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REGULATION GAZETTE No. 1048

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REGULASIEKOERANT No. 1048

As 'n Nuusblad by die Poskantoor Geregistreer

Vol. 41]

PRETORIA, 8 NOVEMBER 1968
8 NOVEMBER

[No. 2210

PROCLAMATIONS

*by the State President of the
Republic of South Africa*

No. R. 331, 1968

SEA FISHERIES ACT, 1940

CLOSED SEASON

Under the powers vested in me by section 4 (1) of the Sea Fisheries Act, 1940 (Act No. 10 of 1940), I, hereby declare that no person shall, in any manner or for any purpose whatsoever, capture, attempt to capture, disturb or remove East Coast rock lobster (*Panulirus homarus*) during the period from the first day of November in any year to the thirty-first day of January in the following year, both days inclusive, in the area bounded by and seawards of the high-water mark on the coast of the Province of the Cape of Good Hope.

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

J. J. FOUCHÉ,
State President.

By Order of the State President-in-Council.

J. F. W. HAAK.

No. R. 333, 1968

MILK SCHEME.—AMENDMENT

Whereas the Minister of Agriculture has, in terms of section 9 (2) (c) read with section 15 (3) of the Marketing Act, 1968 (No. 59 of 1968), accepted the proposed amendments, as set out in the Schedule hereto, to the Milk Scheme, published by Proclamation No. R. 225 of 1966, as amended, and has, in terms of section 12 (1) (b) of the said Act, recommended the approval of the proposed amendments;

Now, therefore, under the powers vested in me by the said section 15 (3) read with section 14 (1) (a) of the said Act, I do hereby declare that the said amendments shall come into operation on the date of publication hereof.

A—33726

PROKLAMASIES

*van die Staatspresident van die
Republiek van Suid-Afrika*

No. R. 331, 1968

WET OP SEEVISSERYE, 1940

GESLOTE SEISOEN

Kragtens die bevoegdheid my verleen by artikel 4 (1) van die Wet op Seevisserie, 1940 (Wet No. 10 van 1940), verklaar ek hierby dat niemand op enige wyse of vir watter doel ook al Ooskuskreef (*Panulirus homarus*) mag vang, probeer vang, versteur of verwyder nie gedurende die tydperk vanaf die eerste dag van November in enige jaar tot die een-en-dertigste dag van Januarie in die daaropvolgende jaar, beide datums inbegrepe, in die gebied begrens deur en seewaarts vanaf die hoogwatermerk aan die kus van die provinsie die Kaap die Goeie Hoop.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Pretoria, op hede die Vyf-en-twintigste dag van Oktober Eenduisend Negehoonderd Agt-en-sestig.

J. J. FOUCHÉ,
Staatspresident.

Op las van die Staatspresident-in-rade.

J. F. W. HAAK.

No. R. 333, 1968

MELKSKEMA.—WYSIGING

Nademaal die Minister van Landbou, kragtens artikel 9 (2) (c), gelees met artikel 15 (3) van die Bemerkingswet, 1968 (No. 59 van 1968), die voorgestelde wysigings soos in die Bylae hiervan uiteengesit, van die Melkskema afgekondig by Proklamasie No. R. 225 van 1966, soos gewysig, aange neem het en kragtens artikel 12 (1) (b) van genoemde Wet, goedkeuring van daardie voorgestelde wysigings aanbeveel het;

So is dit dat ek, kragtens die bevoegdheid my verleen by voornoemde artikel 15 (3) gelees met artikel 14 (1) (a), van genoemde Wet, hierby verklaar dat genoemde wysigings op die datum van publikasie hiervan in werking tree.

1—2210

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

J. J. FOUCHÉ,
State President.

By Order of the State President-in-Council.

D. C. H. UYS.

SCHEDULE

The Milk Scheme published by Proclamation No. R. 225 of 1966, as amended, is hereby further amended as follows:—

1. Section 18 (1) is hereby amended by the substitution for paragraph (b) of the following paragraph:—

“(b) shall not exceed $\frac{3}{4}$ c per gallon in the case of milk and $7\frac{1}{2}$ c per gallon in the case of cream.”

2. Section 20 (1) is hereby amended by the substitution for paragraph (b) of the following paragraph:—

“(b) Establish a General Milk Levy Fund into which shall be paid, from the various funds referred to in paragraph (a), such amounts which shall be in proportion to the number of gallons of milk and the milk equivalent of cream on which, in terms of section 18 a levy derived for the credit of each of those funds during each financial year under this scheme and from which shall be paid all expenses incurred directly in connection with the milk industry in general: Provided that for the purpose of this section the Board may convert any quantity of cream into an equivalent quantity of milk on such basis as the Board may determine.”

GOVERNMENT NOTICES

DEPARTMENT OF AGRICULTURAL ECONOMICS AND MARKETING

No. R. 2050

8 November 1968

AGRICULTURAL WAREHOUSE ACT, 1930 (No. 42 OF 1930), AS AMENDED

WAREHOUSE LICENCES FOR GRAIN ELEVATORS

In terms of section 8 of the Agricultural Warehouse Act, 1930 (No. 42 of 1930), I, Dirk Cornelis Hermanus Uys, Minister of Agriculture, hereby make known that the warehouse licences, of which particulars are contained in the Schedule hereto, and which were issued to the Mealie Industry Control Board and the South African Railways and Harbours for the calendar year 1968, for the storage of grain and buckwheat in such warehouses, have been renewed for the calendar year 1969.

D. C. H. UYS,
Minister of Agriculture.

SCHEDULE

Grain elevators at	Number of licence for 1968	Number of licence for 1969
Mealie Industry Control Board—		
Arlington.....	1/68	1/69
Balfour North.....	2/68	2/69
Bethal.....	3/68	3/69
Bethlehem.....	4/68	4/69
Bothaville.....	5/68	5/69
Clocolan.....	6/68	6/69
Coligny.....	7/68	7/69
Davel.....	8/68	8/69
Ficksburg.....	9/68	9/69
Frankfort.....	10/68	10/69
Hennenman.....	11/68	11/69
Heilbron.....	12/68	12/69

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Pretoria, op hede die Een-en-dertigste dag van Oktober Eenduisend Negehonderd Agt-en-sestig.

J. J. FOUCHÉ,
Staatspresident.

Op las van die Staatspresident-in-rade.

D. C. H. UYS.

BYLAE

Die Melkskema, afgekondig by Proklamasie No. R. 225 van 1966, soos gewysig, word hierby verder soos volg gewysig:—

1. Artikel 18 (1) word hierby gewysig deur paragraaf (b) deur die volgende paragraaf te vervang:—

„(b) nie $\frac{3}{4}$ c per gelling in die geval van melk en $7\frac{1}{2}$ c per gelling in die geval van room mag oorskry nie.”

2. Artikel 20 (1) word hierby gewysig deur paragraaf (b) deur die volgende paragraaf te vervang:—

„(b) 'n Algemene Melkheffingsfonds instel waarin daar gestort moet word uit die verskillende fondse genoem in paragraaf (a) sodanige bedrae, wat in verhouding moet wees tot die aantal gellings melk en die melk-ekwivalent van room waarop 'n heffing kragtens artikel 18 vir krediet van elk van daardie fondse gedurende elke boekjaar onder die skema verkry is, en waaruit alle koste regstreeks in verband met die melkbedryf in die algemeen aangeaan, betaal moet word: Met dien verstande dat vir die doeleindes van hierdie artikel die Raad enige hoeveelheid room kan omreken in 'n ekwivalente hoeveelheid melk op 'n basis wat die Raad mag bepaal.”

GOEWERMENSKENNISGEWINGS

DEPARTEMENT VAN LANDBOU-EKONOMIE EN -BEMARKING

No. R. 2050

8 November 1968

LANDBOUPAKHUISWET, 1930 (No. 42 VAN 1930), SOOS GEWYSIG

PAKHUISLISENSIES VIR GRAANSUIERS

Ooreenkomstig artikel 8 van die Landboupakhuishwet, 1930 (No. 42 van 1930), maak ek, Dirk Cornelis Hermanus Uys, Minister van Landbou, hierby bekend dat die pakhuislisensies, waarvan besonderhede in die Bylae hiervan vervat is, en wat aan die Raad van Beheer oor die Mielienywerheid en aan die Suid-Afrikaanse Spoorweë en Hawens vir die kalenderjaar 1968 uitgereik was, vir die opberging van graan en bokwiet in die betrokke pakhuisse, vir die kalenderjaar 1969 hernu is.

D. C. H. UYS,
Minister van Landbou.

BYLAE

Graansuiers te	Nommer van lisensie vir 1968	Nommer van lisensie vir 1969
Raad van Beheer oor die Mielienywerheid—		
Arlington.....	1/68	1/69
Balfour-Noord.....	2/68	2/69
Bethal.....	3/68	3/69
Bethlehem.....	4/68	4/69
Bothaville.....	5/68	5/69
Clocolan.....	6/68	6/69
Coligny.....	7/68	7/69
Davel.....	8/68	8/69
Ficksburg.....	9/68	9/69
Frankfort.....	10/68	10/69
Hennenman.....	11/68	11/69
Heilbron.....	12/68	12/69

Grain elevators at	Number of licence for 1968	Number of licence for 1969
Kaallaagte.....	13/68	13/69
Kinross.....	14/68	14/69
Klerksdorp.....	15/68	15/69
Koster.....	16/68	16/69
Kroonstad.....	17/68	17/69
Leeuwanderingstad.....	18/68	18/69
Leslie.....	19/68	19/69
Makokskraal.....	20/68	20/69
Makwassie.....	21/68	21/69
Middelburg (Transvaal).....	22/68	22/69
Pienaarsrivier.....	23/68	23/69
Potchefstroom.....	24/68	24/69
Reitz.....	25/68	25/69
Senekal.....	26/68	26/69
Settlers.....	27/68	27/69
Standerton.....	28/68	28/69
Val.....	29/68	29/69
Ventersdorp.....	30/68	30/69
Vermaas.....	31/68	31/69
Viljoenskroon.....	32/68	32/69
Vrede.....	33/68	33/69
Westminster.....	34/68	34/69
South African Railways and Harbours—		
Durban.....	35/68	35/69
Cape Town.....	36/68	36/69
Moorreesburg.....	37/68	37/69
East London.....	38/68	38/69

Graansuiers te	Nommer van lisensie vir 1968	Nommer van lisensie vir 1969
Kaallaagte.....	13/68	13/69
Kinross.....	14/68	14/69
Klerksdorp.....	15/68	15/69
Koster.....	16/68	16/69
Kroonstad.....	17/68	17/69
Leeuwanderingstad.....	18/68	18/69
Leslie.....	19/68	19/69
Makokskraal.....	20/68	20/69
Makwassie.....	21/68	21/69
Middelburg (Transvaal).....	22/68	22/69
Pienaarsrivier.....	23/68	23/69
Potchefstroom.....	24/68	24/69
Reitz.....	25/68	25/69
Senekal.....	26/68	26/69
Settlers.....	27/68	27/69
Standerton.....	28/68	28/69
Val.....	29/68	29/69
Ventersdorp.....	30/68	30/69
Vermaas.....	31/68	31/69
Viljoenskroon.....	32/68	32/69
Vrede.....	33/68	33/69
Westminster.....	34/68	34/69
Suid-Afrikaanse Spoorweë en Hawens—		
Durban.....	35/68	35/69
Kaapstad.....	36/68	36/69
Moorreesburg.....	37/68	37/69
Oos-Londen.....	38/68	38/69

No. R. 2077 8 November 1968
REGULATIONS RELATING TO THE STANDARDS
OF COMPOSITION OF DAIRY PRODUCE

The State President has, under the powers vested in him by section 29 of the Dairy Industry Act, 1961 (No. 30 of 1961), made the regulations relating to the standards of composition of creamery butter, farm butter, certain classes and types of cheese, process cheese, cheese spread and butterfat (anhydrous), as set out in the Schedule hereto.

Government Notice No. R. 2071 of 11 December 1964, is hereby repealed.

SCHEDULE

1. In these regulations—

“fat” means the same as “butterfat” in section 1 of the Dairy Industry Act, 1961 (No. 30 of 1961);

“dry matter” means, in relation to cheese, process cheese or cheese spread, the residue of cheese, process cheese or cheese spread after the water has been removed therefrom.

2. Butter shall be a product exclusively derived from milk or cream and shall—

- (a) in the case of creamery butter contain—
 - (i) not less than 80 per cent of fat;
 - (ii) not more than 16 per cent of water; and
 - (iii) not more than 2 per cent milk-solids-not fat;

and may, in addition, contain table salt (sodium chloride), in proportion not exceeding 2 per cent, and harmless vegetable colouring matter.

- (b) in the case of farm butter contain;
 - (i) not less than 80 per cent of fat;
 - (ii) not more than 18 per cent of water;

and may, in addition, contain table salt (sodium chloride) and harmless vegetable colouring matter.

No. R. 2077 8 November 1968
REGULASIES MET BETREKKING TOT DIE
SAMESTELLINGSTANDAARDE VAN SUIWEL-
PRODUKTE

Die Staatspresident het, kragtens die bevoegdheid hom verleen by artikel 29 van die Wet op die Suiwelnywerheid, 1961 (No. 30 van 1961), die regulasies in die Bylae hiervan uiteengesit, gemaak met betrekking tot die samestellingstandaarde van fabrieksbutter, plaasbutter, sekere klasse en tipes kaas, proseskaas, smeerkas en bottervet (watervry).

Goewermenskennisgewing No. R. 2071 van 11 Desember 1964 word hierby herroep.

BYLAE

1. In hierdie regulasies beteken—

„droëstof”, met betrekking tot kaas, proseskaas en smeerkas, die residu van kaas, proseskaas of smeerkas nadat die water daaruit verwyder is;

„vet” dieselfde as „bottervet” in artikel 1 van die Wet op die Suiwelnywerheid, 1961 (No. 30 van 1961).

2. Butter is ’n produk wat uitsluitlik van melk of room verkry word en moet—

- (a) in die geval van fabrieksbutter—
 - (i) nie minder nie as 80 persent vet;
 - (ii) nie meer nie as 16 persent water; en
 - (iii) nie meer nie as 2 persent vetvrye vaste stowwe van melk;

bevat en mag daarbenewens tafelsout (natriumkloried), wat in verhouding 2 persent nie te bowe gaan nie, en skadelose plantaardige kleurstof, bevat.

- (b) in die geval van plaasbutter—
 - (i) nie minder nie as 80 persent vet; en
 - (ii) nie meer nie as 18 persent water;

bevat, en mag daarbenewens, tafelsout (natriumkloried) en skadelose plantaardige kleurstof, bevat.

3. (1) The classes and types of cheese hereinafter referred to, shall have a fat content as indicated in the following table:—

<i>Class or type of cheese</i>	<i>Minimum or maximum fat content as a percentage of the dry matter</i>
(a) Drakensberg.....	Minimum of 64%.
(b) Bel Paese, Cheddar, Cheshire, Gorgonzola, Gouda, Limburger, Roquefort, Stilton and any other class or type of cheese that is sold as "whole milk", "full fat" or "full cream" cheese...	Minimum of 48%.
(c) Brie, Caciocavallo, Camembert, Emmenthal, Gruyère, Provolone and Tilsiter	Minimum of 45%.
(d) Carré de l'Est, Coulommiers, Cumin 40+, Edam, Feta, Leyden 40+, Pont l'Evêque and Romadur.....	Minimum of 40%.
(e) Canestrato, Parmesan, Pecorino and Reggiano.....	Minimum of 32%.
(f) Cumin 20+ and Leyden 20+.....	Minimum of 20% and maximum of 40%.
(g) Cedara and any other class or type of cheese sold as "low fat" cheese....	Maximum of 20%.

(2) Cumin cheese shall be sold only as "Cumin 20+" or "Cumin 40+" and Leyden cheese shall be sold only as "Leyden 20+" or "Leyden 40+" as indicated in paragraphs (d) and (f) of the table in subregulation (1) and such cheese or the container thereof, or the label which may be attached thereto, shall be marked with the name under which it is so sold.

4. (1) Process cheese which is—

(a) principally manufactured from one or more of the classes or types of cheese referred to in paragraphs (a) and (b) of the table in regulation 3 (1);

(b) sold under or marked with a name which corresponds with the name of any class or type of cheese referred to in paragraphs (a) and (b) of the table in regulation 3 (1); or

(c) sold as "whole milk", "full fat" or "full cream" process cheese or marked with any of these words,

shall contain not less than 45 per cent of fat in the dry matter.

(2) Process cheese which is not so manufactured, so sold or so marked, shall be marked on the container thereof or on a label attached to such container, with particulars indicating the fat content thereof as a percentage of the dry matter.

(3) Process cheese or cheese spread with a fat content of 20 per cent or more, in the dry matter, shall—

(a) in the case of process cheese, contain not less than 50 per cent of dry matter; and

(b) in the case of a cheese spread, contain not less than 40 per cent of dry matter.

(4) Process cheese or cheese spread with a fat content of less than 20 per cent in the dry matter, shall contain not less than 33 per cent of dry matter.

5. Butterfat (anhydrous), also known as butteroil (anhydrous) and as Ghee, shall be a product exclusively obtained from butter or cream by removing practically the entire water and solids-not-fat content, and shall contain not less than 99.3 per cent of fat and not more than 0.5 per cent of water.

6. Where in these regulations or in the application thereof, the content of a substance in any particular product or ingredient thereof, is expressed as a percentage of such product or ingredient, such percentage shall be calculated on the basis of weight.

Note.—The regulations promulgated under the Food, Drugs and Disinfectants Act, 1929 (No. 13 of 1929), also prescribe requirements with which certain dairy products have to comply.

3. (1) Die hiernavermelde klasse en tipes kaas moet 'n vetinhoud hê soos aangedui in die volgende tabel:—

<i>Klas of tipe kaas</i>	<i>Minimum of maksimum vetinhoud as 'n persentasie van die droëstof</i>
(a) Drakensberg.....	Minimum van 64%.
(b) Bel Paese, Cheddar, Cheshire, Gorgonzola, Gouda, Limburger, Roquefort, Stilton en enige ander klas of tipe kaas wat as „volmelk-“, „volvet-“ of „volroom-“ kaas verkoop word.....	Minimum van 48%.
(c) Brie, Caciocavallo, Camembert, Emmenthal, Gruyère, Provolone en Tilsiter	Minimum van 45%.
(d) Carré de l'Est, Coulommiers, Edammer, Feta, Komyne 40+, Leidse 40+, Pont l'Evêque en Romadur.....	Minimum van 40%.
(e) Canestrato, Parmesaan, Pecorino en Reggiano.....	Minimum van 32%.
(f) Komyne 20+ en Leidse 20+.....	Minimum van 20% en maksimum van 40%.
(g) Cedara en enige ander klas of tipe kaas wat as „laevet-“ kaas verkoop word..	Maksimum van 20%.

(2) Komynekaas mag verkoop word alleen as „Komyne 20+“ of „Komyne 40+“ en Leidse kaas mag verkoop word alleen as „Leidse 20+“ of „Leidse 40+“ soos aangedui in paragrawe (d) en (f) van die tabel in subregulasie (1) en sodanige kaas of die houer daarvan, of die etiket wat daaraan geheg mag wees, moet gemerk wees met die naam waaronder dit aldus verkoop word.

4. (1) Proseskaas wat—

(a) vervaardig is hoofsaaklik van een of meer van die klasse of tipes kaas bedoel in paragrawe (a) en (b) van die tabel in regulasie 3 (1);

(b) verkoop word onder of gemerk is met 'n benaming wat ooreenstem met die benaming van 'n klas of tipe kaas bedoel in paragrawe (a) en (b) van die tabel in regulasie 3 (1); of

(c) verkoop word as „volmelk-“, „volvet-“, of „volroom-“ proseskaas of met enigeen van hierdie woorde gemerk is,

mag nie minder nie as 45 persent vet in die droëstof bevat.

(2) Proseskaas wat nie so vervaardig is, so verkoop word of so gemerk is nie, moet op die houer daarvan of op 'n etiket wat aan sodanige houer geheg is, gemerk word met gegewens wat die vetinhoud daarvan as 'n persentasie van die droëstof aantoon.

(3) Proseskaas of smeerkaas met 'n vetinhoud van 20 persent of meer in die droëstof, moet—

(a) in die geval van proseskaas nie minder nie as 50 persent droëstof bevat; en

(b) in die geval van smeerkaas, nie minder nie as 40 persent droëstof bevat.

(4) Proseskaas of smeerkaas met 'n vetinhoud van minder as 20 persent in die droëstof, moet nie minder nie as 33 persent droëstof bevat.

5. Bottervet (watervry), ook bekend as botterolie (water-vry) of as Ghee, is 'n produk wat uitsluitlik van botter of room verkry word deur nagenoeg die totale water- en vet-vryvastestofinhoud daaruit te verwyder en moet nie minder nie as 99.3 persent vet en nie meer nie as 0.5 persent water bevat.

6. Waar in hierdie regulasies of by die toepassing daarvan, die inhoud van 'n stof in 'n bepaalde produk of bestanddeel daarvan, uitgedruk word as 'n persentasie van sodanige produk of bestanddeel, word sodanige persentasie bereken op 'n gewigsgrondslag.

Nota.—Die regulasies uitgevaardig kragtens die Wet op Voedingsmiddels, Medisyne en Ontsmettingsmiddels, 1929 (No. 13 van 1929), skryf ook vereistes voor waaraan sekere suiwelprodukte moet voldoen.

DEPARTMENT OF COMMERCE

No. R. 2076 8 November 1968

PRICE CONTROL.—MAXIMUM PRICES OF MILK

I, Hendrik Johannes Philippus Lubbe Kruger, Deputy Price Controller, acting by virtue of the powers conferred on me by the Price Controller under section 3 of the Price Control Act, 1964 (No. 25 of 1964), do hereby amend, in terms of section 4 of the said Act, with effect from the date of publication hereof, the maximum prices of milk, published by Government Notice No. R. 981 of 24 June 1966, as amended, as set out in the Schedule hereto.

H. J. P. L. KRUGER,
Deputy Price Controller.

SCHEDULE

The Schedule to Government Notice No. R. 981 of 24 June 1966, as amended, is hereby further amended by the substitution for clause 4 under the heading "Part C—Port Elizabeth" of the following clause:—

- "4. Milk sold in cartons:—
(a) In half-pint cartons: 5c per half-pint.
(b) In pint cartons: 8½c per pint."

DEPARTMENT OF CUSTOMS AND EXCISE

No. R. 2041 8 November 1968

CUSTOMS AND EXCISE ACT, 1964.—AMENDMENT OF REGULATIONS (No. MR/19)

I, Jan Friedrich Wilhelm Haak, Acting Minister of Finance, acting in terms of the powers vested in me by section 120 of the Customs and Excise Act, 1964, hereby amend Government Notice No. R. 555 of the 13th April 1966, by the substitution for regulation 4.01.04 of the following:—

- "4.01.04. Different premises, stores, vessels, tanks, yards or other places on a single site, or on more than one site approved by the Secretary, may be licensed as a single customs and excise storage warehouse or a single customs and excise manufacturing warehouse in the name of one licensee."

J. F. W. HAAK,
Acting Minister of Finance.

Note.—The effect of this notice is that the Secretary may license different premises, etc., on more than one site as a single customs and excise storage or manufacturing warehouse in the name of one licensee.

No. R. 2064 8 November 1968

CUSTOMS AND EXCISE ACT, 1964.—AMENDMENT OF RULES (No. DAR/11)

I, Dirk Johannes van Niekerk Groenewald, Secretary for Customs and Excise, acting in terms of the powers vested in me by section 6 of the Customs and Excise Act, 1964, hereby amend the Schedule to Government Notice No. R. 556 of the 13th April 1966, by the substitution in paragraph 7 for the "Note" under "Cape Town" of the following:—

"**Note.*—These gates are open as follows:—

Ebenezer Road Gate, on weekdays only, except public holidays.

DEPARTEMENT VAN HANDEL

No. R. 2076 8 November 1968

PRYSBEHEER.—MAKSIMUM PRYSE VAN MELK

Ek, Hendrik Johannes Philippus Lubbe Kruger, Adjunk-pryskontroleur, handelende kragtens die bevoegdheid my deur die Pryskontroleur verleen by artikel 3 van die Wet op Prysbeheer, 1964 (No. 25 van 1964), wysig hierby, ingevolge artikel 4 van die genoemde Wet, met ingang van datum van publikasie hiervan, die maksimum pryse van melk, afgekondig by Goewermentskennisgewing No. R. 981 van 24 Junie 1966, soos gewysig, soos in die Bylae hiervan uiteengesit.

H. J. P. L. KRUGER,
Adjunk-pryskontroleur.

BYLAE

Die Bylae van Goewermentskennisgewing No. R. 981 van 24 Junie 1966, soos gewysig, word hierby verder gewysig deur klousule 4 onder die opskrif „Deel C—Port Elizabeth” deur die volgende klousule te vervang:—

- „4. Melk in kartonhouers verkoop:—
(a) In halfpinthouers: 5c per halfpint.
(b) In pinthouers: 8½c per pint."

DEPARTEMENT VAN DOEANE EN AKSYNS

No. R. 2041 8 November 1968

DOEANE- EN AKSYNSWET, 1964.—WYSIGING VAN REGULASIES (No. MR/19)

Ek, Jan Friedrich Wilhelm Haak, Waarnemende Minister van Finansies, handelende kragtens die bevoegdheid my verleen by artikel 120 van die Doeane- en Aksynswet, 1964, wysig hierby Goewermentskennisgewing No. R. 555 van 13 April 1966 deur regulasie 4.01.04 deur die volgende te vervang:—

- „4.01.04. Verskillende persele, pakkamers, bevatters, tenks, werwe of ander plekke op 'n enkele standplaas, of op meer as een standplaas deur die Sekretaris goedgekeur, kan as 'n enkele doeane-en-aksynsopslagpakhuis of 'n enkele doeane-en-aksynsvervaardigingspakhuis in die naam van een lisensiehouer gelisensieer word."

J. F. W. HAAK,
Waarnemende Minister van Finansies.

Opmerking.—Die uitwerking van hierdie kennisgewing is dat die Sekretaris verskillende persele, ens., op meer as een standplaas as 'n enkele doeane-en-aksynsopslag- of -vervaardigingspakhuis in die naam van een lisensiehouer kan lisensieer.

