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GOVERNMENT NOTICE

DEPARTMENT OF HIGHER EDUCATION

No. R. 631

24 April 1970

ADVANCED TECHNICAL EDUCATIONAL ACT, 1967.—REGULATIONS

The Minister of National Education has, under and by virtue of the powers vested in him by section 30 of the Advanced Technical Education Act, 1967 (Act 40 of 1967), repealed the regulations published under Government Notice R. 2054 dated 22 December 1967 and made the following regulations:

Definitions

1. In these regulations, unless the context otherwise indicates, any expression to which a meaning has been assigned in the Advanced Technical Education Act, 1967 (Act 40 of 1967), bears the meaning so assigned thereto, and—

“calendar month” means a period extending from the first to the last day, both days inclusive, of any one of the 12 months of the year;

“calendar quarter” means a period of three calendar months commencing on 1 January, 1 April, 1 July and 1 October, respectively, of each calendar year;

“calendar year” means a period from 1 January to 31 December, both dates inclusive, of any year;

“college holidays” means the period between two consecutive college terms;

“college term” means a term as determined by the Council;

“cycle” means a period of three calendar years reckoned from 1 January 1968 and each succeeding period of three calendar years;

“day of rest” means—

(a) a Sunday or a public holiday in the case of an employee who normally does not work on such a day; or

(b) such other day as he is normally relieved from duty in lieu thereof in the case of an employee who normally works on a Sunday or a public holiday;

GOEWERMENTSKENNISGEWING

DEPARTEMENT VAN HOËR ONDERWYS

No. R. 631

24 April 1970

WET OP GEVORDERDE TEGNIESE ONDERWYS, 1967.—REGULASIES

Kragtens die bevoegdheid hom verleen by artikel 30 van die Wet op Gevorderde Tegniese Onderwys, 1967 (Wet 40 van 1967), het die Minister van Nasionale Opvoeding die regulasies afgekondig by Goewermentskennisgewing R. 2054 van 22 Desember 1967 herroep en onderstaande regulasies uitgevaardig:

Woordomskrywing

1. In hierdie regulasies, tensy uit die samehang anders blyk, het 'n uitdrukking waaraan daar in die Wet op Gevorderde Tegniese Onderwys, 1967 (Wet 40 van 1970), 'n betekenis geheg is, die betekenis wat aldus daaraan geheg is, en beteken—

“diensbeëindiging” ook bedanking;

“die Wet” die Wet op Gevorderde Tegniese Onderwys, 1967 (Wet 40 van 1967);

“doserende personeel” die hoof, adjunk-direkteur, departementshoof, vise-hoof, senior dosent of iemand anders wat onderwyspligte vervul;

“kalenderjaar” 'n tydperk wat strek vanaf 1 Januarie tot en met 31 Desember van 'n jaar, albei datums inbegrepe;

“kalenderkwartaal” 'n tydperk van drie kalendermaande wat begin op onderskeidelik 1 Januarie, 1 April, 1 Julie en 1 Oktober van elke kalenderjaar;

“kalendermaand” 'n tydperk wat strek van die eerste tot en met die laaste dag van enigeen van die twaalf maande van die jaar, albei datums inbegrepe;

“kollegetermyn” 'n termyn wat deur die Raad bepaal word;

“kollegevakansie” 'n tydperk wat tussen twee opeenvolgende kollegetermynne val;

“maand” 'n tydperk wat strek vanaf 'n datum in een kalendermaand tot die datum wat die ooreenstemmende datum in die volgende kalendermaand voorafgaan, albei datums inbegrepe;

"employee" means a person employed full time in a permanent or in a temporary capacity or on contract for a fixed period and includes the principal as well as non-Whites;

"incremental period" means a period of 12 months or any other approved period which must elapse in regard to any employee before his salary may be increased in accordance with the scale applicable to him;

"leave" means leave to an employee to be absent from duty and in respect of which he applies in terms of regulation 36 (3) (a) on the approved form;

"month" means a period extending from a date in any one calendar month to the date preceding the corresponding date in the following calendar month, both dates inclusive;

"past student" means a past student referred to in regulation 3;

"permanent employee" means a person appointed permanently in terms of the Act at a college by the Council, or deemed to have been so appointed, although he may have been appointed—

(a) on probation;

(b) to a post intended for a person of a rank higher or lower than his own rank; or

(c) to a post additional to the fixed establishment of the college;

"salary" means the salary or wage normally payable to an employee when he is in the service of the college and includes allowances which do not form part of his salary or wage, due regard being had to regulations pertaining to and directions issued by the Secretary with the approval of the Minister in connection with such allowances;

"salary increment" means the approved amount by which a salary may be increased according to the appropriate scale;

