het dat die Versoenings-raadooreenkoms wat betrekking het op die Munisipale Onderneming, Boksburg, en wat gepubliseer is by Goewermentskennisgewing No. R. 1835 van 13 November 1964

- (b) as soon as he is exempted from service in terms of section *ninety-seven* of the Act, or for any other reason ceases to be liable to perform combat service in terms of the Act;
- (c) if his services become redundant as a result of any re-organisation in or of the SADF;
- (d) if his continued employment in the opinion of the Commandant General, SADF, constitutes a security risk;
- (e) if—
- facts in respect of the ancestry or past of the member concerned or of persons with whom he associates regularly; or
 - the incorrectness of any personal particulars given by such member on his engagement or appointment,
- in the opinion of the Commandant General, SADF, render the continued employment of the member concerned undesirable;
- (f) pursuant to a sentence imposed on the grounds of sub-paragraph (ii) above by a military court;
- (g) if he is convicted by a civil court of an offence of a violent, disgraceful, fraudulent, dishonest, immoral or unnatural nature or of an offence against the State or if he is sentenced to imprisonment without the option of a fine or to corporal punishment, or if he has at any time whether prior or subsequent to his appointment or engagement or not served a sentence of imprisonment;
- (h) as soon as he has reached the prescribed age of retirement;
- (i) if he refuses to subject himself to immunisation;
- (j) as soon as he has been absent from duty without authority for a continuous period of 180 days; or
- (k) if for any other reason he is deemed to be unfit for military service or his services are no longer required.

(3) If the combat service of a member who is liable to service or training in terms of section *seventeen, nineteen, twenty-one, twenty-two, twenty-three, twenty-four, thirty-five, or thirty-six* of the Act, is terminated in terms of paragraph (b), (c) or (j) of sub-regulation (2), he shall, subject to his being discharged or released from service in terms of the regulations for that part of the SADF to which he belongs, remain a member of the Citizen Force or a Commando, as the case may be.

NOTICE OF CHANGE OF ADDRESS.

24. Any member who, after the termination of his combat service in terms of sub-regulation (3) of regulation 23 of this chapter remains a member of the Citizen Force or a Commando, shall, while his unit is still on combat service, notify the Adjutant General within seven days after such termination and thereafter in June of each year of his address and shall, until he receives a written instruction to the contrary from the Adjutant General, notify the Adjutant General in writing of every change of address within fourteen days after such change has taken place."

DEPARTMENT OF LABOUR.

No. R. 1225.] [20 August 1965.

INDUSTRIAL CONCILIATION ACT, 1956.

MUNICIPAL UNDERTAKING, BOKSBURG.

AMENDMENT OF AGREEMENT.

It is hereby notified that the Honourable the Minister of Labour has approved of the Conciliation Board Agreement relating to the Municipal Undertaking, Boksburg, published under Government Notice No. R. 1835 of the 13th November, 1964 (hereinafter referred to as "the



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