No. R. 2064 8 November 1968

DOEANE- EN AKSYNSWET, 1964.—WYSIGING VAN REËLS (No. DAR/11)

Ek, Dirk Johannes van Niekerk Groenewald, Sekretaris van Doeane en Aksyns, handelende kragtens die bevoegdheid my verleen by artikel 6 van die Doeane- en Aksynswet, 1964, wysig hierby die Bylae by Goewermentskennisgewing No. R. 556 van 13 April 1966 deur in paragraaf 7 die „Opmerking” onder „Kaapstad” deur die volgende te vervang:—

„**Opmerking.*—Hierdie hekke is soos volg oop:—

Ebenezerweg-hek, alleenlik op weekdae, uitgesonderd openbare vakansiedae.

Monday to Friday, from 7 a.m. to 10 p.m.
Saturday, from 7 a.m. to 2 p.m.

North Gate.

Monday to Friday, from 5.30 a.m. to 10 p.m.
Saturday and Sunday, from 5.30 a.m. to 6.30 p.m.

Pirow Street Gate, on weekdays only, except public holidays.

Monday to Friday, from 7 a.m. to 6 p.m.
Saturday, from 7 a.m. to 2 p.m."

D. J. v. N. GROENEWALD,
Secretary for Customs and Excise.

Note.—The amended times during which North Gate will be open, are indicated.

DEPARTMENT OF INDIAN AFFAIRS.

No. R. 2034. 8 November 1968.

REGULATIONS IN TERMS OF THE DISABILITY GRANTS ACT, 1968

Under and by virtue of the powers vested in me by section 15 of the Disability Grants Act, 1968 (Act No. 27 of 1968), I, Frank Walter Waring, Minister of Indian Affairs, in so far as the administration of the Act has been assigned to me by Proclamation No. R. 289 of 1968, hereby—

(a) make the regulations set out in the accompanying schedule;

(b) determine that the regulations shall come into operation on 1 October 1968.

F. W. WARING,
Minister of Indian Affairs.

SCHEDULE

REGULATIONS MADE BY THE MINISTER OF INDIAN AFFAIRS UNDER SECTION 15 OF THE DISABILITY GRANTS ACT, 1968 (ACT No. 27 OF 1968), IN SO FAR AS THE ADMINISTRATION OF THE ACT HAS BEEN ASSIGNED TO HIM

Definitions

1. In these regulation, unless the context otherwise indicates, any term to which a meaning has been assigned by section 1 of the Disability Grants Act, shall bear that meaning and—

- (i) "section" means a section of the Act;
- (ii) "the Act", means the Disability Grants Act, 1968;
- (iii) "Minister" means the Minister of Indian Affairs;
- (iv) "Secretary" means the Secretary for Indian Affairs.

Application for a Disability Grant

2. (1) Application for a disability grant shall be made in the district in which the applicant resides permanently and in the form approved by the Secretary, and such form must be signed in the presence of an officer, in the service of the Department of Indian Affairs or of the Department of Social Welfare and Pensions, or the district pension officer, or one of his officers, hereinafter referred to as the attesting officer by (a) the applicant or (b) any person authorised to act on his behalf if the applicant is physically and mentally incapable of signing such form.

(2) When applying for a disability grant, the applicant shall furnish a full and true statement in such manner as the Secretary may require of all his own income, assets and liabilities and those of his spouse.

Maandag tot Vrydag, van 7 vm. tot 10 nm.
Saterdag, van 7 vm. tot 2 nm.

Noordhek.

Maandag tot Vrydag, van 5.30 vm. tot 10 nm.
Saterdag en Sondag, van 5.30 vm. tot 6.30 nm.

Pirowstraat-hek, alleenlik op weekdae, uitgesonderd openbare vakansiedae.

Maandag tot Vrydag, van 7 vm. tot 6 nm.
Saterdag, van 7 vm. tot 2 nm."

D. J. v. N. GROENEWALD,
Sekretaris van Doeane en Aksyns.

Opmerking.—Die veranderde tye waartydens Noordhek oop sal wees, word aangedui.

DEPARTEMENT VAN INDIËRSAKE

No. R. 2034 8 November 1968

REGULASIES KRAGTENS DIE WET OP ONGESKIKTHEIDSTOELAES, 1968

Ek, Frank Walter Waring, Minister van Indiërsake, handelende kragtens die bevoegdheid my verleen by artikel 15 van die Wet op Ongeskiktheidstoelaes, 1968 (Wet No. 27 van 1968), vir sover die uitvoering van die Wet by Proklamasie No. R. 289 van 1968 aan my opgedra is—

(a) vaardig hierby die regulasies uit in die bygaande Bylae uiteengesit;

(b) bepaal hierby dat die regulasies op 1 Oktober 1968 in werking tree.

F. W. WARING,
Minister van Indiërsake.

BYLAE

REGULASIES UITGEVAARDIG DEUR DIE MINISTER VAN INDIËRSAKE, HANDELENDE KRAGTENS ARTIKEL 15 VAN DIE WET OP ONGESKIKTHEIDSTOELAES, 1968 (WET No. 27 VAN 1968), VIR SOVER HY MET DIE UITVOERING VAN DIE WET BELAS IS

Woordomskrywing

1. In hierdie regulasies, tensy uit die samehang anders blyk, het 'n uitdrukking waaraan die Wet op Ongeskiktheidstoelaes by artikel 1 'n betekenis heg, daardie betekenis en beteken—

- (i) „artikel” 'n artikel van die Wet;
- (ii) „die Wet” die Wet op Ongeskiktheidstoelaes, 1968;
- (iii) „Minister” die Minister van Indiërsake;
- (iv) „Sekretaris” die Sekretaris van Indiërsake.

Aansoek om Ongeskiktheidstoelae

2. (1) Aansoek om 'n ongeskiktheidstoelae moet gedoen word in die distrik waarin die applikant permanent woonagtig is en in 'n vorm soos deur die Sekretaris goedgekeur, en sodanige vorm moet in die teenwoordigheid van 'n beampte in die diens van die Departement van Indiërsake, of van die Departement van Volkswelsyn en Pensioene, of die distrikspensioenbeampte, of een van sy beamptes hieronder genoem die attesterende beampte, onderteken word (a) deur die applikant, of (b) indien die applikant fisies of geestelik nie in staat is om sodanige vorm te onderteken nie, deur 'n persoon wat gemagtig is om namens hom op te tree.

(2) Wanneer 'n applikant om 'n ongeskiktheidstoelae aansoek doen, moet hy op die wyse wat die Sekretaris vereis, 'n volledige en ware opgawe van al sy inkomste, bates en laste en dié van sy eggenote verstrek.

(3) Where both a husband and his wife apply, separate application forms shall be completed and in both cases a statement of income, assets and liabilities of both the husband and the wife shall be furnished.

(4) The district pension officer shall refer an applicant for a disability grant to a district surgeon for medical examination. Every district surgeon who examines an applicant for a disability grant at the request of a district pension officer shall complete a medical certificate on a form approved by the Secretary for the purpose and forward it as soon as possible to the district pension officer: Provided that if the district pension officer considers that any applicant should undergo hospital treatment, the following procedure shall be followed:—

(a) A form as prescribed by the Secretary, duly signed by the district pension officer shall be forwarded to the district surgeon.

(b) The district surgeon may if he deems it necessary, forward such form, duly signed by him, to the Superintendent of the hospital to which the applicant should in his opinion be admitted for a report in a form as required by the Secretary.

(c) The Superintendent shall return both forms, duly signed, to the district surgeon, on receipt of which the latter shall return it to the district pension officer together with the medical report.

(5) The district pension officer shall after such enquiry as he may deem necessary forward the application together with the report of the district surgeon, all the information at his disposal in connection therewith and his report thereon to the Secretary and shall in any case where the Secretary so requires make such further enquiry and furnish to the Secretary such further information as the Secretary may direct.

Persons Entitled to a Disability Grant

3 Applications shall be supported by evidence and information as to—

(a) *Age*.—Evidence in regard to age shall be in the form of either a birth or a baptismal certificate: Provided that if the Secretary is satisfied that neither a birth nor a baptismal certificate is obtainable, he may determine the age of an applicant according to any such other documentary evidence as may satisfy him: Provided further that if such documentary evidence is not available, the Secretary may determine the age by virtue of a certificate furnished by a district pension officer to the effect that as a result of a personal enquiry he is satisfied that the applicant has attained a certain age.

(b) *Nationality*.—Any person who claims to have become a South African citizen—

(i) by registration of naturalisation shall produce a registration or naturalisation certificate, as the case may be, or, if unable to produce such certificate, he shall furnish information as to the date and place of registration or naturalisation; or

(ii) otherwise than by registration or naturalisation may be called upon to produce such evidence of such citizenship as will satisfy the Secretary.

(c) *Residence*.—Proof of residence may be required in such form as will satisfy the Secretary.

(3) Wanneer sowel 'n man as sy vrou aansoek doen, moet afsonderlike aansoekvorms ingevul word en in albei gevalle moet 'n opgawe van die inkomste, bates en laste van sowel die man as die vrou verstrek word.

(4) Die distrikspensioenbeamppte moet 'n applikant om 'n ongeskiktheidstoelae na 'n distriksgeneesheer vir mediese ondersoek verwys. Elke distriksgeneesheer wat 'n applikant vir 'n ongeskiktheidstoelae ondersoek op versoek van 'n distrikspensioenbeamppte, moet 'n geneeskundige sertifikaat, op 'n vorm soos deur die Sekretaris vir die doel goedgekeur, invul en dit so gou moontlik aan die distrikspensioenbeamppte stuur: Met dien verstande dat as die distrikspensioenbeamppte van mening is dat 'n applikant hospitaalbehandeling moet ondergaan, die volgende prosedure gevolg moet word:—

(a) 'n Vorm soos deur die Sekretaris bepaal, behoorlik deur die distrikspensioenbeamppte onderteken, moet aan die distriksgeneesheer gestuur word.

(b) Die distriksgeneesheer kan, as hy dit nodig ag, die vorm behoorlik deur hom onderteken, aan die Superintendent van die hospitaal waarin die applikant na sy mening opgeneem moet word, stuur vir 'n verslag in 'n vorm soos deur die Sekretaris bepaal.

(c) Die Superintendent moet albei vorms, behoorlik ondergeteken, aan die distriksgeneesheer terugstuur na ontvangs waarvan laasgenoemde dit, tesame met die geneeskundige verslag, aan die distrikspensioenbeamppte moet terugstuur.

(5) Die distrikspensioenbeamppte moet na die ondersoek wat hy nodig ag, die aansoek, tesame met die verslag van die distriksgeneesheer, alle inligting tot sy beskikking in verband daarmee en sy verslag daaroor aan die Sekretaris stuur en moet in enige geval waar die Sekretaris dit vereis, die verdere ondersoek instel en die verdere inligting aan die Sekretaris verstrek wat hy gelas.

Persone Geregtig op 'n Ongeskiktheidstoelae

3. Aansoeke moet gestaaf word deur getuienis en inligting aangaande—

(a) *Ouderdom*.—Bewys van ouderdom moet in die vorm van of 'n geboortesertifikaat of 'n doopseël wees: Met dien verstande dat indien die Sekretaris daarvan oortuig is dat nóg 'n geboortesertifikaat nóg 'n doopseël verkrygbaar is, hy die ouderdom van 'n applikant kan bepaal volgens enige ander dokumentêre bewys wat hy as bevredigend beskou: Met dien verstande voorts dat, indien sodanige dokumentêre bewys nie beskikbaar is nie, die Sekretaris die ouderdom kan bepaal op grond van 'n sertifikaat verstrek deur 'n distrikspensioenbeamppte ten effekte dat hy as gevolg van 'n persoonlike ondersoek, oortuig is dat die applikant 'n sekere ouderdom bereik het.

(b) *Nasionaliteit*.—'n Persoon wat daarop aanspraak maak dat hy 'n Suid-Afrikaanse burger—

(i) deur registrasie of naturalisasie geword het, moet 'n registrasie- of naturalisasiesertifikaat, na gelang van die geval, voorlê, of indien hy nie in staat is om sodanige sertifikaat voor te lê nie, moet hy inligting verstrek aangaande die datum en plek van registrasie of naturalisasie; of

(ii) op 'n ander wyse as deur registrasie of naturalisasie geword het, kan aangesê word om die bewyse van sodanige burgerskap voor te lê wat vir die Sekretaris oortuigend is.

(c) *Verblyf*.—Bewys van verblyf kan vereis word in die vorm wat vir die Sekretaris aanvaarbaar is.

Powers and Duties of the Secretary and of District Pension Officers

4. (1) Any person who has applied shall, when requested to do so, attend personally before the district pension officer to give evidence and furnish information in connection with his application.

(2) The Secretary or the district pension officer or any other officer authorised by either of them may call upon the applicant or any other person by letter to produce any evidence in any form relative to any application for a disability grant.

(3) The Secretary or the district pension officer may at his discretion accept the following as testimony for or against an application:

(a) An affidavit or a sworn or attested declaration made by a person who therein declares to what he knows of his own knowledge to be true; or

(b) Any other documentary evidence.

(4) Every district pension officer, shall keep a record of all applications for a disability grant received by him.

Date of Application for Disability Grant

5. The date on which a completed application form is signed by the applicant before an attesting officer shall be deemed to be the date of application.

Consideration of application for Disability Grant and date of Accrual of Grant

6. (1) In deciding whether a grant should be granted, cancelled, reduced or increased or when determining the amount of a grant, the Secretary shall take into account—

(a) the ability and opportunities of an applicant or grantee to support himself or contribute towards his support by his own exertions; and

(b) the ability of the spouse of an applicant or grantee to support him or to contribute towards his support.

(2) If the Secretary determines that an applicant should receive a grant, payment of the grant shall be made with effect from a date determined by him: Provided that it shall not be a date prior to the first day of the month in which application therefor has been made.

Determination of Amount of Grant and Persons Not Entitled to Grant

7. (1) The disability grant awarded to any person in terms of section 2 of the Act shall, subject to the provisions of this regulation, be of such an amount as the Secretary with due regard to the circumstances of the applicant and his spouse deems reasonable and sufficient, but shall not exceed R72 per annum.

(2) In addition to the disability grant provided for in regulation 7 (1) there shall be paid to any person granted a disability grant in terms of section 2 of the Act an additional allowance of R108 per annum.

(3) No disability grant awarded under section 2 of the Act shall be at such a rate as will make the grantee's income or means together with the grant exceed R168 per annum.

(4) For the purposes of subregulation (3), income or means shall be deemed to exclude—

(a) any benefit paid to any person in terms of the Act, the Blind Persons Act, 1968, the War Veterans' Pensions Act, 1968, or the Aged Persons Act, 1967;

Bevoegdheid en Pligte van die Sekretaris en van Distrikspensioenbeamptes

4. (1) 'n Persoon wat aansoek gedoen het moet, wanneer hy versoek word om dit te doen, persoonlik voor die distrikspensioenbeampte verskyn om getuienis af te lê en inligting te verstrek in verband met sy aansoek.

(2) Die Sekretaris of distrikspensioenbeampte, of enige ander beampte wat deur enigeen van hulle gemagtig is, kan die applikant of enige ander persoon per brief aansê om enige getuienis in enige vorm in verband met 'n aansoek om ongeskiktheidstoelae voor te lê.

(3) Die Sekretaris of die distrikspensioenbeampte kan, na goeë dunde, as getuienis vir of teen 'n aansoek, die volgende aanneem:—

(a) 'n Beëdigde of geattesteerde verklaring afgelê deur 'n persoon wat daarin verklaar dat wat hy uit eie kennis weet, waar is; of

(b) enige ander dokumentêre bewys.

(4) Elke distrikspensioenbeampte moet aantekening hou van al die aansoeke om 'n ongeskiktheidstoelae deur hom ontvang.

Datum van Aansoek om Ongeskiktheidstoelae

5. Die datum waarop 'n voltooid aansoekvorm deur die applikant voor die attesterende beampte onderteken is, word geag die datum van aansoek te wees.

Oorweging van Aansoek om en Toevallingsdatum van Ongeskiktheidstoelae

6. (1) By 'n beslissing oor die vraag of 'n toelae toegeken, ingetrek, verminder of verhoog moet word, of oor die bedrag van 'n toelae, hou die Sekretaris rekening met—

(a) die vermoë en geleenthede van 'n applikant of begiftigde om deur eie inspanning homself te onderhou of tot sy onderhoud by te dra; en

(b) die vermoë van die eggenote van die applikant of begiftigde om hom te onderhou of tot sy onderhoud by te dra.

(2) Indien die Sekretaris bepaal dat 'n toelae aan 'n applikant betaal behoort te word, is die toelae betaalbaar vanaf 'n datum deur hom bepaal: Met dien verstande dat dit nie 'n datum mag wees voor die eerste dag van die maand waarin aansoek daarom gedoen is nie.

Vasstelling van Bedrag van Ongeskiktheidstoelae en Persone nie op Toelae Geregtig nie

7. (1) Die ongeskiktheidstoelae aan 'n persoon toegeken kragtens artikel 2 van die Wet, beloop, behoudens die bepalinge van hierdie regulasie, 'n bedrag wat die Sekretaris met inagneming van die applikant en sy eggenote se omstandighede redelik en voldoende ag, maar mag R72 per jaar nie te bowe gaan nie.

(2) Benewens die ongeskiktheidstoelae waarvoor in regulasie 7 (1) voorsiening gemaak word, word daar aan enige persoon aan wie 'n ongeskiktheidstoelae ingevolge artikel 2 van die Wet toegeken word, 'n bykomende toelae van R108 per jaar betaal.

(3) 'n Ongeskiktheidstoelae word nie kragtens artikel 2 van die Wet toegeken teen so 'n skaal dat die begiftigde se inkomste of middele tesame met die ongeskiktheidstoelae meer sal bedra nie as R168 per jaar.

(4) By die toepassing van subregulasie (3) word inkomste of middele nie geag in te sluit nie—

(a) enige voordeel wat ingevolge die Wet, die Wet op Blindes, 1968, die Wet op Oudstryderspensioene, 1968 of die Wet op Bejaarde Persone, 1967, aan 'n persoon betaal word;

(b) any allowance granted in terms of any regulation made under section 92 (1) (k) of the Children's Act, 1960, in the form of a contribution towards the maintenance of any person referred to in section 89 (1) (c) of that Act.

(5) (a) No disability grant shall be payable under the Act to any person in receipt of a pension in terms of the Aged Persons Act, 1967 (Act No. 81 of 1967), the War Veterans' Pensions Act, 1968 (Act No. 25 of 1968), or the Blind Persons Act, 1968 (Act No. 26 of 1968), or if a grant is being paid in respect of him under regulation 33 (1) (a) of the regulations published under the Children's Act, 1960 (Act No. 33 of 1960), or if he is otherwise cared for by virtue of any action taken under that Act; or

(b) if he is required by law to attend any school; or

(c) in the case of a married woman, if she is in the opinion of the Secretary being adequately supported by her husband, whether or not she usually lives with him: Provided that a married woman whose husband is in receipt of a pension under the Aged Persons Act, 1967, or the Blind persons Act, 1968, or a war veteran's pension under the War Veterans' Pensions Act, 1968, or a grant under the Act shall be deemed not to be adequately supported by her husband; or

(d) if he is being maintained at the public expense in any prison, work colony, leper institution, mental hospital, institution for the feeble-minded or other institution maintained by the State; or

(e) if on grounds deemed by the Secretary to be inadequate he refuses to submit himself to medical examination or treatment deemed necessary by a district surgeon with a view to determining the degree of his alleged disability: Provided that refusal to undergo treatment that is dangerous to life or that may endanger life shall not be deemed to be refusal on inadequate grounds; or

(f) if for reasons which the Secretary considers to be inadequate he neglects or refuses to register himself at a labour bureau or to remain in communication with such bureau in accordance with the requirements of the district pension officer; or

(g) if for reasons which the Secretary considers to be inadequate he refuses to accept any employment which is within his capacity and suitable to his circumstances and from which he could derive the means to support himself properly.

Attendant's Allowance

8. (1) If in the opinion of the Secretary the physical or mental condition of a person to whom a disability grant has been made under the Act necessitates the regular attendance of another person, he may, on such conditions as he may determine, in addition to the said grant to the grantee or any person on his behalf an attendant's allowance not exceeding R60 per annum.

(2) An allowance under subregulation (1) shall accrue as from a date determined by the Secretary: Provided that it shall not be a date prior to the first day of the month in which the Secretary finds that the physical or mental condition of the grantee concerned is such as to necessitate the regular attendance of another person.

(b) enige toelae wat ingevolge 'n regulasie uitgevaardig kragtens artikel 92 (1) (k) van die Kinderwet, 1960, by wyse van 'n bydrae tot die onderhoud van 'n persoon in artikel 89 (1) (c) van daardie Wet bedoel, toegeken is.

(5) (a) Geen ongeskiktheidstoelae word kragtens die Wet betaal nie aan 'n persoon wat 'n pensioen ontvang kragtens die Wet op Bejaarde Persone, 1967 (Wet No. 81 van 1967), die Wet op Oudstryderspensioene, 1968 (Wet No. 25 van 1968), of die Wet op Blindes, 1968 (Wet No. 26 van 1968), of indien 'n toelae ten opsigte van hom betaal word kragtens regulasie 33 (1) (a) van die regulasies gepubliseer kragtens die Kinderwet, 1960 (Wet No. 33 van 1960), of indien daar andersins vir hom gesorg word uit hoofde van stappe kragtens daardie Wet gedoen; of

(b) indien hy volgens wet verplig is om 'n skool by te woon; of

(c) in die geval van 'n getroude vrou, indien sy volgens die oordeel van die Sekretaris behoorlik deur haar eggenoot onderhou word, hetsy sy gewoonlik met hom saamwoon al dan nie: Met dien verstande dat 'n getroude vrou wie se eggenoot 'n pensioen ingevolge die Wet op Bejaarde Persone, 1967, of die Wet op Blindes, 1968, of 'n Oudstryderspensioen ingevolge die Wet op Oudstryderspensioene, 1968, of 'n toelae ingevolge die Wet ontvang, geag word nie behoorlik deur haar eggenoot onderhou te word nie; of

(d) indien hy op staatskoste onderhou word in 'n gevangenis, werkkolonie, leprosegestig, hospitaal vir siel-siekes, inrigting vir swaksinniges of ander inrigting wat deur die Staat in stand gehou word; of

(e) indien hy op gronde wat die Sekretaris onvoldoende beskou, weier om hom te onderwerp aan geneeskundige ondersoek of behandeling wat 'n distriksgeneesheer nodig ag ten einde die mate van sy beweerde ongeskiktheid vas te stel: Met dien verstande dat 'n weiering om sodanige behandeling wat lewensgevaarlik is of mag wees, te ondergaan, nie geag word op onvoldoende gronde te berus nie; of

(f) indien hy om redes wat die Sekretaris onvoldoende beskou, versuim of weier om hom volgens voorskrif van die distrikspensioenbeampte by 'n arbeidsburo te laat registreer en met daardie buro in verbinding te bly; of

(g) indien hy om redes wat die Sekretaris onvoldoende beskou, weier om werk te aanvaar wat binne sy vermoë is en by sy omstandighede pas en waaruit hy die middele sou kon verkry het wat nodig is ten einde hom in staat te stel om behoorlik in sy eie onderhoud te voorsien.

Toelae vir Oppassers

8. (1) Indien die Sekretaris oordeel dat 'n persoon aan wie 'n ongeskiktheidstoelae ingevolge die Wet toegeken is, in so 'n liggaamlike of geestestoestand verkeer dat hy gereeld deur iemand anders opgepas moet word, kan hy, op die voorwaardes wat hy bepaal, benewens bedoelde ongeskiktheidstoelae, aan die begiftigde of aan iemand anders ten behoeve van hom, 'n oppasserstoelae toeken wat nie meer bedra nie as R60 per jaar.

(2) 'n Toelae ingevolge subregulasie (1) val toe vanaf 'n datum deur die Sekretaris bepaal: Met dien verstande dat dit nie 'n datum mag wees voor die eerste dag van die maand waarin die Sekretaris bevind dat die betrokke begiftigde in so 'n liggaamlike of geestestoestand verkeer dat hy gereeld deur iemand anders opgepas moet word nie.

Cancellation or Variation of a Grant

9. (1) The Secretary may at any time review a disability grant and if he is satisfied—

(a) that a disability grant should be cancelled, reduced or increased, he may with due regard to the circumstances of each case—

(i) cancel such disability grant; or

(ii) reduce or increase such disability grant with effect from such date, including any date in the past, as he may determine;

(b) that a disability grant which has been cancelled should be restored, he may restore such disability grant in conformity with the provisions of regulation 7 with effect from the first day of the month in which the disability grant should in his opinion be so restored or have been so restored.

(2) If application is made for the increase of a disability grant and the Secretary is satisfied that such disability grant should be increased, he may increase the grant in conformity with the provisions of regulation 7 with effect from the first day of the month in which such application is made: Provided that if such application is made within a period of 60 days of the date on which, in the opinion of the Secretary, the grantee concerned became qualified to receive such increase, the Secretary may increase the disability grant with effect from the month in which the grantee became so qualified.

(3) When a grantee dies, the Secretary may pay his grant up to the last day of the month in which he died to any other person who in the opinion of the Secretary can claim that he incurred expenditure on the maintenance and/or care of the deceased or incurred deathbed or funeral expenses.

Payment of Disability Grants to Persons Detained and Maintained in State or State-Aided Institution

10. If a grantee is at any time being compulsorily maintained and detained at public expense in a leper institution, a mental institution, an institution for the feeble-minded or a prison or other State institution or in terms of an order of court in a State-aided institution, no disability grant shall be payable to him from the first day of the month immediately following the month in which his detention and maintenance therein commence to the last day of the month immediately preceding the month in which he ceases to be so detained and maintained: Provided that the Secretary may order that his disability grant or a portion thereof may be paid for any part of the period for which such person is so detained and he may pay such grant or any portion thereof to any other person or to the management of the institution concerned for the purpose of the disbursing it on behalf of the grantee.

Appeal to the Minister

11. Any applicant or grantee who is dissatisfied with the decision or action of the Secretary may appeal in writing through the Secretary to the Minister within 90 days of the date of the letter in which the Secretary informed him of the decision or action appealed against.

Payment of Disability Grants

12. (1) Disability grants shall be paid monthly by the Secretary in such manner as he may deem expedient and on such days as he may determine.

Intrekking of Verandering van Ongeskiktheidstoelae

9. (1) Die Sekretaris kan 'n ongeskiktheidstoelae te eniger tyd hersien en as hy oortuig is—

(a) dat 'n ongeskiktheidstoelae ingetrek, verminder of verhoog behoort te word, kan hy, met behoorlike inagneming van die omstandighede van elke geval—

(i) die ongeskiktheidstoelae intrek; of

(ii) die ongeskiktheidstoelae verminder of verhoog, met ingang van die datum, met inbegrip van 'n datum in die verlede, wat hy bepaal;

(b) dat 'n ongeskiktheidstoelae wat ingetrek is, herstel behoort te word, kan hy die ongeskiktheidstoelae in ooreenstemming met die bepalings van regulasie 7 herstel met ingang van die eerste dag van die maand waarin die ongeskiktheidstoelae volgens sy oordeel aldus herstel behoort te word of moes gewees het;

(2) Indien om verhoging van 'n ongeskiktheidstoelae aansoek gedoen word en die Sekretaris oortuig is dat die ongeskiktheidstoelae verhoog behoort te word, kan hy die ongeskiktheidstoelae in ooreenstemming met die bepalings van regulasie 7 verhoog met ingang van die eerste dag van die maand waarin aansoek gedoen word: Met dien verstande dat indien die aansoek gedoen word binne 'n tydperk van 60 dae vanaf die datum waarop die betrokke begiftigde volgens die Sekretaris se oordeel aan die vereistes vir die verhoging voldoen het, die Sekretaris die ongeskiktheidstoelae kan verhoog met ingang van die maand waarin die begiftigde aldus voldoen het.

(3) Wanneer 'n begiftigde te sterwe kom, kan die Sekretaris sy ongeskiktheidstoelae betaal tot die laaste dag van die maand waarin hy te sterwe kom, aan enige persoon wat volgens die Sekretaris se mening daarop aanspraak het dat hy koste aangegaan het ten opsigte van die oorledene se lewensonderhoud en/of versorging of uitgawes aangegaan het vir sterfbed- of begrafniskoste.

Betaling van Ongeskiktheidstoelae aan Persone wat in Staats- of Staatsondersteunde Inrigtings Aangehou en Onderhou word

10. Indien 'n begiftigde te eniger tyd onder dwang aangehou en op Staatskoste onderhou word in 'n gestig vir melaatses, swaksinniges of kranksinniges of 'n gevangenis of ander Staatsinrigting of kragtens 'n hofbevel in 'n Staatsondersteunde inrigting, is vanaf die eerste dag van die maand onmiddellik na die maand waarin sy aanhouding en onderhoud aldaar 'n aanvang neem, tot die laaste dag van die maand onmiddellik voor die maand waarin sy aanhouding en onderhoud ten einde loop, geen toelae aan hom betaalbaar nie: Met dien verstande dat die Sekretaris kan gelas dat sy toelae of 'n gedeelte daarvan betaal kan word vir enige gedeelte van die tydperk wat so 'n persoon aldus aangehou word en kan hy so 'n toelae of enige gedeelte daarvan aan enige ander persoon of aan die bestuur van die betrokke inrigting betaal om dit namens die begiftigde te bestee.

Appel by Minister

11. Enige applikant of begiftigde wat ontevrede is met die beslissing of optrede van die Sekretaris, kan skriftelik, deur bemiddeling van die Sekretaris, appelleer hy die Minister binne 90 dae na die datum van die brief waarin die Sekretaris hom in kennis gestel het van die beslissing of optrede waarteen geappelleer word.

Betaling van Ongeskiktheidstoelae

12. (1) Ongeskiktheidstoelae word maandeliks deur die Sekretaris betaal op die wyse wat hy wenslik ag en op die dae wat hy bepaal.

(2) No authority given by the grantee to any other person to receive payment on his behalf of a disability grant shall be valid unless the Secretary has granted his permission in writing thereto.

ANNEXURE

SUBPOENA UNDER SECTION 5 OF THE
DISABILITY GRANTS ACT, 1968

Subpoena to appear before.....

To A.B.

You are hereby summoned to appear at.....
on the..... day of.....
19..... at..... o'clock
before..... to give evidence respecting
.....*, and you are required
to bring with you.....

Given under my hand this.....
day of..... 19.....

†.....

* If the person summoned is required to produce any book, record or documents, fill in a description thereof; otherwise strike out these words.

† Specify designation of issuing officer.

No. R. 2035 8 November 1968
REGULATIONS IN TERMS OF THE WAR VETE-
RANS' PENSIONS ACT, 1968

Under and by virtue of the powers vested in me by section 15 of the War Veterans' Pension Act, 1968 (Act No. 25 of 1968), I, Frank Walter Waring, Minister of Indian Affairs, in so far as the administration of the Act has been assigned to me by Proclamation No. R. 287 of 1968, hereby—

(a) make the regulations set out in the accompanying Schedule;

(b) determine that the regulations shall come into operation on 1 October 1968.

F. W. WARING,
Minister of Indian Affairs.

SCHEDULE

REGULATIONS MADE BY THE MINISTER OF INDIAN AFFAIRS UNDER SECTION 15 OF THE WAR VETERANS' PENSIONS ACT, 1968 (ACT No. 25 OF 1968), IN SO FAR AS THE ADMINISTRATION OF THE ACT HAS BEEN ASSIGNED TO HIM

Definitions

1. In these regulations, unless the context otherwise indicates, any term to which a meaning has been assigned by section 1 of the War Veterans' Pensions Act shall bear that meaning and—

- (i) "section" means a section of the Act;
- (ii) "the Act" means the War Veterans' Pensions Act, 1968;
- (iii) "Minister" means the Minister of Indian Affairs;
- (iv) "Secretary" means the Secretary for Indian Affairs.

(2) Geen volmag deur 'n beëgtigde aan 'n ander gegee om namens hom betaling van 'n toelae te ontvang, is geldig nie, tensy die Sekretaris sy skriftelike toestemming daartoe verleen het.

AANHANGSEL

DAGVAARDING KRAGTENS ARTIKEL 5 VAN
DIE WET OP ONGESKIKTHEIDSTOELAES, 1968

Dagvaarding om te verskyn voor.....

Aan A.B.

U word hierby gedagvaar om te verskyn te.....
op die..... dag van..... 19.....
om..... uur, voor.....
om getuienis af te lê aangaande.....*
en daar word verlang dat u.....
..... met u saambring.

Gegee onder my hand op hede die.....
dag van..... 19.....

†.....

* Indien gedagvaarde 'n boek, aantekening of dokument moet voorlê, vul in beskrywing daarvan; so nie, moet hierdie woorde geskrap word.

† Meld hoedanigheid van uitreikende beampte.

No. R. 2035 8 November 1968
REGULASIES KRAGTENS DIE WET OP
OUDSTRYDERSPENSIOENE, 1968

Ek, Frank Walter Waring, Minister van Indiërsake, handelende kragtens die bevoegheid my verleen by artikel 15 van die Wet op Oudstryderspensioene, 1968 (Wet No. 25 van 1968), vir sover die uitvoering van die Wet by Proklamasie No. R. 287 van 1968 aan my opgedra is—

(a) vaardig hierby die regulasies uit in die bygaande Bylae uiteengesit;

(b) bepaal hierby dat die regulasies op 1 Oktober 1968 in werking tree.

F. W. WARING,
Minister van Indiërsake.

BYLAE

REGULASIES UITGEVAARDIG DEUR DIE MINISTER VAN INDIËRSAKE, HANDELENDE KRAGTENS ARTIKEL 15 VAN DIE WET OP OUDSTRYDERSPENSIOENE, 1968 (WET No. 25 VAN 1968), VIR SOVER HY MET DIE UITVOERING VAN DIE WET BELAS IS

Woordomskrywing

1. In hierdie regulasies, tensy uit die samehang anders blyk, het 'n uitdrukking waaraan die Wet op Oudstryderspensioene by artikel 1 'n betekenis heg, daardie betekenis en beteken—

- (i) „artikel” 'n artikel van die Wet;
- (ii) „die Wet” die Wet op Oudstryderspensioene, 1968;
- (iii) „Minister” die Minister van Indiërsake;
- (iv) „Sekretaris” die Sekretaris van Indiërsake.

Application for a War Veteran's Pension

2. (1) Application for a war veteran's pension shall be made in the district in which the applicant permanently resides and in the form approved by the Secretary, and such form shall be signed in the presence of an officer in the service of the Department of Indian Affairs or of the Department of Social Welfare and Pensions, or the district pension officer or one of his officers, hereinafter referred to as the attesting officer, by (a) the applicant, or (b) any person authorised to act on his behalf if the applicant is physically or mentally incapable of signing such form.

(2) When applying for a war veteran's pension, the applicant shall furnish a full and true statement in such manner as the Secretary may require of all his own income, assets and liabilities and those of his spouse.

(3) Where both a husband and his wife apply, separate application forms shall be completed and in both cases a statement of the income, assets and liabilities of both the husband and the wife shall be furnished.

(4) The district pension officer shall after such enquiry as he may deem necessary forward the application together with all the information at his disposal in connection therewith and his report thereon to the Secretary and shall in every case where the Secretary so requires make such further enquiry and furnish to the Secretary such further information as the Secretary may direct.

Persons Entitled to a War Veteran's Pension

3. Applications shall be supported by evidence and information as to:—

(a) *Age*.—Evidence in regard to age shall be in the form of either a birth or a baptismal certificate: Provided that if the Secretary is satisfied that neither a birth nor a baptismal certificate is obtainable, he may determine the age of an applicant according to any such other documentary evidence as may satisfy him: Provided further that if such documentary evidence is not available, the Secretary may determine the age by virtue of a certificate furnished by a district pension officer to the effect that as a result of personal enquiry he is satisfied that the applicant has attained a certain age.

(b) *Nationality*.—Any person who claims to have become a South African citizen—

(i) by registration or naturalisation shall produce a registration or naturalisation certificate, as the case may be, or, if unable to produce such certificate, he shall furnish information as to the date and place of registration or naturalisation; or

(ii) otherwise than by registration or naturalisation may be called to produce such evidence of such citizenship as will satisfy the Secretary.

(c) *Residence*.—Proof of residence may be required in such form as will satisfy the Secretary;

(d) *Veteranship*.—An applicant shall produce evidence to the satisfaction of the Secretary that he is a "war veteran" as defined in section 1 of the Act.

Powers and Duties of the Secretary and District Pension Officers

4. (1) Any person who has applied shall, when requested to do so, attend personally before the district pension officer to give evidence and furnish information in connection with his application.

Aansoek om Oudstryderspensioen

2. (1) Aansoek om 'n oudstryderspensioen moet gedoen word in die distrik waarin die applikant permanent woonagtig is en in 'n vorm soos deur die Sekretaris goedgekeur, en sodanige vorm moet in die teenwoordigheid van 'n beampte in die diens van die Departement van Indiërsake, of van die Departement van Volkswelsyn en Pensioene, of die distrikspensioenbeampte, of een van sy beamptes hieronder genoem die attesterende beampte, onderteken word (a) deur die applikant, of (b) indien die applikant fisies of geestelik nie in staat is om sodanige vorm te onderteken nie, deur 'n persoon wat gemagtig is om namens hom op te tree.

(2) Wanneer 'n applikant om 'n oudstryderspensioen aansoek doen, moet hy op die wyse wat die Sekretaris vereis, 'n volledige en ware opgawe van al sy inkomste, bates en laste en dié van sy eggenote verstrek.

(3) Wanneer sowel 'n man as sy vrou aansoek doen, moet afsonderlike aansoekvorms ingevul word en in albei moet 'n opgawe van inkomste, bates en laste van sowel die man as die vrou verstrek word.

(4) Die distrikspensioenbeampte moet na die ondersoek wat hy nodig ag, die aansoek, tesame met alle inligting tot sy beskikking in verband daarmee en sy verslag daaroor, aan die Sekretaris stuur, en moet in enige geval waar die Sekretaris dit vereis, die verdere ondersoek instel en die verdere inligting aan die Sekretaris verstrek wat hy gelas.

Persone Geregtig op 'n Oudstryderspensioen

3. Aansoeke moet gestaaf word deur getuienis en inligting aangaande—

(a) *Ouderdom*.—Bewys van ouderdom moet in die vorm van of 'n geboortesertifikaat of 'n doopseel wees: Met dien verstande dat indien die Sekretaris daarvan oortuig is dat nóg 'n geboortesertifikaat nóg 'n doopseel verkrygbaar is, hy die ouderdom van 'n applikant kan bepaal volgens enige ander dokumentêre bewys wat hy as bevredigend beskou: Met dien verstande voorts dat, indien sodanige dokumentêre bewys nie beskikbaar is nie, die Sekretaris die ouderdom kan bepaal op grond van 'n sertifikaat verstrek deur 'n distrikspensioenbeampte ten effekte dat hy as gevolg van 'n persoonlike ondersoek, oortuig is dat die applikant 'n sekere ouderdom bereik het.

(b) *Nasionaliteit*.—'n Persoon wat daarop aanspraak maak dat hy 'n Suid-Afrikaanse burger—

(i) deur registrasie of naturalisasie geword het, moet 'n registrasie- of naturalisasiesertifikaat, na gelang van die geval, voorlê, of indien hy nie in staat is om sodanige sertifikaat voor te lê nie, moet hy inligting verstrek aangaande die datum en plek van registrasie of naturalisasie; of

(ii) op 'n ander wyse as deur registrasie of naturalisasie geword het, kan aangesê word om die bewyse van sodanige burgerskap voor te lê wat vir die Sekretaris oortuigend is.

(c) *Verblyf*.—Bewys van verblyf kan vereis word in die vorm wat vir die Sekretaris aanvaarbaar is.

(d) *Oudstryderskap*.—'n Applikant moet bewys lewer tot tevredenheid van die Sekretaris dat hy 'n „oudstryder" is soos omskryf in artikel 1 van die Wet.

Bevoegdhede en Pligte van die Sekretaris en van Distrikspensioenbeamptes

4. (1) 'n Persoon wat aansoek gedoen het moet, wanneer hy versoek word om dit te doen, persoonlik voor die distrikspensioenbeampte verskyn om getuienis af te lê en inligting te verstrek in verband met sy aansoek.

(2) The Secretary or the district pension officer or any other officer authorised by either of them may call upon the applicant or any other person by letter to produce any evidence in any form relative to any application for a war veteran's pension.

(3) The Secretary or the district pension officer may at his discretion accept the following as testimony for or against an application:—

(a) An affidavit or a sworn or attested declaration made by a person who therein declares to what he knows of his own knowledge to be true; or

(b) any other documentary evidence.

(4) Every district pension officer shall keep a record of all applications for a pension received by him.

Date of Application for a Pension

5. The date on which a completed application form is signed by the applicant before the attesting officer shall be deemed to be the date of application.

Date of Accrual of Pension

6. A pension shall be granted as from a date determined by the Secretary: Provided that it shall not be a date prior to the first day of the month in which application is made therefor: Provided further that if an application is made before the expiry of 60 days from the date on which the applicant became entitled thereto, it may be granted from the first day of the month in which the applicant becomes so entitled.

Determination of Amount of the Pension

7. (1) The pension granted to a war veteran under section 3 of the Act, shall, subject to the provisions of this regulation, be of such an amount as the Secretary with due regard to the circumstances of the applicant and his spouse deems reasonable and sufficient, but shall not exceed R72 per annum.

(2) In addition to the pension provided for in regulation 7 (1), there shall be paid to any person granted a pension in terms of section 3 of the Act, an additional allowance of R108 per annum plus a bonus of R60 per annum.

(3) No pension granted under section 3 of the Act shall be at such a rate as will make the pensioner's income or means together with the pension exceed R168 per annum.

(4) For the purposes of subregulation 3, income or means shall be deemed to exclude—

(a) the personal earnings of a person if such person satisfies the Secretary that he has attained the age of 70 years;

(b) any benefit paid to any person in terms of the Act, the Blind Persons Act, 1968, the Aged Persons Act, 1967, or the Disability Grants Act, 1968;

(c) any allowance granted in terms of any regulation made under section 92 (1) (k) of the Children's Act, 1960, in the form of a contribution towards the maintenance of any person referred to in section 89 (1) (c) of that Act.

Attendant's Allowance

8. (1) If in the opinion of the Secretary any person to whom a pension has been granted under the Act has attained the age of 90 years or his physical or mental condition necessitates the regular attendance of another person, he may, on such conditions as he may determine,

(2) Die Sekretaris of distrikspensioenbeampte, of enige ander beampte wat deur enigeen van hulle gemagtig is, kan die applikant of enige ander persoon per brief aansê om enige getuienis in enige vorm in verband met 'n aansoek om 'n oudstryderspensioen voor te lê.

(3) Die Sekretaris of die distrikspensioenbeampte kan, na goeddunke, as getuienis vir of teen 'n aansoek die volgende aanneem:—

(a) 'n Beëdigde of geattesteerde verklaring afgelê deur 'n persoon wat daarin verklaar dat wat hy uit eie kennis weet, waar is; of

(b) enige ander dokumentêre bewys.

(4) Elke distrikspensioenbeampte moet aantekening hou van al die aansoeke om pensioen deur hom ontvang.

Datum van Aansoek om Pensioen

5. Die datum waarop die voltooide aansoekvorm deur die applikant voor die attesterende beampte onderteken is, word geag die datum van aansoek te wees.

Datum Waarop 'n Pensioen Toeval

6. 'n Pensioen word toegeken vanaf 'n datum soos deur die Sekretaris bepaal: Met dien verstande dat dit nie 'n datum mag wees voor die eerste dag van die maand waarin aansoek daarom gedoen word nie: Met dien verstande voorts dat indien 'n aansoek gedoen word voor die verstryking van 60 dae vanaf die datum waarop die applikant daarop geregtig word, dit toegeken kan word vanaf die eerste dag van die maand waarin die applikant aldus geregtig word.

Vasstelling van Bedrag van Pensioen

7. (1) Die pensioen aan 'n oudstryder toegeken kragtens artikel 3 van die Wet, beloop, behoudens die bepalinge van hierdie regulasie, 'n bedrag wat die Sekretaris met inagneming van die applikant en sy eggenote se omstandighede redelik en voldoende ag, maar mag R72 per jaar nie te bowe gaan nie.

(2) Benewens die pensioen waarvoor in regulasie 7 (1) voorsiening gemaak word, word daar aan enige persoon aan wie 'n pensioen ingevolge artikel 3 van die Wet toegeken word, 'n bykomende toelae van R108 per jaar betaal plus 'n bonus van R60 per jaar.

(3) 'n Pensioen word nie kragtens artikel 3 van die Wet toegeken teen so 'n skaal dat die pensioentrekker se inkomste of middele tesame met die pensioen meer sal bedra nie as R168 per jaar.

(4) By die toepassing van subregulasie (3) word inkomste of middele nie geag in te sluit nie—

(a) die persoonlike verdienste van 'n persoon, indien sodanige persoon die Sekretaris oortuig dat hy die leeftyd van 70 jaar bereik het;

(b) enige voordeel wat ingevolge die Wet, die Wet op Blindes, 1968, die Wet op Bejaarde Persone, 1967, of die Wet op Ongeskiktheidstoelae, 1968, aan 'n persoon betaal word;

(c) enige toelae wat ingevolge 'n regulasie uitgevaardig kragtens artikel 92 (1) (k) van die Kinderwet, 1960, by wyse van 'n bydrae tot die onderhoud van 'n persoon in artikel 89 (1) (c) van daardie Wet bedoel, toegeken is.

Toelae vir Oppassers

8. (1) Indien die Sekretaris oordeel dat 'n persoon aan wie 'n pensioen ingevolge die Wet toegeken is, die ouderdom van 90 jaar bereik het, of in so 'n liggaamlike of geestestoestand verkeer dat hy gereeld deur iemand anders opgepas moet word, kan hy, op die voorwaardes wat hy bepaal, benewens bedoelde pensioen, aan die pensioen-

in addition to the said pension, grant to such pensioner or any person on his behalf an attendant's allowance not exceeding R60 per annum.

(2) An allowance under subregulation (1) shall accrue from a date determined by the Secretary: Provided that it shall not be a date prior to the first day of the month in which the pensioner attains the age of 90 years or in which the Secretary finds that the physical or mental condition of the pensioner concerned is such as to necessitate the regular attendance of another person.

Cancellation or Variation of Pension

9. (1) The Secretary may at any time review a pension and if he is satisfied—

(a) that a pension should be cancelled, reduced or increased he may with due regard to the circumstances of each case—

(i) cancel such pension; or

(ii) reduce or increase such pension with effect from such date, including any date in the past, as he may determine;

(b) that a pension which has been cancelled should be restored, he may restore such pension in conformity with the provisions of regulation 7 with effect from the first day of the month in which the pension should in his opinion be so restored or should have been so restored.

(2) If application is made for the increase of a pension and the Secretary is satisfied that such pension should be increased, he may increase the pension in conformity with the provisions of regulation 7 with effect from the first day of the month in which such application is made: Provided that if such application is made within a period of 60 days of the date on which, in the opinion of the Secretary, the pensioner concerned became qualified to receive such increase, the Secretary may increase the pension with effect from the month in which the pensioner became so qualified.

(3) When a pensioner dies, the Secretary may pay his pension up to the last day of the month in which he died to any other person who in the opinion of the Secretary can claim that he incurred expenditure on the maintenance and/or care of the deceased or incurred deathbed or funeral expenses.

Payment of Pensions to Persons Detained and Maintained in State or State-aided Institutions

10. If a pensioner is at any time being compulsorily detained and maintained at public expense in a leper institution, a mental institution, an institution for the feeble-minded or a prison or other State institution or in terms of an order of court in a State-aided institution, no pension shall be payable to him from the first day of the month immediately following the month in which his detention and maintenance therein commenced to the last day of the month immediately preceding the month in which he ceases to be so detained and maintained: Provided that the Secretary may order that his pension or a portion thereof may be paid for any part of the period for which such a person is so detained and he may pay such pension or any portion thereof to any other person or to the management of the institution concerned for the purpose of disbursing it on behalf of the pensioner.

trekker of aan iemand anders ten behoeve van hom, 'n oppasserstoelae toeken wat nie meer bedra nie as R60 per jaar.

(2) 'n Toelae ingevolge subregulasie (1) val toe vanaf 'n datum deur die Sekretaris bepaal: Met dien verstande dat dit nie 'n datum mag wees voor die eerste dag van die maand waarin die pensioentrekker die ouderdom van 90 jaar bereik of waarin die Sekretaris bevind dat die betrokke pensioentrekker in so 'n liggaamlike of geestes-toestand verkeer dat hy gereeld deur iemand anders opgepas moet word nie.

Intrekking of Verandering van Pensioen

9. (1) Die Sekretaris kan 'n pensioen te eniger tyd hersien, en as hy oortuig is—

(a) dat 'n pensioen ingetrek, verminder of verhoog behoort te word, kan hy, met behoorlike inagneming van die omstandighede van elke geval—

(i) die pensioen intrek; of

(ii) die pensioen verminder of verhoog, met ingang van die datum, met inbegrip van 'n datum in die verlede, wat hy bepaal;

(b) dat 'n pensioen wat ingetrek is, herstel behoort te word, kan hy die pensioen in ooreenstemming met die bepalings van regulasie 7 herstel met ingang van die eerste dag van die maand waarin die pensioen volgens sy oordeel aldus herstel behoort te word of moes gewees het.

(2) Indien om verhoging van 'n pensioen aansoek gedoen word en die Sekretaris oortuig is dat die pensioen verhoog behoort te word, kan hy die pensioen in ooreenstemming met die bepalings van regulasie 7 verhoog met ingang van die eerste dag van die maand waarin aansoek gedoen word: Met dien verstande dat indien die aansoek gedoen word binne 'n tydperk van 60 dae vanaf die datum waarop die betrokke pensioentrekker volgens die Sekretaris se oordeel aan die vereistes vir die verhoging voldoen het, die Sekretaris die pensioen kan verhoog met ingang van die maand waarin die pensioentrekker aldus voldoen het.

(3) Wanneer 'n pensioentrekker te sterwe kom, kan die Sekretaris sy pensioen betaal tot die laaste dag van die maand waarin hy te sterwe kom, aan enige ander persoon wat volgens die Sekretaris se mening daarop aanspraak het dat hy koste aangegaan het ten opsigte van die oorledene se lewensonderhoud en/of versorging of uitgawes aangegaan het vir sterfbed- of begrafniskoste.

Betaling van pensioene aan persone wat in Staats- of Staatsondersteunde inrigtings aangehou en onderhou word

10. Indien 'n pensioentrekker te eniger tyd onder dwang aangehou en op Staatskoste onderhou word in 'n gestig vir melaatses, swaksinniges of kranksinniges of 'n gevangenis of ander Staatsinrigting of kragtens 'n hofbevel in 'n Staatsondersteunde inrigting, is vanaf die eerste dag van die maand onmiddellik na die maand waarin sy aanhouding en onderhoud aldaar 'n aanvang neem, tot die laaste dag van die maand onmiddellik voor die maand waarin sy aanhouding en onderhoud ten einde loop, geen pensioen aan hom betaalbaar nie: Met dien verstande dat die Sekretaris kan gelas dat sy pensioen of 'n gedeelte daarvan betaal kan word vir enige gedeelte van die tydperk wat so 'n persoon aldus aangehou word en kan hy so 'n pensioen of enige gedeelte daarvan aan enige ander persoon of aan die bestuur van die betrokke inrigting betaal om dit namens die pensioentrekker te bestee.

Appeal to the Minister

11. Any applicant or pensioner who is dissatisfied with the decision or action of the Secretary may appeal in writing through the Secretary to the Minister within 90 days of the date of the letter in which the Secretary informed him of the decision or action appealed against.

Payment of Pensions

12. (1) Pensions shall be paid monthly by the Secretary in such manner as he may deem expedient and on such days as he may determine.

(2) When a pensioner is too ill to attend at a post office to receive payment of his pension, he may forward his letter of authority together with an application in writing signed and duly witnessed to the Postmaster or to the regional representative of the Department of Indian Affairs for the payment to be made to the person named in his application, and the Postmaster or the Regional Representative on obtaining the signature of the duly authorised person to the receipt and his certificate that the pensioner is alive, shall unless he sees any reason for doubt in the matter, make payment of the pension to such person and forward the application to the Secretary.

ANNEXURE

SUBPOENA UNDER SECTION 5 (2) OF ACT
No. 25 OF 1968

Subpoena to appear before.....

To: A.B.

You are hereby summoned to appear at.....
on the..... day of.....
19..... at..... o'clock
before..... to give evidence respecting
to bring with you.....*, and you are required

Given under my hand this.....
day of..... 19.....

†

* If the person summoned is required to produce any book, record or document, fill in a description thereof; otherwise strike out these words.

† Specify designation of issuing officer.

No. R. 2036 8 November 1968
REGULATIONS IN TERMS OF THE AGED
PERSONS ACT, 1967

Under and by virtue of the powers vested in me by section 20 of the Aged Persons Act, 1967 (Act No. 81 of 1967), I, Frank Walter Waring, Minister of Indian Affairs, in so far as the administration of the Act has been assigned to be by Proclamation No. R. 283 of 1968 hereby—

(a) make the regulations set out in the accompanying schedule;

(b) determine that the regulations shall come into operation on 1 October 1968.

F. W. WARING,
Minister of Indian Affairs.

Appel by Minister

11. Enige applikant of pensioentrekker wat ontevrede is met die beslissing of optrede van die Sekretaris, kan skriftelik, deur bemiddeling van die Sekretaris, appeleer by die Minister binne 90 dae na die datum van die brief waarin die Sekretaris hom in kennis gestel het van die beslissing of optrede waarteen geappelleer word.

Betaling van Pensioene

12. (1) Pensioene word maandeliks deur die Sekretaris betaal op die wyse wat hy wenslik ag en op die dae wat hy bepaal.

(2) Wanneer 'n pensioentrekker te siek is om na 'n poskantoor te gaan om betaling van sy pensioen te ontvang, kan hy sy magtigingsbrief, tesame met 'n skriftelike aansoek behoorlik voor getuies onderteken, aan die Posmeester of die Streekverteenvoordiger van die Departement van Indiërsake stuur, sodat betaling gedoen kan word aan die persoon genoem in sy aansoek, en die Posmeester of Streekverteenvoordiger moet, tensy hy enige twyfel oor die saak het, na verkryging van die handtekening van die behoorlik gemagtigde persoon op die kwitansie en sy sertifikaat dat die pensioentrekker nog lewe, betaling van die pensioen aan sodanige persoon doen en die aansoek aan die Sekretaris stuur.

AANHANGSEL

DAGVAARDING KRAGTENS ARTIKEL 5 (2) VAN
WET No. 25 VAN 1968

Dagvaarding om te verskyn voor.....

Aan: A.B.

U word hierby gedagvaar om te verskyn te.....
op die..... dag van..... 19.....
om..... uur, voor.....
om getuienis af te lê aangaande.....*
en daar word verlang dat u..... met u saambring.

Gegee onder my hand op hede die.....
dag van..... 19.....

†

* Indien gedagvaarde 'n boek, aantekening of dokument moet voorlê, vul in beksrywing daarvan; so nie, moet hierdie woorde geskrap word.

† Meld hoedanigheid van uitreikende beampte.

No. R. 2036 8 November 1968
REGULASIES KRAGTENS DIE WET OP
BEJAARDE PERSONE, 1967

Ek, Frank Walter Waring, Minister van Indiërsake, handelende kragtens die bevoegdheid my verleen by artikel 20 van die Wet op Bejaarde Persone, 1967 (Wet No. 81 van 1967), vir sover die uitvoering van die Wet by Proklamasie No. R. 283 van 1968 aan my opgedra is—

(a) vaardig hierby die regulasies uit in die bygaande Bylae uiteengesit;

(b) bepaal hierby dat die regulasies op 1 Oktober 1968 in werking tree.

F. W. WARING,
Minister of Indian Affairs.

SCHEDULE

REGULATIONS MADE BY THE MINISTER OF INDIAN AFFAIRS UNDER SECTION 20 OF THE AGED PERSONS ACT, 1967 (ACT No. 81 OF 1967), IN SO FAR AS THE ADMINISTRATION OF THE ACT HAS BEEN ASSIGNED TO HIM

Definitions

1. In these regulations, unless the context otherwise indicates, any term to which a meaning has been assigned by section 1 of the Aged Persons Act shall bear that meaning and—

- (i) "section" means a section of the Act;
- (ii) "the Act" means the Aged Persons Act, 1967;
- (iii) "regional representative" means the officer who is the head of a regional office of the Department of Indian Affairs of the area in which a home for the aged is situated or a person who acts on his behalf;
- (iv) "Minister" means the Minister of Indian Affairs;
- (v) "Secretary" means the Secretary for Indian Affairs.

Application for an Old Age Pension

2. (1) Application for an old age pension shall be made in the district in which the applicant permanently resides and in the form approved by the Secretary, and such form shall be signed in the presence of an officer in the service of the Department of Indian Affairs or of the Department of Social Welfare and Pensions or the district pension officer or one of his officers hereinafter referred to as the attesting officer, by (a) the applicant, or (b) any person authorised to act on his behalf if the applicant is physically or mentally incapable of signing such form.

(2) When applying for an old age pension, the applicant shall furnish a full and true statement in such manner as the Secretary may require of all his own income, assets and liabilities and those of his spouse.

(3) Where both a husband and his wife apply, separate application forms shall be completed and in both cases a statement of the income, assets and liabilities of both the husband and the wife shall be furnished.

(4) The district pension officer shall after such enquiry as he may deem necessary forward the application together with all the information at his disposal in connection therewith and his report thereon to the Secretary and shall in any case where the Secretary so requires make such further enquiry and furnish to the Secretary such further information as the Secretary may direct.

(5) Any person already in receipt of a pension in terms of the Blind Persons Act, 1968, or a grant in terms of the Disability Grants Act, 1968, may, if it is not to his disadvantage, have such pension or such grant converted at his request or by the Secretary of his own accord into a pension under the Act with effect from a date determined by the Secretary, without the submission of a further application.

Persons Entitled to an Old Age Pension

3. Applications shall be supported by evidence and information as to:—

(a) *Age*.—Evidence in regard to age shall be in the form of either a birth or a baptismal certificate: Provided that if the Secretary is satisfied that neither a birth nor a baptismal certificate is obtainable, he may determine the age of an applicant according to any such other documentary evidence as may satisfy him: Provided further

BYLAE

REGULASIES UITGEVAARDIG DEUR DIE MINISTER VAN INDIËRSAKE, HANDELENDE KRAGTENS ARTIKEL 20 VAN DIE WET OP BEJAARDE PERSONE, 1967 (WET No. 81 VAN 1967), VIR SOVER HY MET DIE UITVOERING VAN DIE WET BELAS IS

Woordomskrywing

1. In hierdie regulasies, tensy uit die samehang anders blyk, het 'n uitdrukking waaraan die Wet op Bejaarde Persone by artikel 1 'n betekenis heg, daardie betekenis en beteken—

- (i) „artikel” 'n artikel van die Wet;
- (ii) „die Wet” die Wet op Bejaarde Persone, 1967;
- (iii) „streekverteenvoorder” die beamppte wat aan die hoof staan van die streekkantoor van die Departement van Indiërsake van die gebied waarin 'n ouetehuis geleë is, of 'n persoon wat namens hom optree;
- (iv) „Minister” die Minister van Indiërsake;
- (v) „Sekretaris” die Sekretaris van Indiërsake.

Aansoek om Ouderdomspensioen

2. (1) Aansoek om 'n ouderdomspensioen moet gedoen word in die distrik waarin die applikant permanent woonagtig is en in 'n vorm soos deur die Sekretaris goedgekeur, en sodanige vorm moet in die teenwoordigheid van 'n beamppte in die diens van die Departement van Indiërsake of van die Departement van Volkswelsyn en Pensioene, of die distrikspensioenbeamppte of een van sy beampptes, hieronder genoem die attesterende beamppte, onderteken word (a) deur die applikant, of (b) indien die applikant fisies of geestelik nie in staat is om sodanige vorm te onderteken nie, deur 'n persoon wat gemagtig is om namens hom op te tree.

(2) Wanneer 'n applikant om 'n ouderdomspensioen aansoek doen, moet hy op die wyse wat die Sekretaris vereis, 'n volledige en ware opgawe van al sy inkomste, bates en laste en dié van sy eggenote verstrek.

(3) Wanneer sowel 'n man as sy vrou aansoek doen, moet afsonderlike aansoekvorms ingevul word en in albei gevalle moet 'n opgawe van die inkomste, bates en laste van sowel die man as die vrou verstrek word.

(4) Die distrikspensioenbeamppte moet na die ondersoek wat hy nodig ag, die aansoek, tesame met alle inligting tot sy beskikking in verband daarmee en sy verslag daaroor, aan die Sekretaris stuur, en moet in enige geval waar die Sekretaris dit vereis, die verdere ondersoek instel en die verdere inligting aan die Sekretaris verstrek wat hy gelas.

(5) 'n Persoon wat reeds in ontvangs is van 'n pensioen ingevolge die Wet op Blindes, 1968, of 'n toelae ingevolge die Wet op Ongeskiktheidstoelae, 1968, kan genoemde pensioen of genoemde toelae, indien dit nie tot nadeel van sodanige persoon sal wees nie, op sy versoek of deur die Sekretaris uit eie beweging in 'n pensioen ingevolge die Wet omgeskep word met ingang van 'n datum wat die Sekretaris bepaal sonder indiening van 'n verdere aansoek.

Persone Geregtig op 'n Ouderdomspensioen

3. Aansoeke moet gestaaf word deur getuienis en inligting aangaande:—

(a) *Ouderdom*.—Bewys van ouderdom moet in die vorm van of 'n geboortesertifikaat of 'n doopseël wees: Met dien verstande dat indien die Sekretaris daarvan oortuig is dat nóg 'n geboortesertifikaat nóg 'n doopseël verkrygbaar is, hy die ouderdom van 'n applikant kan bepaal volgens enige ander dokumentêre bewys wat hy as

that if such documentary evidence is not available, the Secretary may determine the age by virtue of a certificate furnished by a district pension officer to the effect that as a result of a personal enquiry he is satisfied that the applicant has attained a certain age.

(b) *Nationality*.—Any person who claims to have become a South African citizen—

(i) by registration or naturalisation shall produce a registration or naturalisation certificate, as the case may be, or, if unable to produce such certificate, he shall furnish information as to the date and place of registration or naturalisation; or

(ii) otherwise than by registration or naturalisation may be called upon to produce such evidence of such citizenship as will satisfy the Secretary.

(c) *Residence*.—Proof of residence may be required in such a form as will satisfy the Secretary.

Powers and Duties of the Secretary and District Pension Officers

4. (1) Any person who has applied shall, when requested to do so, attend personally before the district pension officer to give evidence and furnish information in connection with his application.

(2) The Secretary or the district pension officer or any other officer authorised by either of them may call upon the applicant or any other person by letter to produce any evidence in any form relative to any application for an old age pension.

(3) The Secretary or the district pension officer may at his discretion accept the following as testimony for or against an application:—

(a) An affidavit or a sworn or attested declaration made by a person who therein declares to what he knows of his own knowledge to be true; or

(b) any other documentary evidence.

(4) Every district pension officer shall keep a record of all applications for a pension received by him.

Date of Application for Pension

5. The date on which a completed application form is signed by the applicant before the attesting officer shall be deemed to be the date of application.

Date of Accrual of Pension

6. A pension shall be granted as from a date determined by the Secretary: Provided that it shall not be a date prior to the first day of the month in which application therefor is made: Provided further that if an application is made before the expiry of 60 days from the date on which the applicant became entitled thereto, it may be granted as from the first day of the month in which the applicant became so entitled.

Determination of Amount of Pension

7. (1) The pension granted to an applicant under section 2 of the Act shall subject to the provisions of this regulation, be of such an amount as the Secretary with due regard to the circumstances of the applicant and his spouse deems reasonable and sufficient, but shall not exceed R72 per annum.

(2) In addition to the pension provided for in regulation 7 (1), there shall be paid to any person granted a pension in terms of section 7 of the Act a bonus of R108 per annum.

bevredigend beskou: Met dien verstande voorts dat, indien sodanige dokumentêre bewys nie beskikbaar is nie, die Sekretaris die ouderdom kan bepaal op grond van 'n sertifikaat verstrek deur 'n distrikspensioenbeampte ten effekte dat hy as gevolg van 'n persoonlike ondersoek, oortuig is dat die applikant 'n sekere ouderdom bereik het.

(b) *Nasionaliteit*.—'n Persoon wat daarop aanspraak maak dat hy 'n Suid-Afrikaanse burger—

(i) deur registrasie of naturalisasie geword het, moet 'n registrasie- of naturalisasiesertifikaat, na gelang van die geval, voorlê, of indien hy nie in staat is om sodanige sertifikaat voor te lê nie, moet hy inligting verstrek aangaande die datum en plek van registrasie of naturalisasie; of

(ii) op 'n ander wyse as deur registrasie of naturalisasie geword het, kan aangesê word om die bewyse van sodanige burgerskap voor te lê wat vir die Sekretaris oortuigend is.

(c) *Verblyf*.—Bewys van verblyf kan vereis word in die vorm wat vir die Sekretaris aanvaarbaar is.

Bevoegdhede en Pligte van die Sekretaris en van Distrikspensioenbeamptes

4. (1) 'n Persoon wat aansoek gedoen het moet, wanneer hy versoek word om dit te doen, persoonlik voor die distrikspensioenbeampte verskyn om getuienis af te lê en inligting te verstrek in verband met sy aansoek.

(2) Die Sekretaris of distrikspensioenbeampte, of enige ander beampte wat deur enigeen van hulle gemagtig is, kan die applikant of enige ander persoon per brief aansê om enige getuienis in enige vorm in verband met 'n aansoek om ouderdomspensioen voor te lê.

(3) Die Sekretaris of die distrikspensioenbeampte kan, na goeddunke, as getuienis vir of teen 'n aansoek die volgende aanneem:—

(a) 'n Beëdigde of geattesteerde verklaring afgelê deur 'n persoon wat daarin verklaar dat wat hy uit eie kennis weet, waar is; of

(b) enige ander dokumentêre bewys.

(4) Elke distrikspensioenbeampte moet aantekening hou van al die aansoeke om pensioen deur hom ontvang.

Datum van Aansoek om Pensioen

5. Die datum waarop die voltooide aansoekvorm deur die applikant voor die attesterende beampte onderteken is, word geag die datum van aansoek te wees.

Datum Waarop 'n Pensioen Toeval

6. 'n Pensioen word toegeken vanaf 'n datum soos deur die Sekretaris bepaal: Met dien verstande dat dit nie 'n datum mag wees voor die eerste dag van die maand waarin aansoek daarom gedoen word nie: Met dien verstande voorts dat indien 'n aansoek gedoen word voor die verstryking van 60 dae vanaf die datum waarop die applikant daarop geregtig word, dit toegeken kan word vanaf die eerste dag van die maand waarin die applikant aldus geregtig word.

Vasstelling van Bedrag van Pensioen

7. (1) Die pensioen aan 'n applikant toegeken kragtens artikel 2 van die Wet, beloop, behoudens die bepalings van hierdie regulasie, 'n bedrag wat die Sekretaris met inagneming van die applikant en sy eggenote se omstandighede redelik en voldoende ag, maar mag R72 per jaar nie te bowe gaan nie.

(2) Benewens die pensioen waarvoor in regulasie 7 (1) voorsiening gemaak word, word daar aan enige persoon aan wie 'n pensioen ingevolge artikel 7 van die Wet toegeken word, 'n bonus van R108 per jaar betaal.

(3) No pension granted under section 7 of the Act, shall be at such a rate as will make the pensioner's income or means together with the pension exceed R168 per annum.

(4) For the purposes of subregulation (3), income or means shall not be deemed to include—

(a) the personal earnings of a person if such person satisfies the Secretary that he has attained the age of 70 years;

(b) any benefit paid to any person in terms of the Act, the Blind Persons Act, 1968, the War Veterans' Pensions Act, 1968, or the Disability Grants Act, 1968;

(c) any allowance granted in terms of any regulation made under section 92 (1) (k) of the Children's Act, 1960, in the form of a contribution towards the maintenance of any person referred to in section 89 (1) (c) of that Act.

Attendant's Allowance

8. (1) If in the opinion of the Secretary any person to whom a pension has been granted under the Act has attained the age of 90 years or his physical or mental condition necessitates the regular attendance of another person, he may, on such conditions as he may determine, in addition to the said pension, grant to such pensioner or any person on his behalf an attendant's allowance not exceeding R60 per annum.

(2) An allowance under subregulation (1) shall accrue as from a date determined by the Secretary: Provided that it shall not be a date prior to the first day of the month in which the pensioner attains the age of 90 years or in which the Secretary finds that the physical or mental condition of the pensioner concerned is such as to necessitate the regular attendance of another person.

Cancellation of Variation of Pension

9. (1) The Secretary may at any time review a pension and if he is satisfied—

(a) that a person should be cancelled, reduced or increased he may with due regard to the circumstances of each case—

(i) cancel such pension; or

(ii) reduce or increase such pension with effect from such date including any date in the past, as he may determine;

(b) that a pension which has been cancelled should be restored, he may restore such pension in conformity with the provisions of regulation 7 with effect from the first day of the month in which the pension should in his opinion be so restored or have been so restored.

(2) If application is made for the increase of a pension and the Secretary is satisfied that such pension should be increased, he may increase the pension in conformity with the provisions of regulation 7 with effect from the first day of the month in which such application is made: Provided that if such application is made within a period of 60 days of the date on which, in the opinion of the Secretary, the pensioner concerned became qualified to receive such increase, the Secretary may increase the pension with effect from the month in which the pensioner became so qualified.

(3) When a pensioner dies, the Secretary may pay his pension up to the last day of the month in which he died to any other person who in the opinion of the Secretary can claim that he incurred expenditure on the maintenance and/or care of the deceased or incurred deathbed or funeral expenses.

(3) 'n Pensioen word nie kragtens artikel 7 van die Wet toegeken teen so 'n skaal dat die pensioentrekker se inkomste of middele tesame met die pensioen meer sal bedra nie as R168 per jaar.

(4) By die toepassing van subregulasie (3) word inkomste of middele nie geag in te sluit nie—

(a) die persoonlike verdienste van 'n persoon, indien sodanige persoon die Sekretaris oortuig dat hy die leeftyd van 70 jaar bereik het;

(b) enige voordeel wat ingevolge die Wet, die Wet op Blindes, 1968, die Wet op Oudstryderspensioene, 1968, of die Wet op Ongeskiktheidstoelae, 1968, aan 'n persoon betaal word;

(c) enige toelae wat ingevolge 'n regulasie uitgevaardig kragtens artikel 92 (1) (k) van die Kinderwet, 1960, by wyse van 'n bydrae tot die onderhoud van 'n persoon in artikel 89 (1) (c) van daardie Wet bedoel, toegeken is.

Toelae vir Oppassers

8. (1) Indien die Sekretaris oordeel dat 'n persoon aan wie 'n pensioen ingevolge die Wet toegeken is, die ouderdom van 90 jaar bereik het, of in so 'n liggaamlike of geestestoestand verkeer dat hy gereeld deur iemand anders opgepas moet word, kan hy, op die voorwaardes wat hy bepaal, benewens bedoelde pensioen, aan die pensioentrekker of aan iemand anders ten behoeve van hom 'n oppasserstoelae toeken wat nie meer bedra nie as R60 per jaar.

(2) 'n Toelae ingevolge subregulasie (1) val toe vanaf 'n datum deur die Sekretaris bepaal: Met dien verstande dat dit nie 'n datum mag wees voor die eerste dag van die maand waarin die pensioentrekker die ouderdom van 90 jaar bereik of waarin die Sekretaris bevind dat die betrokke pensioentrekker in so 'n liggaamlike of geestestoestand verkeer dat hy gereeld deur iemand anders opgepas moet word nie.

Intrekking of Verandering van Pensioen

9. (1) Die Sekretaris kan 'n pensioen te eniger tyd hersien en as hy oortuig is—

(a) dat 'n pensioen ingetrek, verminder of verhoog behoort te word, kan hy, met behoorlike inagneming van die omstandighede van elke geval—

(i) die pensioen intrek; of

(ii) die pensioen verminder of verhoog, met ingang van die datum, met inbegrip van 'n datum in die verlede, wat hy bepaal;

(b) dat 'n pensioen wat ingetrek is, herstel behoort te word, kan hy die pensioen in ooreenstemming met die bepalinge van regulasie 7 herstel met ingang van die eerste dag van die maand waarin die pensioen volgens sy oordeel aldus herstel behoort te word of moes gewees het.

(2) Indien om verhoging van 'n pensioen aansoek gedoen word en die Sekretaris oortuig is dat die pensioen verhoog behoort te word, kan hy die pensioen in ooreenstemming met die bepalinge van regulasie 7, verhoog met ingang van die eerste dag van die maand waarin aansoek gedoen word: Met dien verstande dat indien die aansoek gedoen word binne 'n tydperk van 60 dae vanaf die datum waarop die betrokke pensioentrekker volgens die Sekretaris se oordeel aan die vereistes vir die verhoging voldoen het, die Sekretaris die pensioen kan verhoog met ingang van die maand waarin die pensioentrekker aldus voldoen het.

(3) Wanneer 'n pensioentrekker te sterwe kom, kan die Sekretaris sy pensioen betaal tot die laaste dag van die maand waarin hy te sterwe kom, aan enige ander persoon wat volgens die Sekretaris se mening daarop aanspraak het dat hy koste aangegaan het ten opsigte van die ooreenlewensonderhoud en/of versorging of uitgawes aangegaan het vir sterfbed- of begravniskoste.

Payment of Pensions to Persons Detained and Maintained in State or State-Aided Institutions

10. If a pensioner is at any time being compulsorily detained and maintained at public expense in a leper institution, a mental institution, or institution for the reeble-minded or a prison or other State institution or in terms of an order of court in a State-aided institution, no pension shall be payable to him from the first day of the month immediately following the month in which his detention and maintenance therein commenced to the last day of the month immediately preceding the month in which he ceases to be so detained and maintained: Provided that the Secretary may order that his pension or a portion thereof may be paid for any part of the period for which such person is so detained and he may pay such pension or any portion thereof to any other person or to the management of the institution concerned for the purpose of disbursing it on behalf of the pensioner.

Appeal to the Minister

11. Any applicant or pensioner who is dissatisfied with the decision or action of the Secretary may appeal in writing through the Secretary to the Minister within 90 days of the date of the letter in which the Secretary informed him of the decision or action appealed against.

Payment of Pensions

12. (1) Pensions shall be paid monthly by the Secretary in such manner as he may deem expedient and on such days as he may determine.

(2) When a pensioner is too ill to attend at a post office to receive payment of his pension, he may forward his letter of authority together with an application in writing duly signed and witnessed to the Postmaster or the Regional Representative of the Department of Indian Affairs for the payment to be made to the person named in his application and the Postmaster or the Regional Representative on obtaining the signature of the duly authorised person to the receipt and his certificate that the pensioner is alive shall, unless he sees any reason for doubt in the matter, make payment of the pension to such person and forward the application to the Secretary.

ANNEXURE A

SUBPOENA UNDER SECTION 9 OF ACT No. 81 OF 1967

Subpoena to appear before.....

To A.B.

You are hereby summoned to appear in person.....
on the..... day of.....
19..... at..... o'clock
before..... to give evidence respecting
to bring with you.....*, and you are required
*.....

Given under my hand this.....
day of..... 19.....

†.....

* If the person summoned is required to produce any book, record or document, fill in a description thereof; otherwise strike out these words.

† Specify designation of issuing officer.

Betaling van Pensioene aan Persone wat in Staats- of of Staatsondersteunde Inrigtings Aangehou en Onderhou Word

10. Indien 'n pensioentrekker te eniger tyd onder dwang aangehou en op Staatskoste onderhou word in 'n gestig vir melaatses, swaksinniges of kranksinniges of 'n gevangenis of ander Staatsinrigting of kragtens 'n hofbevel in 'n Staatsondersteunde inrigting, is vanaf die eerste dag van die maand onmiddellik na die maand waarin sy aanhouding en onderhoud aldaar 'n aanvang neem, tot die laaste dag van die maand onmiddellik voor die maand waarin sy aanhouding en onderhoud ten einde loop, geen pensioen aan hom betaalbaar nie: Met dien verstande dat die Sekretaris kan gelas dat sy pensioen of 'n gedeelte daarvan betaal kan word vir enige gedeelte van die tydperk wat so 'n persoon aldus aangehou word en kan hy so 'n pensioen of enige gedeelte daarvan aan enige ander persoon of aan die bestuur van die betrokke inrigting betaal om dit namens die pensioentrekker te bestee.

Appel by Minister

11. Enige applikant of pensioentrekker wat ontevrede is met die beslissing of optrede van die Sekretaris, kan skriftelik, deur bemiddeling van die Sekretaris, appelleer by die Minister binne 90 dae na die datum van die brief waarin die Sekretaris hom in kennis gestel het van die beslissing of optrede waarteen geappelleer word.

Betaling van Pensioene

12. (1) Pensioene word maandeliks deur die Sekretaris betaal op die wyse wat hy wenslik ag en op die dae wat hy bepaal.

(2) Wanneer 'n pensioentrekker te siek is om na 'n poskantoor te gaan om betaling van sy pensioen te ontvang, kan hy sy magtigingsbrief, tesame met 'n skriftelike aansoek behoorlik voor getuies onderteken, aan die Posmeester of Streekverteenvoordiger van die Departement van Indiërsake stuur sodat betaling gedoen kan word aan die persoon genoem in sy aansoek, en die Posmeester of die Streekverteenvoordiger moet, tensy hy enige twyfel oor die saak het, na verkryging van die handtekening van die behoorlik gemagtigde persoon op die kwitansie en sy sertifikaat dat die pensioentrekker nog lewe, betaling van die pensioen aan sodanige persoon doen en die aansoek aan die Sekretaris stuur.

AANHANGSEL A

DAGVAARDING KRAGTENS ARTIKEL 9 VAN WET No. 81 VAN 1967

Dagvaarding om te verskyn voor.....

Aan A.B.

U word hierby gedagvaar om persoonlik op die
..... dag van 19.....
om..... uur, voor.....
te verskyn om getuie af te lê aangaande.....*
en daar word verlang dat u.....
..... met u saambring.

Gegee onder my hand op hede die.....
dag van..... 19.....

*.....

†.....

* Indien gedagvaarde 'n boek, aantekening of dokument moet voorleë, vul in beskrywing daarvan; so nie, moet hierdie woorde geskrap word.

† Meld hoedanigheid van uitreikende beampte.

No. R. 2037

8 November 1968

REGULATIONS IN TERMS OF THE BLIND PERSONS ACT, 1968

Under and by virtue of the powers vested in me by section 17 of the Blind Persons Act, 1968 (Act No. 26 of 1968), I, Frank Walter Waring, Minister of Indian Affairs, in so far as the administration of the Act has been assigned to me, by Proclamation No. R. 285 of 1968, hereby—

(a) make the regulations set out in the accompanying Schedule,

(b) determine that the regulations shall come into operation on 1 October 1968.

F. W. WARING,
Minister of Indian Affairs.

SCHEDULE

REGULATIONS MADE BY THE MINISTER OF INDIAN AFFAIRS UNDER SECTION 17 OF THE BLIND PERSONS ACT, 1968, (ACT No. 26 OF 1968), IN SO FAR AS THE ADMINISTRATION OF THE ACT HAS BEEN ASSIGNED TO HIM

Definitions

1. In these regulations, unless the context otherwise indicates, any term to which a meaning has been assigned by section 1 of the Blind Persons Act, shall bear that meaning and—

- (i) "section" means a section of the Act;
- (ii) "the Act" means the Blind Persons Act, 1968;
- (iii) "Minister" means the Minister of Indian Affairs;
- (iv) "Secretary" means the Secretary for Indian Affairs.

Registration of Blind Persons

2. (1) Any person who desires to be registered as a blind person in terms of section 3 of the Act shall make application therefor in such form as may be approved by the Secretary.

(2) The Secretary shall record in a register of blind persons the following particulars concerning every person who submits an application in terms of subregulation (1) and in respect of whom the medical practitioner selected by the Secretary under section 3 of the Act has issued a certificate to the effect that such person is blind according to the criteria prescribed in regulation 3:—

- (a) Full name.
- (b) Identity number.
- (c) Address.
- (d) Race.
- (e) Sex.
- (f) Date of birth.

(3) Every person whose name is recorded in the register shall be notified by the Secretary of his registration.

Criteria of Blindness

3. (1) Any person shall, for the purposes of registration as a blind person under section 3 of the Act, be deemed to be blind if his acuity of vision is so restricted that he is unable by reason of such restriction to perform any work for which eyesight is essential.

(2) The principal condition to be considered in determining whether a person is blind shall be his visual acuity (that is the best direct vision obtainable with each eye separately or both together, where both are present, as tested by Snellen's test and with focus properly corrected), but regard shall also be had to other conditions set out in this regulation.

No. R. 2037

8 November 1968

REGULASIES KRAGTENS DIE WET OP BLINDES, 1968

Ek, Frank Walter Waring, Minister van Indiërsake, handelende kragtens die bevoegdheid my verleen by artikel 17 van die Wet op Blindes, 1968 (No. 26 van 1968), vir sover die uitvoering van die Wet by Proklamasie No. R. 285 van 1968 aan my opgedra is—

(a) vaardig hierby die regulasies uit in die bygaande Bylae uiteengesit,

(b) bepaal hierby dat die regulasies op 1 Oktober 1968 in werking tree.

F. W. WARING,
Minister van Indiërsake.

BYLAE

REGULASIES UITGEVAARDIG DEUR DIE MINISTER VAN INDIËRSAKE, HANDELENDE KRAGTENS ARTIKEL 17 VAN DIE WET OP BLINDES, 1968 (WET No. 26 VAN 1968), VIR SOVER HY MET DIE UITVOERING VAN DIE WET BELAS IS

Woordomskrywing

1. In hierdie regulasies, tensy uit die samehang anders blyk, het 'n uitdrukking waaraan die Wet op Blindes by artikel 1 'n betekenis heg, daardie betekenis en beteken—

- (i) „artikel” 'n artikel van die Wet;
- (ii) „die Wet” die Wet op Blindes, 1968;
- (iii) „Minister” die Minister van Indiërsake;
- (iv) „Sekretaris” die Sekretaris van Indiërsake.

Registrasie van Blindes

2. (1) 'n Persoon wat verlang om kragtens artikel 3 van die Wet as 'n blinde geregistreer te word, moet in 'n vorm soos deur die Sekretaris goedgekeur, aansoek daarom doen.

(2) Die Sekretaris moet in 'n register van blindes ondervermelde besonderhede aanteken aangaande elke persoon wat 'n aansoek kragtens subregulasie (1) indien en ten opsigte van wie die geneesheer wat die Sekretaris kragtens artikel 3 van die Wet gekies het, 'n sertifikaat uitgereik het wat verklaar dat sodanige persoon blind is volgens die maatstawe wat in regulasie 3 voorgeskryf is:—

- (a) Volle naam.
- (b) Persoonsnommer.
- (c) Adres.
- (d) Ras.
- (e) Geslag.
- (f) Geboortedatum.

(3) Elke persoon wie se naam in die register aangeteken is, moet deur die Sekretaris van sy registrasie in kennis gestel word.

Maatstawe vir Blindheid

3. (1) Vir die doeleindes van registrasie as 'n blinde kragtens artikel 3 van die Wet, word 'n persoon as blind beskou as sy gesigskerpte so beperk is dat hy as gevolg van daardie beperking nie in staat is om enige werk te verrig waarby gesig 'n vereiste is nie.

(2) Die vernaamste toestand wat oorweeg moet word ten einde te bepaal of 'n persoon blind is, is sy gesigskerpte (dit is die beste regstreekse gesig wat met elke oog afsonderlik of albei oë tesame, as albei nog aanwesig is, verkrygbaar is, getoets volgens Snellen se toets en met fokus behoorlik gekorrigeer), maar die ander toestande wat in hierdie regulasie uiteengesit word, moet ook in ag geneem word.

(3) The medical practitioner shall, for the purpose of determining whether a person is blind, ascertain whether such a person falls within any of the following groups:—

Group 1.—Persons with an acuity of vision below 3/60 Snellen

In general a person with visual acuity below 3/60 Snellen may be deemed to be blind.

Group 2.—Persons with an acuity of vision of 3/60 but below 6/60 Snellen

Any person with visual acuity of 3/60 but less than 6/60 Snellen—

(a) may be deemed to be blind if the field of vision is reduced to 50 per cent of the normal field of vision with the central portion of the field of vision unimpaired; but

(b) shall not be deemed to be blind if the visual defect is of long standing and is unaccompanied by any material contraction of the field of vision, for example, in cases of congenital nystagmus, albinism, myopia, etc.

Group 3.—Persons with an acuity of vision of 6/60 Snellen or above

A person with visual acuity of 6/60 Snellen or above shall ordinarily not be deemed to be blind but may be deemed to be blind if the field of vision is contracted to 25 per cent of the normal field of vision and if the lower part of the field of vision has been contracted to 50 per cent of its normal dimensions, but a person suffering from homonymous or bitemporal hemianopia retaining central visual acuity of 6/18 Snellen or above shall not be deemed to be blind.

(4) The degree of illumination of test types shall be approximately, but not less than, 10 foot-candles.

(5) The Snellen test shall be the test to be applied, but in case of doubt further tests shall be applied including testing by the ophthalmoscope and the testing of reflex actions.

Medical Examination and Medical or Operative Treatment

4. The Secretary may authorise the payment out of public funds of any necessary expenses in connection with the transportation of an applicant for registration as a blind person or for a pension, or of a pensioner, together with an attendant, if necessary, from the centre in which he resides to another centre for the purpose of medical examination or medical or operative treatment, and of a subsistence allowance for such applicant and his attendant for the period during which they are absent from their residences in connection with such examination or treatment.

Application for a Blind Person's Pension

5. (1) Application for a blind person's pension shall be made in the district in which the applicant permanently resides and in the form approved by the Secretary, and such form shall be signed in the presence of an officer in the service of the Department of Indian Affairs or of the Department of Social Welfare and Pensions, or of the district pension officer or one of his officers, hereinafter referred to as the attesting officer, by (a) the applicant, or (b) any person authorised to act on his behalf if the applicant is physically or mentally incapable of signing such form.

(2) When applying for a pension, the applicant shall furnish a full and true statement in such manner as the Secretary may require of all his own income, assets and liabilities and those of his spouse.

(3) Ten einde te bepaal of 'n persoon blind is, moet die geneesheer vasstel of sodanige persoon binne enigteen van die ondervermelde groepe val:—

Groep 1.—Persone met 'n gesigskerpte onder 3/60 Snellen

Oor die algemeen kan 'n persoon wie se gesigskerpte minder as 3/60 Snellen is, as blind beskou word.

Groep 2.—Persone met 'n gesigskerpte van 3/60 maar onder 6/60 Snellen

'n Persoon met 'n gesigskerpte van 3/60 maar onder 6/60 Snellen—

(a) kan as blind beskou word as die gesigsveld verminder is tot 50 persent van die normale gesigsveld, met die sentrale deel van die gesigsveld onaangetas, maar

(b) moet nie as blind beskou word nie as die gesigsgreke al baie oud is en nie met enige aansienlike inkrimping van die gesigsveld gepaard gaan nie, byvoorbeeld in gevalle van aangebore nistagmus, albinisme, bysiendheid, ens.

Groep 3.—Persone met 'n gesigskerpte van 6/60 Snellen of hoër

'n Persoon met 'n gesigskerpte van 6/60 Snellen of hoër moet gewoonlik nie as blind beskou word nie, maar kan as blind beskou word as die gesigsveld ingekrimp het tot 25 persent van die normale gesigsveld en as die onderste deel van die gesigsveld ingekrimp het tot 50 persent van sy normale grootte, maar 'n persoon wat ly aan homnieme of bitemporale hemianopie met behoud van sentrale gesigskerpte van 6/18 Snellen of hoër, moet nie as blind beskou word nie.

(4) Die graad van lig van toetstipes moet ongeveer, maar minstens, 10 voet-kerse wees.

(5) Die Snellen-toets moet die toets wees wat toegepas word, maar in alle gevalle van twyfel moet verdere toetse toegepas word, insluitende toetse deur die oogspieël en toe-se van reflekswerkings.

Geneeskundige Onderzoek en Geneeskundige of Heelkundige Behandeling

4. Die Sekretaris kan die betaling uit Staatsfondse magtig van noodsaaklike onkoste in verband met die vervoer van 'n persoon wat aansoek om registrasie as 'n blinde of om 'n pensioen gedoen het, of van 'n pensioentrekker, tesame met 'n oppasser, indien nodig, vanaf die plek waar hy woonagtig is na 'n ander plek vir die doel van geneeskundige ondersoek, of geneeskundige of heelkundige behandeling, en van 'n onderhoudstoelae vir sodanige applikant en sy oppasser vir die tydperk van hulle afwesigheid van hul woonplek in verband met daardie ondersoek of behandeling.

Aansoek om 'n Pensioen vir Blindes

5. (1) Aansoek om 'n pensioen vir blindes moet gedoen word in die distrik waarin die applikant permanent woonagtig is en in 'n vorm soos deur die Sekretaris goedgekeur, en sodanige vorm moet in die teenwoordigheid van 'n beampite in die diens van die Departement van Indiër-sake, of van die Departement van Volkswelsyn en Pensioene, of die distriks-pensioenbeampite, of een van sy beampites, hieronder genoem die attesterende beampite, onderteken word (a) deur die applikant, of (b) indien die applikant fisies of geestelik nie in staat is om sodanige vorm te onderteken nie, deur 'n persoon wat gemagtig is om namens hom op te tree.

(2) Wanneer 'n applikant om 'n pensioen aansoek doen, moet hy op die wyse wat die Sekretaris vereis, 'n vollerlige en ware opgawe van al sy inkomste, bates en laste en dié van sy eggenote verstrek.

(3) Where both a husband and his wife apply, separate application forms shall be completed and in both cases a statement of income, assets and liabilities of both the husband and the wife shall be furnished.

(4) The district pension officer shall after such enquiry as he may deem necessary forward the application together with all the information at his disposal in connection therewith and his report thereon to the Secretary and shall in every case where the Secretary so requires make such further enquiry and furnish to the Secretary such further information as the Secretary may direct.

Persons entitled to a Blind Person's Pension

6. Applications shall be supported by evidence and information as to:—

(a) *Age*.—Evidence in regard to age shall be in the form of either a birth or a baptismal certificate: Provided that if the Secretary is satisfied that neither a birth nor a baptismal certificate is obtainable, he may determine the age of an applicant according to such other documentary evidence as may satisfy him: Provided further that if such documentary evidence is not available, the Secretary may determine the age by virtue of a certificate furnished by a district pension officer to the effect that as a result of a personal enquiry he is satisfied that the applicant has attained a certain age.

(b) *Nationality*.—Any person who claims to have become a South African citizen—

(i) by registration or naturalisation shall produce a registration or naturalisation certificate, as the case may be, or, if unable to produce such certificate, he shall furnish information as to the date and place of registration or naturalisation; or

(ii) otherwise than by registration or naturalisation may be called upon to produce such evidence of such citizenship as will satisfy the Secretary.

(c) *Residence*.—Proof of residence may be required in such form as will satisfy the Secretary.

Powers and Duties of the Secretary and District Pension Officers

7. (1) Any person who has applied shall, when requested to do so, attend personally before the district pension officer to give evidence and to furnish information in connection with his application.

(2) The Secretary or the district pension officer or any other officer authorised by either of them may call upon the applicant or any other person by letter to produce any evidence in any form relative to any application for a blind person's pension.

(3) The Secretary or the district pension officer may at his discretion accept the following as testimony for or against an application:—

(a) an affidavit or a sworn or attested declaration made by a person who therein declares to what he knows of his own knowledge to be true; or

(b) any other documentary evidence.

(4) Every district pension officer shall keep a record of all applications for a pension received by him.

Date of Application for a Pension

8. The date on which a completed application form is signed by the applicant before the attesting officer shall be deemed to be the date of application.

(3) Wanneer sowel 'n man as sy vrou aansoek doen moet afsonderlike aansoekvorms ingevul word en in albei gevalle moet 'n opgawe van die inkomste, bates en laste van sowel die man as die vrou verstrekk word.

(4) Die distrikspensioenbeampte moet na die ondersoek wat hy nodig ag, die aansoek, tesame met alle inligting tot sy beskikking in verband daarmee en sy verslag daarvoor, aan die Sekretaris stuur, en moet in enige geval waar die Sekretaris dit vereis, die verdere ondersoek instel en die verdere inligting aan die Sekretaris verstrekk wat hy gelas.

Persone Geregtig op 'n Pensioen vir Blindes

6. Aansoeke moet gestaaf word deur getuienis en inligting aangaande:—

(a) *Ouderdom*.—Bewys van ouderdom moet in die vorm van of 'n geboorte sertifikaat of 'n doopseel wees: Met dien verstande dat indien die Sekretaris daarvan oortuig is dat nog 'n geboortesertifikaat nog 'n doopseel verkrygbaar is, hy die ouderdom van 'n applikant kan bepaal volgens enige ander dokumentêre bewys wat hy as bevredigend beskou: Met dien verstande voorts dat, indien sodanige dokumentêre bewys nie beskikbaar is nie, die Sekretaris die ouderdom kan bepaal op grond van 'n sertifikaat verstrekk deur 'n distrikspensioenbeampte ten effekte dat hy as gevolg van 'n persoonlike ondersoek, oortuig is dat die applikant 'n sekere ouderdom bereik het.

(b) *Nasionaliteit*.—'n Persoon wat daarop aanspraak maak dat hy 'n Suid-Afrikaanse burger—

(i) deur registrasie of naturalisasie geword het, moet 'n registrasie- of naturalisasiesertifikaat, na gelang van die geval, voorlê, of indien hy nie in staat is om sodanige sertifikaat voor te lê nie, moet hy inligting verstrekk aangaande die datum en plek van registrasie of naturalisasie; of

(ii) op 'n ander wyse as deur registrasie of naturalisasie geword het, kan aangesê word om die bewyse van sodanige burgerskap voor te lê wat vir die Sekretaris oortuigend is.

(c) *Verblyf*.—Bewys van verblyf kan vereis word in die vorm wat vir die Sekretaris aanvaarbaar is.

Bevoegdhede en Pligte van die Sekretaris en van Distrikspensioenbeamptes

7. (1) 'n Persoon wat aansoek gedoen het, moet, wanneer hy versoek word om dit te doen, persoonlik voor die distrikspensioenbeampte verskyn om getuienis af te lê en inligting te verstrekk in verband met sy aansoek.

(2) Die Sekretaris of distrikspensioenbeampte, of enige ander beampte wat deur enigeen van hulle gemagtig is, kan die applikant of enige ander persoon per brief aansê om enige getuienis in enige vorm in verband met 'n aansoek om 'n pensioen vir blindes voor te lê.

(3) Die Sekretaris of die distrikspensioenbeampte kan, na goedgeken, as getuienis vir of teen 'n aansoek die volgende aanneem:—

(a) 'n beëdigde of geattesteerde verklaring afgelê deur 'n persoon wat daarin verklaar dat wat hy uit eie kennis weet, waar is; of

(b) enige ander dokumentêre bewys.

(4) Elke distrikspensioenbeampte moet aantekening hou van al die aansoeke om pensioene deur hom ontvang.

Datum van Aansoek om Pensioen

8. Die datum waarop 'n voltooid aansoekvorm deur die applikant voor die attesterende beampte onderteken is, word gegag die datum van aansoek te wees.

Consideration of Application for a Pension and Date of Accrual of Pension

9. (1) In deciding whether a pension should be granted, cancelled, reduced or increased or when determining the amount of a pension, the Secretary shall take into account—

(a) the ability and opportunities of an applicant or pensioner to support himself or contribute towards his support by his own exertions; and

(b) the ability of the spouse of an applicant or pensioner to support him or to contribute towards his support.

(2) If the Secretary determines that an applicant should receive a pension, payment of the pension shall be made with effect from a date determined by him: Provided that it shall not be a date prior to the first day of the month in which application therefor has been made.

Determination of the Amount of the Pension and Persons not Entitled to Pension

10. (1) A pension granted to a blind person under section 2 of the Act shall, subject to the provisions of this regulation, be of such an amount as the Secretary with due regard to the circumstances of the applicant and his spouse deems reasonable and sufficient, but shall not exceed R72 per annum.

(2) In addition to the pension provided for in regulation 10 (1), there shall be paid to any person granted a pension in terms of section 2 of the Act an additional allowance of R108 per annum.

(3) No pension granted under section 2 of the Act shall be at such a rate as will make the pensioner's income or means together with his pension exceed R168 per annum.

(4) For the purposes of subregulation (3), income or means shall not be deemed to include—

(a) any benefit paid to any person in terms of the Act, the Disability Grants Act, 1968, the War Veterans' Pensions Act, 1968, or the Aged Persons Act, 1967.

(b) any allowance granted in terms of any regulation made under section 92 (1) (k) of the Children's Act, 1960, in the form of a contribution towards the maintenance of any person referred to in section 89 (1) (c) of that Act;

(c) the personal earnings of any person if such person satisfies the Secretary that he has attained the age of 70 years.

(5) (a) No pension shall be payable under the Act to any person in receipt of a pension in terms of the Aged Persons Act, 1967 (Act No. 81 of 1967), or the War Veterans' Pensions Act, 1968 (Act No. 25 of 1968), or a grant in terms of the Disability Grants Act, 1968 (Act No. 27 of 1968).

(b) No person who is attending a school for the blind established or approved under the Indian Education Act, 1965 (Act No. 61 of 1965), shall be entitled to a pension.

(c) No person who is under the age of 21 years and is eligible for admission to such school, but is not attending such school shall be entitled to a pension unless the appropriate head of department referred to in the said Act has certified that such person is by reason of his physical or mental condition unable to pursue or to complete the prescribed course of study at such a school.

Oorweging van Aansoek om en Toevallingsdatum van Pensioen

9. (1) By 'n beslissing oor die vraag of 'n pensioen toegeken, ingetrek, verminder of verhoog moet word, of oor die bedrag van 'n pensioen, hou die Sekretaris rekening met—

(a) die vermoë en geleenthede van 'n applikant of pensioentrekker om deur eie inspanning homself te onderhou of tot sy onderhoud by te dra; en

(b) die vermoë van die eggenote van die applikant of pensioentrekker om hom te onderhou of tot sy onderhoud by te dra.

(2) Indien die Sekretaris bepaal dat 'n pensioen aan 'n applikant betaal behoort te word, is die pensioen betaalbaar vanaf 'n datum deur hom bepaal: Met dien verstande dat dit nie 'n datum mag wees voor die eerste dag van die maand waarin aansoek daarom gedoen is nie.

Vasstelling van Bedrag van Pensioen en Persone nie op Pensioen Geregtig nie

10. (1) Die pensioen aan 'n blinde toegeken kragtens artikel 2 van die Wet, beloop, behoudens die bepalings van hierdie regulasie, 'n bedrag wat die Sekretaris met inagneming van die applikant en sy eggenote se omstandighede redelik en voldoende ag, maar mag R72 per jaar nie te bowe gaan nie.

(2) Benewens die pensioen waarvoor in regulasie 10 (1) voorsiening gemaak word, word daar aan enige persoon aan wie 'n pensioen ingevolge artikel 2 van die Wet toegeken word, 'n bykomende toelae van R108 per jaar betaal.

(3) 'n Pensioen word nie kragtens artikel 2 van die Wet toegeken teen so 'n skaal dat die pensioentrekker se inkomste of middele tesame met die pensioen meer sal bedra nie as R168 per jaar.

(4) By die toepassing van subregulasie (3) word inkomste of middele nie geag in te sluit nie—

(a) enige voordeel wat ingevolge die Wet, die Wet op Ongeskiktheidstoelae, 1968, die Wet op Oudstryderspensioene, 1968, of die Wet op Bejaarde Persone, 1967, aan 'n persoon betaal word;

(b) enige toelae wat ingevolge 'n regulasie uitgevaardig kragtens artikel 92 (1) (k) van die Kinderwet, 1960, by wyse van 'n bydrae tot die onderhoud van 'n persoon in artikel 89 (1) (c) van daardie Wet bedoel, toegeken is;

(c) die persoonlike verdienste van 'n persoon, indien sodanige persoon die Sekretaris oortuig dat hy die leeftyd van 70 jaar bereik het.

(5) (a) Geen pensioen word kragtens die Wet betaal nie aan 'n persoon wat 'n pensioen ontvang kragtens die Wet op Bejaarde Persone, 1967 (Wet No. 81 van 1967), of die Wet op Oudstryderspensioene, 1968 (Wet No. 25 van 1968), of 'n toelae kragtens die Wet op Ongeskiktheidstoelae, 1968 (Wet No. 27 van 1968).

(b) Niemand wat 'n skool vir Blindes wat kragtens die Wet op Onderwys vir Indiërs, 1965 (Wet No. 61 van 1965), opgerig of goedgekeur is, bywoon, is tot 'n pensioen geregtig nie.

(c) Geen persoon wat onder die leeftyd van 21 jaar is en wat bevoeg is om tot so 'n skool toegelaat te word, maar nie so 'n skool bywoon nie, is op 'n pensioen geregtig nie tensy die betrokke departementshoof in daardie Wet bedoel, gesertifiseer het dat sodanige persoon vanweë sy liggaamlike of geestetoestand nie in staat is om die voorgeskrewe leer kursus in so 'n skool te volg of te voltooi nie.

(d) No person shall be entitled to a pension if he refuses on grounds the Secretary deems to be inadequate to submit himself to any medical treatment which may be recommended by a medical practitioner referred to in section 3 of the Act.

Attendant's Allowance

11. (1) If in the opinion of the Secretary the physical or mental condition of any person to whom a pension has been granted under the Act necessitates the regular attendance of another person, he may, on such conditions as he may determine, in addition to the said pension, grant to such pensioner or to any person on his behalf an attendant's allowance not exceeding R60 per annum.

(2) An allowance under subregulation (1) shall accrue as from a date determined by the Secretary: Provided that it shall not be a date prior to the first day of the month in which the Secretary finds that the physical or mental condition of the pensioner concerned is such as to necessitate the regular attendance of another person, at that date.

Cancellation or Variation of Pension

12. (1) The Secretary may at any time review a pension and if he is satisfied—

(a) that a pension should be cancelled, reduced or increased, he may with due regard to the circumstances of each case—

(i) cancel such pension; or

(ii) reduce or increase such pension with effect from such date, including any date in the past, as he may determine;

(b) that a pension which has been cancelled should be restored, he may restore such pension in conformity with regulation 10 with effect from the first day of the month in which the pension should in his opinion be so restored or have been so restored.

(2) If application is made for the increase of a pension and the Secretary is satisfied that such pension should be increased, he may increase the pension in conformity with the provisions of regulation 10 with effect from the first day of the month in which such application is made: Provided that if such application is made within a period of 60 days of the date on which, in the opinion of the Secretary, the pensioner concerned became qualified to receive such increase, the Secretary may increase the pension with effect from the month in which the pensioner became so qualified.

(3) When a pensioner dies, the Secretary may pay his pension up to the last day of the month in which he died to any other person who in the opinion of the Secretary can claim that he incurred expenditure on the maintenance and/or care of the deceased or incurred deathbed or funeral expenses.

Payment of Pensions to Persons Detained and Maintained in State or State-Aided Institutions

13. If a pensioner is at any time being compulsorily detained and maintained at public expense in a leper institution, a mental institution, an institution for the feeble-minded or a prison or other State institution or in terms of an order of court in a State-Aided institution, no pension shall be payable to him from the first day of the month immediately following the month in which his detention and maintenance therein commenced to the last day of the month immediately preceding the month in which he ceases to be so detained and maintained: Provided that the Secretary may order that his pension or a portion thereof may be paid for any part of the period for which such person is so detained and he may

(d) Geen persoon is op 'n pensioen geregtig nie indien hy om redes wat die Sekretaris as onvoldoende beskou, weier om hom te onderwerp aan enige geneeskundige behandeling wat deur 'n geneesheer in artikel 3 van die Wet bedoel, aanbeveel mag word.

Toelae vir Oppassers

11. (1) Indien die Sekretaris oordeel dat 'n persoon aan wie 'n pensioen ingevolge die Wet toegeken is, in so 'n liggaamlike of geestestoestand verkeer dat hy gereeld deur iemand anders opgepas moet word, kan hy, op die voorwaardes wat hy bepaal, benewens bedoelde pensioen, aan die pensioentrekker of aan iemand anders ten behoeve van hom, 'n oppasserstoelae toeken wat nie meer bedra nie as R60 per jaar.

(2) 'n Toelae ingevolge subregulasie (1) val toe vanaf 'n datum deur die Sekretaris bepaal: Met dien verstande dat dit nie 'n datum mag wees voor die eerste dag van die maand waarin die Sekretaris bevind dat die betrokke pensioentrekker in so 'n liggaamlike of geestestoestand verkeer dat hy gereeld deur iemand anders opgepas moet word nie.

Intrekking of Verandering van Pensioen

12. (1) Die Sekretaris kan 'n pensioen te eniger tyd hersien, en as hy oortuig is—

(a) dat 'n pensioen ingetrek, verminder of verhoog behoort te word, kan hy, met behoorlike inagneming van die omstandighede van elke geval—

(i) die pensioen intrek; of

(ii) die pensioen verminder of verhoog, met ingang van die datum, met inbegrip van 'n datum in die verlede, wat hy bepaal;

(b) dat 'n pensioen wat ingetrek is, herstel behoort te word, kan hy ooreenkomstig regulasie 10 die pensioen herstel met ingang van die eerste dag van die maand waarin die pensioen volgens sy oordeel aldus herstel behoort te word of moes gewees het.

(2) Indien om verhoging van 'n pensioen aansoek gedoen word en die Sekretaris oortuig is dat die pensioen verhoog behoort te word, kan hy die pensioen in ooreenstemming met die bepalinge van regulasie 10 verhoog met ingang van die eerste dag van die maand waarin aansoek gedoen word: Met dien verstande dat indien die aansoek gedoen word binne 'n tydperk van 60 dae vanaf die datum waarop die betrokke pensioentrekker volgens die Sekretaris se oordeel aan die vereistes vir die verhoging voldoen het, die maand waarin die pensioentrekker aldus voldoen het.

(3) Wanneer 'n pensioentrekker te sterwe kom, kan die Sekretaris sy pensioen betaal tot die laaste dag van die maand waarin hy te sterwe kom, aan enige ander persoon wat volgens die Sekretaris se mening, daarop aanspraak het dat hy koste aangegaan het ten opsigte van die oordene se lewensonderhoud en/of versorging of uitgawes aangegaan het vir sterfbed- of begrafniskoste.

Betaling van Pensioene aan Persone wat in Staats- of Staatsondersteunde Inrigtings Aangehou en Onderhou word

13. Indien 'n pensioentrekker te eniger tyd onder dwang aangehou en op Staatskoste onderhou word in 'n gestig vir melaatses, swaksinniges of kranksinniges of 'n gevangenis of ander Staatsinrigting of kragtens 'n hofbevel in 'n staatsondersteunde inrigting, is vanaf die eerste dag van die maand onmiddellik na die maand waarin sy aanhouding en onderhoud aldaar 'n aanvang neem, tot die laaste dag van die maand onmiddellik voor die maand waarin sy aanhouding en onderhoud ten einde loop, geen pensioen aan hom betaalbaar nie: Met dien verstande dat die Sekretaris kan gelas dat sy pensioen of 'n gedeelte daarvan betaal kan word vir enige gedeelte van die tydperk wat so 'n persoon aldus aangehou word en kan hy so 'n

pay such pension or any portion thereof to any other person or to the Management of the institution concerned for the purpose of disbursing it on behalf of the pensioner.

Appeal to the Minister

14. Any applicant or pensioner who is dissatisfied with the decision or action of the Secretary may appeal in writing through the Secretary to the Minister within 90 days of the date of the letter in which the Secretary informed him of the decision or action appealed against.

Payment of Pensions

15. (1) Pensions shall be paid monthly by the Secretary in such manner as he may deem expedient and on such days as he may determine.

(2) When a pensioner is too ill to attend at a post office to receive payment of his pension, he may forward his letter of authority together with an application in writing duly signed and witnessed to the Postmaster or the Regional Representative of the Department of Indian Affairs for the payment to be made to the person named in his application, and the Postmaster or the Regional Representative on obtaining the signature of the duly authorised person to the receipt and his certificate that the pensioner is alive shall, unless he sees any reason for doubt in the matter, make payment of the pension to such person and forward the application to the Secretary.

Payment of Contributions

16. (1) Any registered welfare organisation which desires a contribution in terms of section 2 of the Act shall submit through the National Council for the Blind an application therefor setting out the following particulars:—

- (a) the purpose for which the grant-in-aid is desired;
- (b) the nature of any facilities already provided for the promotion of the welfare of blind persons in the area concerned;
- (c) the financial position of the welfare organisation including a statement of its revenue and expenditure during the previous financial year;
- (d) the number of blind persons for whom provision has already been made and is intended to be made by such welfare organisation;
- (e) any other information which may be relevant to the application.

(2) The National Council referred to in subregulation (1) shall on receipt of an application which has been submitted to it under that subregulation forward the application to the Secretary together with its comments thereon: Provided that the said Council may, if it considers additional information to be necessary, refer the application back to the welfare organisation concerned for such information before so forwarding it.

ANNEXURE

SUBPOENA UNDER SECTION 7 OF THE BLIND PERSONS ACT, 1968

Subpoena to appear before.....

To A.B.

You are hereby summoned to appear at.....
on the..... day of.....
19..... at..... o'clock
before..... to give evidence respecting
.....*, and you are required
to bring with you.....

pensioen of enige gedeelte daarvan aan enige ander persoon of aan die bestuur van die betrokke inrigting betaal om dit namens die pensioentrekker te bestee.

Appel by Minister

14. Enige applikant of pensioentrekker wat ontevrede is met die beslissing of optrede van die Sekretaris, kan skriftelik, deur bemiddeling van die Sekretaris, appelleer by die minister binne 90 dae na die datum van die brief waarin die Sekretaris hom in kennis gestel het van die beslissing of optrede waarteen geappelleer word.

Betaling van Pensioene

15. (1) Pensioene word maandeliks deur die Sekretaris betaal op die wyse wat hy wenslik ag en op die dae wat hy bepaal.

(2) Wanneer 'n pensioentrekker te siek is om na 'n poskantoor te gaan om betaling van sy pensioen te ontvang, kan hy sy magtigingsbrief, tesame met 'n skriftelike aansoek behoorlik voor getuies onderteken, aan die Posmeester of die Streekvertegenwoordiger van die Departement van Indiërsake stuur, sodat betaling gedoen kan word aan die persoon genoem in sy aansoek, en die Posmeester of Streekvertegenwoordiger moet, tensy hy enige twyfel oor die saak het, na verkryging van die handtekening van die behoorlik gemagtigde persoon op die kwitansie en sy sertifikaat dat die pensioentrekker nog lewe, betaling van die pensioen aan sodanige persoon doen en die aansoek aan die Sekretaris stuur.

Skenking van Bydraes

16. (1) 'n Geregistreerde welsynsorganisasie wat 'n bydrae kragtens artikel 2 van die Wet verlang, moet deur bemiddeling van die Nasionale Raad vir Blindes 'n aansoek, waarin die volgende besonderhede uiteengesit word, daarom indien:—

- (a) die doel waarvoor die bydrae verlang word;
- (b) die aard van enige fasiliteite wat alreeds vir die bevordering van die welsyn van blindes in die betrokke gebied verskaf word;
- (c) die finansiële posisie van die welsynsorganisasie, insluitende 'n staat van sy inkomste en uitgawe gedurende die vorige boekjaar;
- (d) die getal blindes vir wie sodanige welsynsorganisasie reeds voorsiening gemaak het en voornemens is om nog voorsiening te maak;
- (e) enige ander inligting wat op die aansoek betrekking mag hê.

(2) Die Nasionale Raad soos bedoel in subregulasie (1), moet na ontvangs van 'n aansoek wat kragtens daardie subregulasie by hom ingedien word, die aansoek, tesame met sy opmerkings daaroor, aan die Sekretaris stuur: Met dien verstande dat die bedoelde Raad, as hy van mening is dat verdere inligting nodig is, die aansoek na die betrokke welsynsorganisasie kan terugverwys vir sodanige inligting voordat dit aldus aangestuur word.

AANHANGSEL

DAGVAARDING KRAGTENS ARTIKEL 7 VAN DIE WET OP BLINDES, 1968

Dagvaarding om te verskyn voor.....

Aan A.B.

U word hierby gedagvaar om te verskyn te.....
op die..... dag van..... 19.....
om..... uur, voor.....
om getuienis af te lê aangaande.....*
en daar word verlang dat u.....
met u saambring.

Given under my hand this.....
day of..... 19.....

†.....

* If the person summoned is required to produce any book, record or document, fill in a description thereof; otherwise strike out these words.

† Specify designation of the issuing officer.

DEPARTMENT OF INDUSTRIES

No. R. 2068 8 November 1968

SEA FISHERIES ACT, 1940

AMENDMENT TO REGULATIONS

The State President has been pleased, under the powers vested in him by section 11 of the Sea Fisheries Act, 1940 (Act No. 10 of 1940), to amend and supplement the regulations promulgated under Government Notice No. R. 620, dated 22 April 1966, as amended by Government Notice No. R. 684, dated 12 May 1967, to the extent set out in the Schedule hereto:—

SCHEDULE

1. Amend the existing regulations as follows:—

HEADING

Delete the words "Commerce and"

PART III

Regulation 20

Amend regulation 20 by the insertion of the words "within 21 days of such cessation of use" between the words "shall" and "obliterate".

PART IV

Regulation 25

Amend regulation 25 by the deletion of the second proviso appearing after the words "in contravention of regulation 22" and the substitution of a full-stop for the semicolon after these words.

Regulation 26

Insert the following new subregulation (5) after subregulation (4):—

"(5) No skipper or owner of any boat shall carry or allow to be carried on such boat any rock lobster nets or traps during the period in which the catching of rock lobster is prohibited by any proclamation issued under section 4 of the Act."

Regulation 29

Amend subregulation (2) by the insertion of the words "along the sea-shore in the Province of the Cape of Good Hope and in the adjoining territorial waters," between the words "lobster" and "except".

Regulation 33

Amend regulation 33 by the insertion of the words "or a beach trek-seine net" between the words "handline" and "capture".

Regulation 38

Insert the following new subregulations (3) and (4) after subregulation (2):—

"(3) Except with the written permission of the Director, no person shall capture or attempt to capture by means of spear fishing more than two fish of any species in any one day."

Gegee onder my hand op hede die.....
dag van..... 19.....

*.....

†.....

* Indien gedagvaarde 'n boek, aantekening of dokument moet voorlê, vul in beskrywing daarvan; so nie, moet hierdie woorde geskrap word.

† Meld hoedanigheid van uitreikende beampte.

DEPARTEMENT VAN NYWERHEIDSWESE

No. R. 2068 8 November 1968

WET OP SEEVISSERYE, 1940

WYSIGING VAN REGULASIES

Dit het die Staatspresident behaag om kragtens die bevoegdheid hom verleen by artikel 11 van die Wet op Seevisserye, 1940 (Wet No. 10 van 1940), die regulasies afgekondig by Goewermentskennisgewing No. R. 620 van 22 April 1966, soos gewysig by Goewermentskennisgewing No. R. 684 van 12 Mei 1967, te wysig en aan te vul in die mate in die Bylae hiervan aangedui:—

BYLAE

1. Wysig die bestaande regulasies soos volg:—

OPSKRIF

Skrap die woorde „Handel en” en vervang die woord „Nywerheid” deur die woord „Nywerheidswese”.

DEEL III

Regulasie 20

Wysig regulasie 20 deur die woorde „binne een-en-twintig dae na sodanige onttrekking van gebruik” tussen die woorde „vissersboot” en „enige” in te voeg.

DEEL IV

Regulasie 25

Wysig regulasie 25 deur die tweede voorbehoudsbepaling na die woorde „in die see teruggeplaas word nie” te skrap en die kommapunt na hierdie woorde deur 'n punt te vervang.

Regulasie 26

Voeg na subregulasie (4) die volgende nuwe subregulasie (5) in:—

„(5) Geen skipper of eienaar van enige boot mag op sodanige boot enige kreefnet of fuik dra of toelaat dat dit daarop gedra word gedurende die tydperk waarin die vang van kreef by enige proklamasie uitgevaardig kragtens artikel 4 van die Wet, verbied is nie”.

Regulasie 29

Wysig subregulasie (2) deur die woorde „langs die seekus in die provinsie die Kaap die Goeie Hoop, en in die aangrensende territoriale waters” tussen die woorde „mag” en „enige” in te voeg.

Regulasie 33

Wysig regulasie 33 deur die woorde „of 'n strandtrek-seën” tussen die woorde „handlyn” en „enige” in te voeg.

Regulasie 38

Voeg na subregulasie (2) die volgende nuwe subregulasies (3) en (4) in:—

„(3) Behalwe met die skriftelike toestemming van die Direkteur, mag niemand deur middel van visjag op enige dag meer as twee visse van enige soort vang of probeer vang nie.”

“(4) For the purposes of subregulation (3), “spear fishing” means using any spear, harpoon, speargun or any weapon, apparatus or mechanism so constructed as to be capable of being used under water.”.

PART V

Regulation 41

Amend item (iii) by the insertion of the Latin name of the species “*Aulacomya magellanica*”, after the words “*Aulacomya crenatus*”.

Regulation 47

Amend subregulation (1) by—

(a) the substitution of the words “Except as provided in subregulation (2)” for the words “Notwithstanding the provisions of subregulations (2) and (3)”; and

(b) the insertion of the words “Limpets (*Patella* spp.) fifteen (15)” at the end of this subregulation.

Regulation 49

(a) Substitute the words “Except as provided in” for the words “Notwithstanding the provisions of” where they appear in subregulation (1).

(b) Insert the following new subregulation (7) after subregulation (6):—

“(7) No person who collects or removes perlemoen in terms of the authority granted by subregulation (1), shall collect or attempt to remove perlemoen within a distance of 200 yards seawards from the shore, measured from the high-water mark, in the area bounded by the most southerly point at Cape Point, thence by the shore to the most southerly point at Cape Agulhas”.

Regulation 51

Amend regulation 51 by the addition of the following subregulation, the existing regulation becoming subregulation (1):—

“(2) Notwithstanding anything to the contrary in these regulations contained, no person shall collect or disturb any perlemoen, alikreukel, rock lobster, black mussel, polychaete worm, crab, octopus, red bait, limpet or any other marine organisms in the H. F. Verwoerd Coastal Reserve at Betty’s Bay in the Division of Caledon, in the area bounded by a straight line drawn from the concrete beacon, marked B1, situated at Stoney Point to a similar concrete beacon, marked B2, situated to the west of Dawidsbaai, also known as “Jock-se-Baai”, and thence all along the high-water mark between the said two concrete beacons.”

PART VII

Regulation 67

Amend subregulation (1) of regulation 67 by the substitution of the words “Cape Agulhas” for the words “Quoin Point” wherever the latter appear.

Regulation 71

Substitute the following new regulation 71 for regulation 71:—

“71. (a) No person shall within False Bay, in the area defined in subregulation (1) of regulation 70, use the following:—

(i) any purse-seine net exceeding fifty (50) fathoms in length and eight (8) fathoms in depth; or

(ii) any Japanese or similar type of long-line.

“(4) Vir doeleindes van subregulasie (3) beteken „vis-jag” die gebruik van enige spies, harpoen, spiesgeweer of enige wapen, apparaat of meganisme so vervaardig dat dit onder water gebruik kan word.”

DEEL V

Regulasie 41

Wysig item (x) deur die Latynse naam van die spesies „*Aulacomya magellanica*” na die woorde „*Aulacomya crenatus*” in te voeg.

Regulasie 47

Wysig subregulasie (1) deur—

(a) die woorde „Nieteenstaande die bepaling van subregulasies (2) en (3)” deur die woorde „Behalwe soos bepaal in subregulasie (2)”, te vervang;

(b) die woorde „Klipmossel (*Patella* spp.); vyftien (15)” aan die einde van hierdie subregulasie in te voeg.

Regulasie 49

(a) Vervang die woorde „Nieteenstaande die bepalings van” waar dit in subregulasie (1) voorkom deur die woorde „Behalwe soos bepaal in”;

(b) Voeg na subregulasie (6) die volgende nuwe subregulasie (7) in:—

“(7) Niemand wat perlemoen kragtens die magtiging verleen by subregulasie (1) versamel of verwyder, mag binne ’n afstand van tweehonderd jaarts seewaarts vanaf die strand, gemeet vanaf die hoogwatermerk, in die gebied begrens deur die suidelikste punt by Kaappunt, daarvandaan deur die strand tot by die suidelikste punt by Kaap Agulhas, perlemoen versamel of probeer verwyder nie.”

Regulasie 51

Wysig regulasie 51 deur die volgende subregulasie by te voeg, terwyl die bestaande regulasie subregulasie (1) word:—

“(2) Nieteenstaande andersluidende bepalings in hierdie regulasies vervat, mag niemand in die H. F. Verwoerd-Seereservaat te Bettysbaai, in die Afdeling Caledon, binne die gebied begrens deur ’n reguit lyn getrek vanaf die betonbaken, gemerk B1, geleë te Stoneypunt tot by ’n soortgelyke betonbaken, gemerk B2, geleë ten weste van Dawidsbaai, ook bekend as „Jock-se-Baai”, en daarvandaan al langs die hoogwatermerk tussen genoemde twee betonbakens, enige perlemoen, alikreukel, kreef, swartmossel, „polychaete”-wurm, krap, seekat, rooi-aas, klipmossel of enige ander mariene organismes versamel of versteur nie”.

DEEL VII

Regulasie 67

Wysig subregulasie (1) van regulasie 67 deur die woord „Quoinpunt” waar dit ook al voorkom deur die woorde „Kaap Agulhas” te vervang.

Regulasie 71

Vervang regulasie 71 deur die volgende nuwe regulasie 71:—

„71. (a) Niemand mag in Valsbaai, in die gebied omskryf in subregulasie (1) van regulasie 70, die volgende gebruik nie:—

(i) enige beursseën met ’n lengte van meer as vyftig (50) vaam en ’n diepte van meer as agt (8) vaam; of

(ii) enige Japanese of soortgelyke tipe langlyn.

(b) The prohibition in subparagraph (i) of paragraph (a) shall not apply in respect of any fishing vessel authorised to catch anchovies, pilchards, maasbankers or mackerel for canning or the production of fish meal, fish oil or fish fertilizers or for sale to any person for the purpose of canning or the production of fish meal, fish oil or fish fertilizers."

Regulation 74

Substitute the following new regulation 74 for regulation 74:—

"74. No person shall without the written authority of the Director use any net or netting in the area within the whole of Saldanha Bay inside a straight line drawn through two white concrete beacons marked NH1 and NH2, respectively, and situated on the point known as "North Head" and a similar beacon marked SH1 and situated on the point known as "South Head": Provided that beach trek-seine nets may be used in the area lying north of a straight line between Salamander Point and Leentjiesklip."

Regulation 76

Amend subregulation (1) of regulation 76 by the substitution of the letters and figure "SH1" and the word "South" for the letters and figure "NH1" and the word "North" respectively.

Regulation 77

Substitute a colon for the full-stop at the end of regulation 77 and add the following proviso:—

"Provided that cast and scoop nets may be used for the purpose of catching fish for bait."

PART VIII

Regulation 83

Amend regulation 83 by the insertion of the words "blue whale" between the words "whale" and "hump-back" in paragraph (a).

Regulation 84

Amend regulation 84 by the deletion of—

(a) the words "Blue Whale, 70 feet" in subregulation (1); and

(b) the words "blue whales of not less than 65 feet" in paragraph (b) of subregulation (1).

PART IX

Regulation 121

Amend regulation 121 by the substitution of the word and figure "Part XIV" for the word and figure "Part XIII".

PART X

Regulation 133

Amend regulation 133 by—

(a) the substitution of the words "fifty cents (50c) per sample" for the words "one cent (1c) per container" in subparagraph (iii) of paragraph (b) of subregulation (1); and

(b) the substitution of the word and figure "Part XIV" for the word and figure "Part XIII" in subregulation (7).

PART XI

Regulation 137

1. Amend regulation 137 by the insertion of the words "and/or skipper" between the words "owner" and "of".

2. Insert the following new Part XIII, the existing Part XIII becoming Part XIV and regulations 140 and 141 becoming regulations 146 and 147 respectively:

(b) Die verbod in subparagraaf (i) van paragraaf (a) is nie van toepassing ten opsigte van enige vissersboot wat gemagtig is om ansjovisse, sardyn, marsbankers of makriel vir inmaak of die vervaardiging van vismeel, visolie of vismisstof of verkoop aan enige persoon vir die doel van inmaak of die vervaardiging van vismeel, visolie of vismisstof te vang nie."

Regulasie 74

Vervang regulasie 74 deur die volgende nuwe regulasie 74:—

"74. Niemand mag sonder die skriftelike magtiging van die Direkteur enige net of netwerk in die gebied binne die hele Saldanhabaai aan die binnekant van 'n reguit lyn getrek deur twee wit betonbakens wat onderskeidelik N.H.1 en N.H.2 gemerk en op die punt bekend as „North Head" geleë is, en 'n soortgelyke baken wat S.H.1 gemerk en op die punt bekend as „South Head" geleë is, gebruik nie: Met dien verstande dat strandtrekseëns in die gebied ten noorde van 'n reguit lyn tussen Salaman-derpunt en Leentjiesklip gebruik mag word."

Regulasie 76

Wysig subregulasie (1) van regulasie 76 deur die letters en syfer „NH1" en die woord „North" deur onderskeidelik die letters en syfer „SH1" en die woord „South" te vervang.

Regulasie 77

Vervang die punt aan die einde van regulasie 77 deur 'n dubbelpunt en voeg die volgende voorhoudbepaling daarna in:—

„Met dien verstande dat gooi- en skepnette met die doel om vis vir aas te vang, gebruik mag word."

DEEL VIII

Regulasie 83

Wysig regulasie 83 deur die woord „blouwalvis" tussen die woorde „vaalwalvis" en „bulrugwalvis" in paragraaf (a) in te voeg.

Regulasie 84

Wysig regulasie 84 deur—

(a) die woorde „Blouwalvis, 70 voet" in subregulasie (1); en

(b) die woorde „blouwalvisse wat nie minder as 65 voet" in paragraaf (b) van subregulasie (1), te skrap.

DEEL IX

Regulasie 121

Wysig regulasie 121 deur die woord en syfer „Deel XIII" deur die woord en syfer „Deel XIV" te vervang.

DEEL X

Regulasie 133

Wysig regulasie 133 deur—

(a) die woorde „een sent (1c) per houer" in subparagraaf (iii) van paragraaf (b) van subregulasie (1) deur die woorde „vyftig sent (50c) per monster" te vervang;

(b) deur die woord en syfer „Deel XIII" in subregulasie (7) deur die woord en syfer „Deel XIV" te vervang.

DEEL XI

Regulasie 137

1. Wysig regulasie 137 deur die woorde „en/of skipper" tussen die woorde „eienaar" en „van" in te voeg.

2. Voeg onderstaande nuwe Deel XIII in, terwyl die bestaande Deel XIII dan Deel XIV en regulasies 140 en 141 onderskeidelik regulasies 146 en 147 word;

PART XIII

PROTECTION OF EAST COAST ROCK LOBSTER

140. In this Part—

(i) "rock lobster" means the East Coast rock lobster (*Panulirus homarus*); and

(ii) "rock lobster tail" means any rock lobster tail derived from the East Coast rock lobster.

141. No person shall capture, sell, expose for sale, purchase, possess or be in possession of the following:—

(a) any rock lobster in berry (i.e. carrying eggs) or showing signs of having been stripped of the berry;

(b) any rock lobster which is about to, or has recently, cast its shell and is in a soft condition;

(c) any rock lobster, being in a whole state, of a size less than 2.25 inches, measured in a straight line along the middle dorsal line of the carapace, from the centre of the edge which connects the two enlarged anterior spines to the middle of the posterior edge of the carapace. [For the purpose of this paragraph "edge" means the hard edge of the carapace (or *cephalothorax*) and does not include the edge or any part of the fringe or *setae* (hairs) which protrude rearwards from the carapace.]

142. No person shall sell or expose for sale, purchase, transport, remove, possess or be in possession of the following:—

(a) any rock lobster tail which has been severed from the body, if the second segment of such rock lobster tail, counted from the junction of the tail with the body, is less than 0.8 inch in length, measured along the middle dorsal line from edge to edge of the said segment; or

(b) the berry (or eggs) of any rock lobster.

143. Any person who captures, or comes into possession of any rock lobster of a size less than that prescribed in paragraph (c) of regulation 141, or any rock lobster in berry or which is about to, or has recently, cast its shell and is in a soft condition, shall without delay return such rock lobster uninjured to the sea.

144. No person shall return to the sea any rock lobster or any part or any offal of such rock lobster: Provided that the provisions of this regulation shall not prohibit the return to the sea of any rock lobster captured in contravention of regulation 141.

145. All rock lobster not in berry and not undersized in terms of the provisions of regulation 141, shall be retained in a whole state until landed or brought ashore.

DEPARTMENT OF LABOUR

No. R. 2039 8 November 1968

INDUSTRIAL CONCILIATION ACT, 1956

ELECTRICAL INDUSTRY, NATAL

CORRECTION TO GOVERNMENT NOTICE

The following corrections to Government Notice No. R. 1621 appearing in *Government Gazette Extraordinary* No. 2160 (Regulation Gazette No. 1012) of 13 September 1968, are published for general information:—

(a) In the Table of Wage Rates in Part III of the English version of the Schedule insert the figure "R1.00" in the "Rate per hour" column against the words "After six months continuous service with the same employer calculated as from the date of commencement of this Agreement".

DEEL XIII

BESKERMING VAN OOSKUSKREEF

140. In hierdie deel beteken—

(i) „kreef” die Ooskuskreef (*Panulirus homarus*); en
(ii) „kreefstert” enige kreefstert afkomstig van die Ooskuskreef.

141. Niemand mag die volgende vang, verkoop, te verkoop uitstal, koop, besit of in besit daarvan wees nie:—

(a) enige kreef wat eiers dra of wat tekens toon dat die eiers afgestroop is;

(b) enige kreef wat op die punt staan om sy dop af te werp, of dit onlangs gedoen het, en wat in 'n sagte toestand verkeer;

(c) enige kreef, in 'n heel toestand, wat kleiner as 2.25 duim is, gemeet in 'n reguit lyn langs die middelruglyn van die kopborsstuk, vanaf die middelpunt van die kant wat die twee vergrote anterior tekels verbind tot by die middel van die agterste kant van die kopborsstuk. Vir die toepassing van hierdie paragraaf beteken „kant” die harde kant van die kopborsstuk (of pantser of *cephalothorax*) en sluit nie die kant of enige deel van die rand of *setae* (hare) wat van die pantser agtertoe uitsteek, in nie.).

142. Niemand mag die volgende verkoop, te verkoop uitstal, koop, vervoer, verwyder, besit of in besit daarvan wees nie:—

(a) enige kreefstert wat van die lyf afgesny is, indien die tweede segment van sodanige kreefstert, getel vanaf die aansluiting van die lyf met die stert minder as 0.8 duim lank is, gemeet langs die middelruglyn van kant tot kant van genoemde segment; of

(b) die eiers van enige kreef.

143. Iemand wat enige kreef wat kleiner is as dié in paragraaf (c) van regulasie 141 voorgeskryf, of enige kreef wat eiers dra of op die punt staan om sy dop af te werp, of dit onlangs gedoen het, en wat in 'n sagte toestand verkeer, vang of in besit daarvan kom, moet sodanige kreef sonder versuim in 'n onbeseerde toestand in die see terugplaas.

144. Niemand mag enige kreef of enige deel of enige afval van sodanige kreef in die see terugplaas nie: Met dien verstande dat die bepalings van hierdie regulasie nie belet dat enige kreef wat in stryd met regulasie 141 gevang is, in die see teruggeplaas word nie.

145. Alle kreef wat nie eiers dra nie en wat kragtens die bepalings van regulasie 141 nie ondermaat is nie, moet in 'n heel toestand gehou word totdat dit aan land of wal gebring is.

DEPARTEMENT VAN ARBEID

No. R. 2039 8 November 1968

WET OP NYWERHEIDSVERSOENING, 1956

ELEKTROTEGNIËSE NYWERHEID, NATAL

VERBETERING VAN GOEWERMENTS-KENNISGEWING

Onderstaande verbeterings van Goewermenskennisgewing No. R. 1621 wat in *Buitengewone Staatskoerant* No. 2160 (Regulasiekoerant No. 1012) van 13 September 1968 verskyn, word vir algemene inligting gepubliseer:—

(a) In die Loontabel in Deel III van die Afrikaanse teks van die Bylae voeg die syfer „R1.00” in die „Loon per uur”-kolom in teenoor die woorde „Na ses maande ononderbroke diens by dieselfde werkgewer, gereken vanaf die datum van inwerkingtreding van hierdie Ooreenkoms”.

(b) In the "Loontabel" in Part III of the Afrikaans version of the Schedule insert the figure "R1.00" in the "Loon per uur" column against the words "Na ses maande ononderbroke diens by dieselfde werkgewer, gereken vanaf die datum van inwerkingtreding van hierdie Ooreenkoms".

No. R. 2054

8 November 1968

WAGE ACT, 1957

WAGE DETERMINATION No. 302

COMMERCIAL DISTRIBUTIVE TRADE, PRINCIPAL AREAS

The following corrections to Government Notice No. R. 1695 of 20 September 1968 are published:—

In the Afrikaans Version

Clause 2

(i) In subclause (a) (81) substitute the word "pakhuis-assistent" for the word "winkel-assistent" where it appears for the second time.

(ii) In the last subclause substitute the letter "(b)" for the figure "(2)" where it appears in front of the subclause.

No. R. 2078

8 November 1968

INDUSTRIAL CONCILIATION ACT, 1956

BUILDING AND MONUMENTAL MASONRY INDUSTRIES, TRANSVAAL

AMENDMENT OF MEDICAL AID FUND AGREEMENT

I, Marais Viljoen, Minister of Labour, hereby—

(a) in terms of section 48 (1) (a) of the Industrial Conciliation Act, 1956, declare that all the provisions of the Agreement (hereinafter referred to as the Amending Agreement) which appears in the Schedule hereto and which relates to the Building and Monumental Masonry Industries, shall be binding as from the second Monday after the date of publication of this notice and for the period ending 29 July 1972, upon the employers' organisations and the trade unions which entered into the Amending Agreement and upon the employers and employees who are members of the said organisations or unions; and

(b) in terms of section 48 (1) (b) of the said Act, declare that the provisions of the Amending Agreement shall be binding as from the second Monday after the date of publication of this notice and for the period ending 29 July 1972, upon all employers and employees other than those referred to in paragraph (a) of this notice, who are engaged or employed in the said Industries in the Magisterial Districts of Alberton, Balfour, Benoni, Boksburg, Brakpan, Delmas, Germiston, Heidelberg (Transvaal), Johannesburg, Nigel and Springs; the area within a radius of 30 miles from the General Post Office, Krugersdorp; the area within a radius of 20 miles from the General Post Office, Vereeniging; the area within a radius of 20 miles from the General Post Office, Pretoria, excluding that portion of the Bantu area Uitvalgrond (JQ 4341) which falls within the said radius; the areas within radius of 10 miles from the General Post Offices, Klerksdorp, Potchefstroom, Witbank and Middelburg (Transvaal),

(b) In die „Table of Wage Rates" in Deel III van die Engelse teks van die Bylae voeg die syfer „R1.00" in die „Rate per hour"-kolom in teenoor die woorde „After six months continuous service with the same employer calculated as from the date of commencement of this Agreement".

No. R. 2054

8 November 1968

LOONWET, 1957

LOONVASSTELLING No. 302

KOMMERSIELE DISTRIBUSIEBEDRYF, VERNAAMSTE GEBIEDE

Die volgende verbeterings aan Goewermentskennisgewing No. R. 1695 van 20 September 1968 word gepubliseer:—

In die Afrikaanse Tekst

Klousule 2

(i) In subklousule (a) (81) vervang die woord „winkel-assistent" waar dit vir die tweede maal verskyn deur die woord „pakhuisassistent".

(ii) In die laaste subklousule vervang die syfer „(2)" waar dit vooraan die subklousule verskyn deur die letter „(b)".

No. R. 2078

8 November 1968

WET OP NYWERHEIDSVERSOENING, 1956

BOU- EN MONUMENTKLIPMESSEL- NYWERHEID, TRANSVAAL

WYSIGING VAN MEDIESE HULPFONDS-OOREENKOMS

Ek, Marais Viljoen, Minister van Arbeid, verklaar hierby—

(a) kragtens artikel 48 (1) (a) van die Wet op Nywerheidsversoening, 1956, dat al die bepalings van die Ooreenkoms (hieronder die Wysigingsooreenkoms genoem) wat in die Bylae hiervan verskyn en op die Bou- en Monumentklipmesselnywerheid betrekking het, vanaf die tweede Maandag na die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 29 Julie 1972 eindig, bindend is vir die werkgewers-organisasies en die vakverenigings wat die Wysigingsooreenkoms aangegaan het en vir die werkgewers en werknemers wat lede van genoemde organisasies of verenigings is; en

(b) kragtens artikel 48 (1) (b) van genoemde Wet dat die bepalings van die Wysigingsooreenkoms vanaf die tweede Maandag na die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 29 Julie 1972 eindig, bindend is vir alle ander werkgewers en werknemers as dié genoem in paragraaf (a) van hierdie kennisgewing, wat betrokke is by of in diens is in genoemde Nywerhede in die landdrostdistrikte Alberton, Balfour, Benoni, Boksburg, Brakpan, Delmas, Germiston, Heidelberg (Transvaal), Johannesburg, Nigel en Springs; die gebied binne 'n straal van 30 myl vanaf die Hoofposkantoor, Krugersdorp; die gebied binne 'n straal van 20 myl vanaf die Hoofposkantoor, Vereeniging; die gebied binne 'n straal van 20 myl vanaf die Hoofposkantoor, Pretoria, uitgesonderd daardie gedeelte van die Bantoegebied Uitvalgrond (JQ 4341) wat binne genoemde straal val; die gebiede binne 'n straal van 10 myl vanaf onderskeidelik die Hoofposkantore, Klerksdorp, Potchefstroom, Wit-

respectively; and in the Magisterial District of Kempton Park (excluding that portion which falls outside a radius of 20 miles from the General Post Office, Pretoria, and which prior to the publication of Government Notice No. 551 of 29 March 1956, fell within the Magisterial District of Pretoria).

M. VILJOEN,
Minister of Labour.

SCHEDULE
INDUSTRIAL COUNCIL FOR THE BUILDING
INDUSTRY (TRANSVAAL)

AGREEMENT

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

Master Builders' and Allied Trades Association (Witwatersrand);

Pretoria Master Builders' and Allied Trades Association;
Master Masons' and Quarry Owners' Association (South Africa) representing its members in the Monumental Masonry Industry; (hereinafter referred to as "the employers" or "the employers' organisations"), of the one part, and the

Amalgamated Society of Woodworkers of South Africa;

Amalgamated Union of Building Trade Workers of South Africa;

Operative Plasterers' Trade Union of South Africa;

White Building Workers' Union;

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

being parties to the Industrial Council for the Building Industry (Transvaal), to amend the Medical Aid Fund Agreement published under Government Notice No. 1164 of 20 July 1962, as amended by Government Notice No. 190 of 8 February 1963, Government Notice No. R. 787 of 22 May 1964, Government Notice No. R. 146 of the 28th January 1966 and Government Notice No. R. 134 of the 3rd February 1967, and extended by Government Notice No. R. 1121 of the 28th July 1967, as follows:—

1. CLAUSE 7.—MEDICAL AID ALLOWANCE

In subclause (1) substitute "3 cents" for "2 cents".

2. CLAUSE 8.—CONTRIBUTIONS TO THE FUND

Substitute "R1.60" for "80 cents" where it appears in subclauses (1) and (2).

Signed at Johannesburg this 18th day of September 1968.

N. G. LEVEY, *Chairman*.
F. G. STANIER, *Vice-Chairman*.
D. B. EHLERS, *Secretary*.

No. R. 2079

8 November 1968

INDUSTRIAL CONCILIATION ACT, 1956
BUILDING AND MONUMENTAL MASONRY
INDUSTRIES, TRANSVAAL

AMENDMENT OF MAIN AGREEMENT

I, Marais Viljoen, Minister of Labour, hereby—

(a) in terms of section 48 (1) (a) of the Industrial Conciliation Act, 1956, declare that all the provisions of the Agreement (hereinafter referred to as the Amending Agreement) which appears in the Schedule hereto and which relates to the Building and Monumental Masonry Industries, shall be binding from the second Monday after the date of publication of this notice and for the period ending 4 June 1969, upon the employers' organisations and the trade unions which entered into the Amending Agreement and upon the employers and employees who are members of the said organisations or unions;

bank en Middelburg (Transvaal) en in die landdrosdistrik Kempton Park (uitgesonderd daardie gedeelte wat buite 'n straal van 20 myl vanaf die Hoofposkantoor, Pretoria, val en wat voor die publikasie van Goewermentskennisgewing No. 551 van 29 Maart 1956 in die landdrosdistrik Pretoria geval het).

M. VILJOEN,
Minister van Arbeid.

BYLAE
NYWERHEIDSRAAD VIR DIE BOUNYWERHEID
(TRANSVAAL)

OOREENKOMS

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

Master Builders' and Allied Trades Association (Witwatersrand);
Pretoria Master Builders' and Allied Trades Association;

Master Masons' and Quarry Owners' Association (South Africa) wat sy lede in die Monumentklipmesselnywerheid verteenwoordig; (hieronder die „werkgewers" of die „werkgewersorganisasies" genoem), aan die een kant, en die

Amalgamated Society of Woodworkers of South Africa;

Amalgamated Union of Building Trade Workers of South Africa;

Operative Plasterers' Trade Union of South Africa;

Blanke Bouwerkersvakbond;

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

wat die partye is by die Nywerheidsraad vir die Bounywerheid (Transvaal), om die Mediese Hulpfondsooreenkoms wat gepubliseer is by Goewermentskennisgewing No. 1164 van 20 Julie 1962, soos gewysig by Goewermentskennisgewing No. 190 van 8 Februarie 1963, Goewermentskennisgewing No. R. 787 van 22 Mei 1964, Goewermentskennisgewing No. R. 146 van 28 Januarie 1966 en Goewermentskennisgewing No. R. 134 van 3 Februarie 1967, en verleng by Goewermentskennisgewing No. R. 1121 van 28 Julie 1967, soos volg te wysig:—

1. KLOUSULE 7.—MEDIESE HULPTOEELAE

In subklousule (1) moet „2 sent" deur „3 sent" vervang word.

2. KLOUSULE 8.—BYDRAES AAN DIE FONDS

Waar „80 sent" in subklousules (1) en (2) voorkom, moet dit deur „R1.60" vervang word.

Op hede die 18de dag van September 1968 in Johannesburg onderteken.

N. G. LEVEY, *Voorsitter*.
F. G. STANIER, *Ondervoorsitter*.
D. B. EHLERS, *Sekretaris*.

No. R. 2079

8 November 1968

WET OP NYWERHEIDSVERSOENING, 1956

BOU- EN MONUMENTKLIPMESSEL-
NYWERHEID, TRANSVAAL

WYSIGING VAN HOOFOOREENKOMS

Ek, Marais Viljoen, Minister van Arbeid, verklaar hierby—

(a) kragtens artikel 48 (1) (a) van die Wet op Nywerheidsversoening, 1956, dat al die bepalings van die Ooreenkoms (hieronder die Wysigingsooreenkoms genoem) wat in die Bylae hiervan verskyn en op die Bou- en Monumentklipmesselnywerheid betrekking het, vanaf die tweede Maandag na die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 4 Junie 1969 eindig, bindend is vir die werkgewersorganisasies en die vakverenigings wat die Wysigingsooreenkoms aangegaan het en vir die werkgewers en werknemers wat lede van genoemde organisasies of verenigings is;

(b) in terms of section 48 (1) (b) of the said Act, declare that the provisions of the Amending Agreement shall be binding from the second Monday after the date of publication of this notice and for the period ending 4 June 1969, upon all employers and employees other than those referred to in paragraph (a) of this notice, who are engaged or employed in the said Industries in the Magisterial Districts of Alberton, Balfour, Benoni, Boksburg, Brakpan, Delmas, Germiston, Heidelberg (Transvaal), Johannesburg, Nigel and Springs; the area within a radius of 30 miles from the General Post Office, Krugersdorp; the area within a radius of 20 miles from the General Post Office, Vereeniging; the area within a radius of 20 miles from the General Post Office, Pretoria, excluding that portion of the Bantu Area Uitvalgrond (JQ 4341) which falls within the said radius; the areas within radii of 10 miles from the General Post Offices, Klerksdorp, Potchefstroom, Witbank and Middelburg (Transvaal), respectively; and in the Magisterial District of Kempton Park (excluding that portion which falls outside a radius of 20 miles from the General Post Office, Pretoria, and which prior to the publication of Government Notice No. 551 of 29 March 1956, fell within the Magisterial District of Pretoria); and

(c) in terms of section 48 (3) (a) of the said Act, declare that in the Magisterial Districts of Alberton, Balfour, Benoni, Boksburg, Brakpan, Delmas, Germiston, Heidelberg (Transvaal), Johannesburg, Nigel and Springs; the area within a radius of 30 miles from the General Post Office, Krugersdorp; the area within a radius of 20 miles from the General Post Office, Vereeniging; the area within a radius of 20 miles from the General Post Office, Pretoria, excluding that portion of the Bantu Area Uitvalgrond (JQ 4341) which falls within the said radius; the areas within radii of 10 miles from the General Post Offices, Klerksdorp, Potchefstroom, Witbank and Middelburg (Transvaal), respectively; and in the Magisterial District of Kempton Park (excluding that portion which falls outside a radius of 20 miles from the General Post Office, Pretoria, and which prior to the publication of Government Notice No. 551 of 29 March 1956, fell within the Magisterial District of Pretoria), and from the second Monday after the date of publication of this notice and for the period ending 4 June 1969, the provisions of the Amending Agreement shall *mutatis mutandis* be binding upon all Bantu employed in the said Industries by the employers upon whom any of the said provisions are binding in respect of employees and upon those employers in respect of Bantu in their employ.

M. VILJOEN,
Minister of Labour.

SCHEDULE
INDUSTRIAL COUNCIL FOR THE BUILDING
INDUSTRY (TRANSSVAAL)
AGREEMENT

in accordance with the provisions of the Industrial Conciliation Act, 1956, as amended, made and entered into between the Master Builders' and Allied Trades Association (Witwatersrand);

Pretoria Master Builders' and Allied Trades Association;
Master Masons' and Quarry Owners' Association (South Africa) representing its members in the Monumental Masonry Industry (hereinafter referred to as "the employers" or "the employers' organisations") of the one part, and the

Amalgamated Society of Woodworkers of South Africa;

Amalgamated Union of Building Trade Workers of South Africa;

White Building Workers' Union

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

(b) kragtens artikel 48 (1) (b) van genoemde Wet dat die bepalings van die Wysigingsooreenkoms vanaf die tweede Maandag na die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 4 Junie 1969 eindig, bindend is vir alle ander werkgewers en werknemers as dié genoem in paragraaf (a) van hierdie kennisgewing, wat betrokke is by of in diens is in genoemde Nywerhede in die landdrosdistrikte Alberton, Balfour, Benoni, Boksburg, Brakpan, Delmas, Germiston, Heidelberg (Transvaal), Johannesburg, Nigel en Springs; die gebied binne 'n straal van 30 myl vanaf die Hoofposkantoor, Krugersdorp; die gebied binne 'n straal van 20 myl vanaf die Hoofposkantoor, Vereeniging; die gebied binne 'n straal van 20 myl vanaf die Hoofposkantoor, Pretoria, uitgesonderd daardie gedeelte van die Bantoegebied Uitvalgrond (JQ 4341) wat binne genoemde straal val; die gebiede binne 'n straal van 10 myl vanaf onderskeidelik die Hoofposkantore, Klerksdorp, Potchefstroom, Witbank en Middelburg (Transvaal); en in die landdrosdistrik Kempton Park (uitgesonderd daardie gedeelte wat buite 'n straal van 20 myl vanaf die Hoofposkantoor, Pretoria, val en wat voor die publikasie van Goewermentskennisgewing No. 551 van 29 Maart 1956 in die landdrosdistrik Pretoria geval het); en

(c) kragtens artikel 48 (3) (a) van genoemde Wet dat die bepalings van die Wysigingsooreenkoms vanaf die tweede Maandag na die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 4 Junie 1969 eindig, in die landdrosdistrikte Alberton, Balfour, Benoni, Boksburg, Brakpan, Delmas, Germiston, Heidelberg (Transvaal), Johannesburg, Nigel en Springs; die gebied binne 'n straal van 30 myl vanaf die Hoofposkantoor, Krugersdorp; die gebied binne 'n straal van 20 myl vanaf die Hoofposkantoor, Vereeniging; die gebied binne 'n straal van 20 myl vanaf die Hoofposkantoor, Pretoria, uitgesonderd daardie gedeelte van die Bantoegebied Uitvalgrond (JQ 4341) wat binne genoemde straal val; die gebiede binne 'n straal van 10 myl vanaf onderskeidelik die Hoofposkantore, Klerksdorp, Potchefstroom, Witbank en Middelburg (Transvaal); en in die landdrosdistrik Kempton Park (uitgesonderd daardie gedeelte wat buite 'n straal van 20 myl vanaf die Hoofposkantoor, Pretoria, val en wat voor die publikasie van Goewermentskennisgewing No. 551 van 29 Maart 1956 in die landdrosdistrik Pretoria geval het), *mutatis mutandis* bindend is vir alle Bantoes in diens in genoemde Nywerhede by dié werkgewers vir wie enigeen van genoemde bepalings ten opsigte van werknemers bindend is en vir daardie werkgewers ten opsigte van Bantoes in hul diens.

M. VILJOEN,
Minister van Arbeid.

BYLAE
NYWERHEIDSRAAD VIR DIE BOUNYWERHEID
(TRANSSVAAL)
OOREENKOMS

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

Master Builders' and Allied Trades Association (Witwatersrand);
Pretoria Master Builders' and Allied Trades Association;
Master Masons' and Quarry Owners' Association (South Africa) wat sy lede in die Monumentklippesselsnywerheid verteenwoordig (hieronder die "werkgewers" of die "werkgewersorganisasies" genoem), aan die een kant, en die

Amalgamated Society of Woodworkers of South Africa;

Amalgamated Union of Building Trade Workers of South Africa;

Blanke Bouwerkersvakbond

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

being parties to the Industrial Council for the Building Industry (Transvaal), to amend the Agreement published under Government Notice No. R. 779 of 26 May 1967, as amended by Government Notice No. R. 1095 of 21 July 1967, and Government Notice No. R. 409, dated 15 March 1968, as follows:—

CLAUSE 6.—WAGES

In subclause (1) (d) substitute "99 cents" for "98 cents".

Signed at Johannesburg this 18th day of September 1968.

N. G. LEVEY, *Chairman.*
F. G. STANIER, *Vice-Chairman.*
D. B. EHLERS, *Secretary.*

wat die partye is by die Nywerheidsraad vir die Bounywerheid (Transvaal), om die Ooreenkoms wat gepubliseer is by Goewermentskennisgewing No. R. 779 van 26 Mei 1967, soos gewysig by Goewermentskennisgewing No. R. 1095 van 21 Julie 1967 en Goewermentskennisgewing No. R. 409 van 15 Maart 1968, soos volg te wysig:—

KLOUSULE 6.—LONE

Vervang in subklousule (1) (d) „98 sent" deur „99 sent".

Op hede die 18de dag van September 1968 in Johannesburg onderteken.

N. G. LEVEY, *Voorsitter.*
F. G. STANIER, *Ondervoorsitter.*
D. B. EHLERS, *Sekretaris.*

DEPARTMENT OF POSTS AND TELEGRAPHS

No. R. 2038

8 November 1968

POSTAL REGULATIONS.—AMENDMENT TO

The State President has been pleased, under the provisions of section two (4) of Act No. 44 of 1958, to approve, with effect from 1 November 1968, the following amendment to the Postal Regulations published in Government Notice No. R. 550 of 14 April 1960, as amended:—

Regulation 50.—Substitute the following for the first paragraph of subregulation (7) (a):—

“(7) (a) In the event of the total loss of a Cash on Delivery parcel whilst in the custody of the Post Office, the Postmaster General shall be empowered to pay compensation up to the amount of the trade charge, provided that such compensation shall not exceed R400 and that it shall in no case exceed the value of the parcel; and provided further that if the trade charge is less than R4, compensation equal to the value of the parcel, but not exceeding R4, may be paid.”.

No. R. 2065

8 November 1968

RADIO-TELEPHONE SERVICE

The State President has been pleased, under the provisions of section three of Act No. 44 of 1958, to approve of the following tariffs in respect of radio-telephone calls to the under-mentioned islands:—

Service to	First three minutes or portion thereof	Each additional minute
St Maarten, Saba and St Eustatius.....	R 10.75	R 3.58

Report charge
R0.54

DEPARTEMENT VAN POS-EN-TELEGRAAFWESE

No. R. 2038

8 November 1968

POSREGULASIES.—WYSIGING IN

Dit het die Staatspresident behaag om, kragtens die bepaling van artikel twee (4) van Wet No. 44 van 1958, die volgende wysiging in die Posregulasies, afgekondig by Goewermentskennisgewing No. R. 550 van 14 April 1960, soos gewysig, met ingang van 1 November 1968 goed te keur:—

Regulasie 50.—Vervang die eerste paragraaf van subregulasie (7) (a) deur die volgende:—

„(7) (a) Die Posmeester-generaal is bevoeg om vergoeding gelyk aan die handelsbedrag te betaal vir die totale verlies van 'n k.b.a.-pakket terwyl dit in bewaring van die Poskantoor was, met dien verstande dat sodanige vergoeding nie R400 te bowe gaan nie en dat dit in geen geval meer as die waarde van die pakket is nie; en met dien verstande verder dat indien die handelsbedrag minder as R4 is, vergoeding gelykstaande aan die waarde van die pakket, maar nie meer as R4 nie, betaal mag word.”.

No. R. 2065

8 November 1968

RADIOTELEFOONDIENS

Dit het die Staatspresident behaag om, kragtens artikel drie van Wet No. 44 van 1958, sy goedkeuring te heg aan die toepassing van die volgende tariewe ten opsigte van radiotelefoonoproepe na ondergenoemde eilande:—

Diens na	Eerste drie minute of gedeelte daarvan	Elke bykomende minuut
St. Maarten, Saba en St. Eustatius.....	R 10.75	R 3.58

Verslagkoste
R0.54

No. R. 2066

8 November 1968

INTERNATIONAL TELEX SERVICE

The State President has been pleased in terms of section 3 of Act No. 44 of 1958 to approve that the Tariff List for the International Telex Service published under

No. R. 2066

8 November 1968

INTERNASIONALE TELEKSDIENS

Dit het die Staatspresident behaag om, kragtens artikel 3 van Wet No. 44 van 1958, sy goedkeuring daaraan te heg dat die Tarieflys vir die Internasionale Teleksdiens afgekondig by Goewermentskennisgewing No. R. 1790

Government Notice No. R. 1790 of 11 November 1960, as amended, be further amended as follows:—

The following particulars are inserted in alphabetical order:—

Country of destination	Minimum charge for three minutes	Each additional minute	Report charge
El Salvador.....	R 10.75	R 3.59	R 0.70
Nicaragua.....	10.75	3.59	0.70

No. R. 2067 8 November 1968

AMENDMENT OF TELEPHONE REGULATIONS

The State President has been pleased, under the provisions of section 2 (4) and of section 3 of Act No. 44 of 1958, to approve of the following amendment to the Telephone Regulations:—

REGULATION 37

After "Kroonstad" insert "Lochvaal" with effect from the 24th November 1968.

OFFICE OF THE PUBLIC SERVICE COMMISSION

No. R. 2051 8 November 1968

The State President has, in terms of section 26 of the Public Service Act, 1957 (Act No. 54 of 1957), as amended, been pleased to make the following regulations:—

The Public Service Regulations, published under Government Notice No. 2047, dated 11 December 1959, as amended, are hereby further amended, with effect from 1 October 1967, by, in regulation R15.7:—

- (i) renumbering subparagraph (b) as subparagraph (d); and
- (ii) inserting the following new subparagraphs (b) and (c) after subparagraph (a):—

“(b) he, as a pensioner, is already a member of one of the medical aid societies referred to or a member of any other medical aid society or medical aid fund or medical assistance fund; or

(c) she is a widow and is already a member of one of the medical aid societies referred to or is entitled to the benefits of any other medical aid society or medical aid fund or medical assistance fund as a result of her deceased husband's membership of such society or fund; or”.

(Amendment No. 56.)

DEPARTMENT OF WATER AFFAIRS

No. R. 2075 8 November 1968
REGULATIONS FOR THE SUPPLY OF WATER FROM THE PIETERSBURG REGIONAL WATER SCHEME

Under the powers vested in me by paragraphs (a), (e) and (j) of section 70 of the Water Act, 1956 (Act No. 54 of 1956), I, Stephanus Petrus Botha, Minister of Water

van 11 November 1960, soos gewysig, verder soos volg gewysig word:—

Die volgende besonderhede word in alfabetiese volgorde ingevoeg:—

Land van bestemming	Minimum koste vir drie minute	Elke bykomende minuut	Verslagkoste
El Salvador.....	R 10.75	R 3.59	R 0.70
Nicaragua.....	10.75	3.59	0.70

No. R. 2067 8 November 1968

WYSIGINGS VAN TELEFOONREGULASIES

Dit het die Staatspresident behaag om, kragtens die bepalinge van artikel 2 (4) en artikel 3 van Wet No. 44 van 1958, sy goedkeuring te heg aan onderstaande wysiging van die Telefoonregulasies:—

REGULASIE 37

Voeg, met ingang van 24 November 1968, „Lochvaal” na „Kroonstad” in.

KANTOOR VAN DIE STAATSDIENS-KOMMISSIE

No. R. 2051 8 November 1968

Dit het die Staatspresident behaag om kragtens artikel 26 van die Staatsdienswet, 1957 (Wet No. 54 van 1957), soos gewysig, onderstaande regulasie te maak:—

Die Staatsdiensregulasies gepubliseer by Goewermentskennisgewing No. 2047 van 11 Desember 1959, soos gewysig, word hierby met ingang van 1 Oktober 1967 verder gewysig deur in regulasie A15.7:—

- (i) die nommer van subregulasie (b) te verander in (d); en
- (ii) die volgende nuwe subparagrafe (b) en (c) na subparagraaf (a) in te voeg:—

„(b) hy, as gepensioneerde, reeds lid is van een van genoemde mediese hulpverenigings of lid is van ’n ander mediese hulpvereniging of mediese hulpfonds of bystandsfonds; of

(c) sy ’n weduwee is en reeds lid is van een van bedoelde mediese hulpverenigings of op voordele van ’n ander mediese hulpvereniging of mediese hulpfonds of mediese bystandsfonds geregtig is uit hoofde van haar afgestorwe eggenoot se lidmaatskap van sodanige vereniging of fonds; of”.

(Wysiging No. 56.)

DEPARTEMENT VAN WATERWESE

No. R. 2075 8 November 1968
REGULASIES VIR DIE VERSKAFFING VAN WATER UIT DIE PIETERSBURG-STREEKS-WATERSKEMA

Kragtens die bevoegdheid my verleen by paragrafe (a), (e) en (j) van artikel 70 van die Waterwet, 1956 (Wet No. 54 van 1956), vaardig ek, Stephanus Petrus Botha,

Affairs for the Republic of South Africa, hereby make the following regulations in respect of the supply of water from the Pietersburg Regional Water Scheme.

Definitions

1. In these regulations, unless the context otherwise indicates:—

“Act” means the Water Act, 1956 (Act No. 54 of 1956);

“consumer” means any person (including any Government department, the South African Railways and Harbours Administration and any provincial administration) to whom water may be supplied in terms of section 56 (3) of the Act and to whom the Minister has agreed to supply water in terms of these regulations;

“Minister” means the Minister of Water Affairs or his duly authorised representative;

“pipeline” means the conduit which carries water from the Ebenezer Dam and which forms part of the works;

“private consumer” means the registered owner of land to whom the Secretary has agreed to supply water for domestic and agricultural purposes;

“purified water” means water that has been treated by the purification works which form part of the works;

“raw water” means water that has not been treated by the above-mentioned purification works;

“Secretary” means the Secretary for Water Affairs or his duly authorised representative;

“works” means any or all of the component parts of the Pietersburg Regional Water Scheme.

Any expression to which a meaning has been assigned in the Act, bears, when used in these regulations, the same meaning.

Application to be Supplied with Water

2. Any applicant who desires to be supplied with water from the works, whether as a private or other consumer, shall apply in writing to the Secretary, but prospective private consumers shall in addition complete and submit to the Secretary the application form set out in the Annexure.

Right to Refuse Applications

3. The acceptance or refusal of any application shall, subject to the provisions of regulation 11 (1), be in the discretion of the Minister, whose decision shall be final.

Notification of Acceptance or Refusal of Application

4. As soon as is practicable after an application for water has been received, the Secretary shall advise the applicant whether his application has been granted or refused and of any special conditions imposed.

Signing of Agreement

5. Any applicant whose application has been approved shall sign an agreement in regard to the supply of water to him, and no connection to the works shall be made until such agreement has been signed by him.

Off-takes and Meters

6. (a) (i) The Secretary shall decide the type of off-take and the size and type of meter which, as from the date of publication of these regulations, shall be provided and installed by the Department free of charge.

(ii) Should it subsequently be found that owing to erroneous information supplied by a consumer an alteration to the off-take or to any part thereof or to its location on the pipeline is necessary, the whole cost of such alteration shall be borne by the consumer.

Minister van Waterwese vir die Republiek van Suid-Afrika, hierby die volgende regulasies uit ten opsigte van die verskaffing van water uit die Pietersburg-streeks-waterskema.

Woordomskrywing

1. Tensy uit die samehang anders blyk, beteken in hierdie regulasies—

„gesuiwerde water” water wat behandel is deur die suiweringswerke wat deel van die werke uitmaak;

„Minister” die Minister van Waterwese of sy behoorlik gemagtigde verteenwoordiger;

„ongesuiwerde water” water wat nie deur bogenoemde suiweringswerke behandel is nie;

„private verbruiker” die geregistreerde eienaar van grond aan wie die Sekretaris ingestem het om water vir huishoudelike en landboudoeleindes te verskaf;

„pyplyn” die geleiding wat water van die Ebenezerdam voer en wat deel uitmaak van die werke;

„Sekretaris” die Sekretaris van Waterwese of sy behoorlik gemagtigde verteenwoordiger;

„verbruiker” enige persoon (insluitende enige staatsdepartement, die Suid-Afrikaanse Spoorweg- en Hawensadministrasie en enige provinsiale administrasie) aan wie water verskaf mag word kragtens artikel 56 (3) van die Wet en aan wie die Minister ingestem het om water kragtens hierdie regulasies te verskaf;

„werke” enige van of al die samestellende gedeeltes van die Pietersburg-streekswaterskema;

„Wet” die Waterwet, 1956 (Wet No. 54 van 1956).

Enige uitdrukking waaraan ’n betekenis in die Wet geheg is, het dieselfde betekenis wanneer dit in hierdie regulasies gebruik word.

Aansoek om van Water Voorsien te word

2. Enige applikant wat van water uit die werke voorsien wil word, hetsy as private of ander verbruiker, moet ’n skriftelike aansoek aan die Sekretaris rig, maar voornemende private verbruikers moet daarbenewens die aansoekvorm, uiteengesit in die Aanhangel, invul en aan die Sekretaris voorlê.

Reg om Aansoeke te Weier

3. Behoudens die bepalings van regulasie 11 (1), kan die Minister enige aansoek na goeddunke toestaan of weier en sy beslissing is finaal.

Kennisgewing van Toestaan of Weiering van Aansoek

4. So gou doenlik nadat ’n aansoek om water ontvang is, stel die Sekretaris die applikant in kennis of sy aansoek toegestaan of geweier is, met vermelding van enige spesiale voorwaardes wat gestel word.

Ondertekening van Ooreenkoms

5. Elke applikant wie se aansoek toegestaan is, moet ’n ooreenkoms, met betrekking tot die verskaffing van water aan hom, teken en geen aansluiting by die werke sal gemaak word tot tyd en wyl sodanige ooreenkoms deur hom geteken is nie.

Aansluiting van Meters

6. (a) (i) Die Sekretaris besluit oor die tipe aansluiting en die grootte en tipe meter wat, met ingang van die datum van publikasie van hierdie regulasies, sonder koste deur die Departement verskaf en geïnstalleer sal word.

(ii) Indien daar later gevind word dat, te wyte aan foutiewe inligting deur ’n verbruiker verstrek, ’n verandering aan die aansluiting of aan enige deel daarvan of aan die ligging daarvan langs die pyplyn nodig is, moet die volle koste van sodanige verandering deur die verbruiker betaal word.

(b) (i) The applicant shall indicate in writing the vicinity in which he desires the off-take to be installed but the Secretary shall decide the actual position thereof.

(ii) A consumer may request that his off-take be removed to a new locality and if this is approved by the Secretary, the whole cost of such alteration shall be borne by the consumer.

(c) The acceptance of an application does not imply that the pressure in the pipeline will be maintained at more than that required to cause the supply to any consumer to flow through the meter when discharging freely immediately on the consumer's side at a height not exceeding eighteen (18) inches above the invert level of the meter.

(d) All off-takes shall be under the sole control of the Secretary and meter readings shall be made by him monthly or at such intervals as shall be notified to the consumer by the Secretary, and accounts for water consumed shall be based on such readings or on a assessment by the Secretary in terms of paragraph (i) hereunder.

(e) Consumers shall in no way interfere with, open up or disconnect any off-take belonging to or under the control of the Department, except with the written permission of the Secretary.

(f) The Secretary shall maintain all off-takes installed by him for the purpose of supplying water to consumers and the cost of repairing any damage caused by fair wear and tear shall be borne by the Department, but the cost of repairing any damage caused by an act of the consumer or person under his control, shall be borne by the consumer.

(g) (i) Any consumer may request that the meter through which he receives water shall be tested and should the meter on testing be found to have an error of 3 per cent or less above or below the correct reading, the consumer shall pay to the Secretary an amount in accordance with the following scale or at such scale of charges as the Secretary may from time to time determine:—

Size of Meters Bore in Inches	Cost of Test
R c	
$\frac{1}{2}$	2 00
$\frac{3}{4}$	2 50
1	3 00
$1\frac{1}{2}$	4 75
2	6 50
3	9 80
4	13 50
5	17 00
6	21 00
7	25 00
8	28 00
9	32 00
10	36 00
11	40 00
12	44 00
13	48 00
14	52 00
15	56 00
16	60 00
17	64 00
18	68 00
19	72 00
20	77 00

(b) (i) Die applikant dui skriftelik die omgewing aan waar hy verlang dat die aansluiting geïnstalleer moet word, maar die Sekretaris bepaal die werklike posisie daarvan.

(ii) 'n Verbruiker kan versoek dat sy aansluiting na 'n nuwe plek verskuif word en as dit deur die Sekretaris goedgekeur word, moet die verbruiker die volle koste van sodanige verandering dra.

(c) Die toestaan van 'n aansoek beteken nie noodwendig dat die druk in die pyplyne op meer gehou sal word as wat nodig is om 'n verbruiker se toevoer deur die meter te laat vloei wanneer die water vryelik onmiddellik aan die verbruiker se kant op 'n hoogte van nie meer as agtien (18) duim bokant die bodemhoogtevlak van die meter uitloop nie.

(d) Alle aansluitings is onder die alleenbeheer van die Sekretaris en Meteraflesings word maandeliks deur hom gedoen of by tussenpose waarvan die Sekretaris die verbruiker in kennis stel, en rekenings vir water verbruik, word op sodanige aflesings gebaseer of op 'n raming deur die Sekretaris kragtens paragraaf (i) hieronder.

(e) Verbruikers mag nie aan aansluitings wat aan die Departement behoort of onder die beheer van die Departement val, peuter nie en mag sodanige aansluitings nie oopmaak of ontkoppel nie, behalwe met die skriftelike toestemming van die Sekretaris.

(f) Die Sekretaris hou alle aansluitings deur hom geïnstalleer met die doel om water aan verbruikers te verskaf, in stand en die koste verbonde aan die herstel van enige skade veroorsaak deur billike slytasie word deur die Departement gedra, maar die herstelkoste van enige skade veroorsaak deur 'n handeling van die verbruiker of persoon onder sy beheer, word deur die verbruiker gedra.

(g) (i) 'n Verbruiker kan vra dat die meter waardeur hy water ontvang, getoets word en indien daar by sodanige toets gevind word dat die meter drie persent of minder te veel of te min registreer, moet die verbruiker aan die Sekretaris 'n bedrag ooreenkomstig die volgende skaal betaal, of ooreenkomstig die kostetarief wat die Sekretaris van tyd tot tyd mag bepaal:—

Meterkaliber in Duim	Koste van toets
R c	
$\frac{1}{2}$	2 00
$\frac{3}{4}$	2 50
1	3 00
$1\frac{1}{2}$	4 75
2	6 50
3	9 80
4	13 50
5	17 00
6	21 00
7	25 00
8	28 00
9	32 00
10	36 00
11	40 00
12	44 00
13	48 00
14	52 00
15	56 00
16	60 00
17	64 00
18	68 00
19	72 00
20	77 00

(ii) Where the margin of error is found on testing to be more than 3 per cent above or below the correct reading or where the meter is tested at the instance of the Secretary, the Department shall bear the cost of such test.

(h) Should it be found on testing either at the request of the consumer or at the instance of the Secretary that the meter registers incorrectly by more than 3 per cent, the charge for water shall be adjusted in a corresponding degree for the immediately preceding period of not more than three (3) months.

(i) When a meter has, for any reason, failed to register at all, the consumption for the period in question shall be assessed by the Secretary after investigation of the conditions prevailing during the said period and such assessment shall be final.

(j) Any meter found on testing to register incorrectly by more than 3 per cent, either above or below the correct reading, shall be either replaced or repaired at the discretion of the Secretary.

(k) The Secretary may remove a meter at any time for any purpose on giving twenty-four (24) hours' notice to the consumer of his intention to do so: Provided that where the removal of a meter will interrupt the supply of water for more than twelve (12) hours the Secretary if required to do so by the consumer, shall install another meter or reinstate the supply without a meter for the period during which the meter is not in operation, in which event the provisions of paragraph (i) shall apply in regard to the determination of the quantity of water consumed.

(l) In any dispute arising in connection with a meter reading the decision of the Secretary shall be final.

Charges for Water

7. (a) All purified or raw water consumed (i.e. registered on the meter) shall be paid for at such charges and such minimum charges as the Minister may from time to time determine.

(b) Accounts for water consumed shall be rendered by the Secretary to all consumers quarterly, or at such intervals as shall be notified to the consumer by the Secretary and any account so rendered shall be paid at the office of the local representative of the Secretary within thirty (30) days of the date of rendering the account.

(c) The Minister may discontinue the supply of water to any consumer whose account is not paid within the period of thirty (30) days referred to in paragraph (b) and take such further action as he may deem necessary to recover the outstanding charges.

(d) Where the water supply to a consumer has been discontinued for any reason attributable to the consumer, a fee of five rand (R5) shall be paid by him before his supply is restored.

Distribution of Available Water

8. (a) If at any time the available supply of water is insufficient to meet the requirements of all consumers, the Secretary may impose such restrictions on the use thereof as he may deem necessary.

(b) The Minister may discontinue or restrict the supply of water to any or all consumers without notice if in his opinion circumstances warrant such action.

(ii) Waar daar by die toets 'n fout gevind word van meer as drie persent bo of onder die juiste aflesing of waar die meter in opdrag van die Sekretaris getoets word, dra die Departement die koste van sodanige toets.

(h) Indien daar by die toets gevind word, hetsy sodanige toets op versoek van die verbruiker of in opdrag van die Sekretaris uitgevoer is, dat die meter met meer as drie persent onjuis registreer, word die vordering vir water in ooreenstemmende mate vir die onmiddellik voorafgaande tydperk van hoogstens drie (3) maande reggestel.

(i) Waar 'n meter om watter rede ook al glad nie geregistreer het nie, word die verbruik vir die betrokke tydperk deur die Sekretaris beraam na ondersoek van die toestand wat tydens genoemde tydperk geheers het en sodanige raming is finaal.

(j) Waar daar by die toets van 'n meter gevind word dat dit onjuis registreer met meer as drie persent bo of onder die juiste aflesing, word sodanige meter na goeddunke van die Sekretaris vervang of herstel.

(k) Die Sekretaris kan 'n meter te eniger tyd vir enige doel verwyder na kennisgewing van vier-en-twintig (24) uur aan die verbruiker van sy voorneme om dit te doen: Met dien verstande dat waar die verwydering van 'n meter die toevoer van water vir meer as twaalf (12) uur onderbreek, die Sekretaris, indien daartoe versoek deur die verbruiker, 'n ander meter moet installeer of die toevoer moet herstel sonder 'n meter vir die tydperk wat die meter buite werking is, en in hierdie geval is die bepalings van paragraaf (i) van toepassing in verband met die vaststelling van die hoeveelheid water verbruik.

(l) In enige geskil wat mag ontstaan in verband met 'n meteraflesing is die beslissing van die Sekretaris finaal.

Vorderings vir Water

7. (a) Vir alle gesuiwerde of ongesuiwerde water verbruik (dit wil sê soos op die meter geregistreer) word betaal teen sodanige vorderings en sodanige minimum vorderings as wat die Minister van tyd tot tyd mag vaststel.

(b) Rekenings vir verbruikte water word drie-maandeliks of met die tussenpose waarvan die Sekretaris die verbruikers in kennis stel, deur die Sekretaris aan alle verbruikers gelewer, en elke rekening aldus gelewer moet binne dertig (30) dae na die datum van lewering van die rekening by die kantoor van die Sekretaris se plaaslike verteenwoordiger betaal word.

(c) Die Minister kan die toevoer van water na 'n verbruiker wie se rekening nie vereffen is binne die tydperk van dertig (30) dae genoem in paragraaf (b) nie, afsluit, en die verdere stappe doen wat hy goedvind om die uitstaande koste in te vorder.

(d) Waar die toevoer na 'n verbruiker afgesluit is om 'n rede wat aan die verbruiker toe te skryf is, betaal hy 'n bedrag van vyf rand (R5) voordat sy toevoer weer aan gesluit word.

Verdeling van Beskikbare Water

8. (a) As die beskikbare hoeveelheid water te eniger tyd onvoldoende is om in die behoeftes van alle verbruikers te voorsien, kan die Sekretaris die beperkings op die gebruik daarvan lê wat hy nodig ag.

(b) Die Minister kan die toevoer van water na enige of alle verbruikers sonder kennisgewing afsluit of beperk indien omstandighede na sy mening sodanige optrede regverdig.

(c) The Government shall not be liable for any loss or damage caused by the interruption or restriction of the supply of water from the pipeline, irrespective of the cause of the interruption or restriction.

Discontinuation of Supply

9. (a) Any consumer who desires permanent discontinuation of his supply of water from the works shall give thirty (30) days' notice in writing to the Secretary.

(b) Any consumer at whose request the supply of water has been discontinued and who later desires it to be restored shall apply in writing to the Minister for this to be done and if his application is approved shall pay the reconnection fee of five rand (R5) referred to in regulation 7 (d), plus the whole cost of such reinstallation.

Conditions of Supply to Private Consumers

10. (1) (a) Water shall be supplied only to registered properties which are crossed by the Department's servitude area or are contiguous to such area: Provided that any subdivisions of such properties which are not registered as separate pieces of land in the Office of the Registrar of Deeds concerned on the date of promulgation of these regulations, shall not be so supplied with water.

(b) Not more than one off-take per registered property shall be allowed.

(2) (a) The off-take valve and meter, together with any piping or fittings required up to the boundary of the Government servitude strip, or, in the case of State-owned land, up to such point as may be determined by the Secretary, to supply such private consumer, shall be provided and installed by the Department at its own cost and shall remain the property of the Department.

(b) Any piping or other work necessary to carry the water from the end of the Department's off-take and meter to the point where the private consumer desires to use the water shall be supplied and laid or built by him at his own expense: Provided that no water shall be supplied until such installations have been completed to the satisfaction of the Secretary and that the supply of water shall be discontinued unless the said installations are maintained to the satisfaction of the Secretary.

(c) At the end of each off-take, or at such point as the Secretary may determine, the consumer shall build at his own cost a reservoir of a capacity not less than forty-eight (48) hours' maximum supply into which the water is to be delivered.

(d) Not more than 2,400 gallons per 24 hours shall be supplied to one registered property.

General Provisions Regarding Supply to Consumers

11. (1) The Minister may, notwithstanding the provisions of these regulations, impose such other conditions in regard to the supply of water to any consumer as he may deem necessary in the particular circumstances.

(2) No person shall be allowed to boost the flow by any means from the works into any private water work.

(3) The Minister reserves the right to remove any portion of the works and shall not be under any obligation to substitute any other supply or to compensate the owner for the loss of such supply occasioned by such removal.

(c) Die Regering is nie aanspreeklik vir enige verlies of skade as gevolg van die onderbreking of beperking van die toevoer van water uit die pyplyn nie, ongeag die oorsaak van die onderbreking of beperking.

Staking van Verskaffing van Water

9. (a) 'n Verbruiker wat permanente staking van sy toevoer van water uit die werke verlang, moet dertig (30) dae vooruit skriftelik aan die Sekretaris kennis gee.

(b) 'n Verbruiker op wie se versoek die toevoer van water gestaak is en wat later verlang dat dit weer aangesluit moet word, moet skriftelik hierom by die Minister aansoek doen, en indien sy aansoek toegestaan word, betaal hy die heraansluitingsgeld van vyf rand (R5) genoem in regulasie 7 (d), plus die totale koste van sodanige her-installasie.

Voorwaardes van Verskaffing aan Private Verbruikers

10. (1) (a) Water word verskaf alleen aan geregi-streerde eiendomme wat deur die Departement se serwituut-gebied gekruis word of wat aangrensend aan sodanige gebied is: Met dien verstande dat onder-verdelings van sodanige eiendomme wat nie as afsonderlike stukke grond in die Kantoor van die betrokke Registrateur van Aktes ten tye van die uitvaardiging van hierdie regulasies geregistreer is nie, nie aldus van water voorsien word nie.

(b) Hoogstens een aansluiting per geregistreerde eiendom word toegelaat.

(2) (a) Die aansluitingsklep en meter, tesame met enige pype of toebehore wat nodig is tot by die grens van die Staatserwituutstrook, of, in die geval van Staatsgrond, tot by sodanige punt as wat aangedui mag word deur die Sekretaris, om aan sodanige private verbruiker water te lewer, word op eie koste deur die Departement verskaf en geïnstalleer en bly die eiendom van die Departement.

(b) Enige pype of ander werk wat nodig mag wees om die water vanaf die end van die Departement se aansluiting en meter na die punt waar die private verbruiker verlang om dit te gebruik, te voer, word deur hom op eie koste verskaf en gelê of gebou: Met dien verstande dat geen water verskaf word voordat sodanige installasies tot tevredenheid van die Sekretaris voltooi is nie en dat die toevoer van water afgesluit word, tensy genoemde installasies tot tevredenheid van die Sekretaris onderhou word.

(c) By die end van elke aansluiting, of by sodanige punt as wat die Sekretaris mag bepaal, bou die verbruiker op eie koste 'n reservoir met 'n inhoud van nie minder as agt-en-veerig (48) uur maksimum lewering nie waarin die water gelewer moet word.

(d) Hoogstens 2,400 gelling word per 24 uur aan een geregistreerde eiendom voorsien.

Algemene Bepalings met Betrekking tot Verskaffing aan Verbruikers

11. (1) Die Minister kan, ondanks die bepalings van hierdie regulasies, sodanige ander voorwaardes met betrekking tot die verskaffing van water aan enige verbruiker op lê as wat hy in die besondere omstandighede nodig mag ag.

(2) Niemand word toegelaat om die vloei van die stroom op enige wyse vanaf die werke na enige private waterwerk te versterk nie.

(3) Die Minister behou hom die reg voor om enige deel van die werke te verwyder en is onder geen verpligting om enige ander lewering in die plek te stel of om die eienaar te vergoed vir die verlies van sodanige lewering veroorsaak deur sodanige verwydering nie.

ANNEXURE

APPLICATION FORM FOR THE SUPPLY OF WATER FROM THE PIETERSBURG REGIONAL WATER SCHEME

1. I (full name in block letters).....
 2. Address (postal address in full).....
 hereby apply to be supplied with water from the Pietersburg Regional Water Scheme on my property.....
on the terms and conditions set out in the regulations published by Government Notice No....., dated....., and I hereby acknowledge that I have acquainted myself with the terms of the said regulations and that, should my application be granted, I undertake to complete the necessary form of agreement and to abide by the decision of the Secretary in all matters pertaining to this application.

I desire my off-take to be situated approximately between chainages feet and feet or as hereunder described in relation to the boundaries of my property:—

Signature of Applicant.

Witnesses:

1.
2.

AANHANGSEL

AANSOEKVORM VIR DIE VERSKAFFING VAN WATER UIT DIE PIETERSBURG-STREEKSWATERSKEMA

1. Ek (volle naam in blokletters)
 2. Adres (volledige posadres)
 doen hierby aansoek om voorsien te word van water uit die Pietersburg-streekswaterskema vir gebruik op my eiendom behoudens die bepalinge en voorwaardes soos uiteengesit in die regulasies gepubliseer by Goewermentskennisgewing No. gedateer, en ek erken hierby dat ek vertrou is met die bepalinge van genoemde regulasies en, indien my aansoek toegestaan word, onderneem ek om die vereiste vorm van ooreenkoms in te vul en my te onderwerp aan die beslissing van die Sekretaris oor alle aangeleenthede in verband met dié aansoek.

Ek verlang dat my aansluiting op kettingafstand ongeveer voet en voet of soos hieronder beskryf in verhouding tot die grense van my eiendom, aangebring word:—

Handtekening van Applikant

Getuies:

1.
2.

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