"Secretary" means the Secretary for Higher Education and, with regard to a matter in respect of which any powers, duty or function has been conferred upon or assigned to the Secretary, includes any person designated by the Minister to exercise the powers or to perform the duty or function referred to;

"staff member" includes both a permanent and temporary employee in full-time employment, but excludes non-White employees;

"Sunday" means—

(a) also a public holiday mentioned in the Second Schedule to the Public Holidays Act, 1952 (Act 5 of 1952), in the case of an employee who does not normally work on such a day; or

(b) such other day as he is normally relieved from duty in lieu thereof, in the case of an employee who normally works on a Sunday or on such public holiday;

"teaching staff" means the principal, deputy director, head of department, vice-principal, senior lecturer or any other person performing educational duties;

"termination of service" includes resignation;

"the Act" means the Advanced Technical Education Act, 1967 (Act 40 of 1967);

CHAPTER I

COUNCILS: ELECTION, PROCEDURE AT MEETINGS, SUBMISSION OF REPORTS AND DISCHARGE OF COUNCIL MEMBERS

Donors

2. (1) Any local authority that donates an aggregate amount of not less than R1 000 per year to a college shall be a donor for the purposes of section 8 (1) (b) of the Act.

"oud-student" 'n oud-student bedoel in regulasie 3;
"permanente werknemer" iemand wat ingevolge die Wet vir diens op 'n vaste grondslag by 'n kollege deur die raad aangestel is, of wat geag word aldus aangestel te wees, al is hy aangestel—

(a) op proef;

(b) in 'n pos bedoel vir iemand met 'n hoër of laer rang as sy eie; of

(c) in 'n pos wat bykomend is by die vaste diensstaats van die kollege;

"personeëlid" sowel 'n permanente as 'n tydelike werknemer in voltydse diens, uitgesonderd nie-Blanke werknemers;

"rusdag"—

(a) 'n Sondag of openbare feesdag in die geval van 'n werknemer wat nie gewoonlik op sodanige dag werk nie; of

(b) 'n ander dag wat hy gewoonlik in plaas daarvan van diens vrygestel is in die geval van 'n werknemer wat gewoonlik op 'n Sondag of 'n openbare feesdag werk;

"salaris" die salaris of loon wat gewoonlik aan 'n werknemer betaalbaar is wanneer hy in diens van die kollege is, en ook toelaes wat nie by sy salaris of loon inbegrepe is nie, met inagneming van regulasies met betrekking tot en opdragte deur die Sekretaris met die goedkeuring van die Minister uitgereik in verband met sulke toelaes;

"salarisverhoging" die goedgekeurde bedrag waarmee 'n salaris volgens die toepaslike skaal verhoog kan word;

"salarisverhogingstydperk" 'n tydperk van 12 maande of 'n ander goedgekeurde tydperk wat met betrekking tot enige werknemer moet verstrek voordat sy salaris volgens die skaal wat op hom van toepassing is, verhoog kan word;

"Sekretaris" die Sekretaris van Hoër Onderwys en, met betrekking tot 'n aangeleentheid ten opsigte waarvan enige bevoegdheid, plig of werksaamheid aan die Sekretaris verleen of opgedra is, ook iemand deur die Minister aangewys om bedoelde bevoegdheid uit te oefen of bedoelde plig of werksaamheid te verrig;

"Sondag"—

(a) ook 'n openbare feesdag genoem in die Tweede Bylae by die Wet op Openbare Feesdae, 1952 (Wet 5 van 1952), in die geval van 'n werknemer wat nie gewoonlik op sodanige dag werk nie; of

(b) 'n ander dag wat hy gewoonlik in plaas daarvan van diens vrygestel is, in die geval van 'n werknemer wat gewoonlik op 'n Sondag of op sodanige openbare feesdag werk;

"tydkring" 'n tydperk van drie kalenderjare gereken vanaf 1 Januarie 1968 en elke daaropvolgende tydperk van drie kalenderjare.

"verlof" verlof aan 'n werknemer om van diens afwesig te wees en waarom hy kragtens regulasie 36 (3) (a) op die goedgekeurde vorm aansoek doen;

"werknemer" iemand wat voltyds in 'n permanente of tydelike hoedanigheid in diens is of onder kontrak vir 'n vasgestelde tydperk in diens is en ook die hoof sowel as nie-Blankes.

HOOFSTUK I

RADE.—VERKIESING, PROSEDURE OP VERGADERINGS, INDIENING VAN VERSLAE EN ONTSLAG VAN RAADSLEDE

Donateurs

2. (1) 'n Plaaslike bestuur wat 'n totale bedrag van minstens R1 000 per jaar aan 'n kollege skenk, is 'n donateur vir die doeleindes van artikel 8 (1) (b) van die Wet.

(2) Any person who donates an aggregate amount of not less than R500 to a college, or who has undertaken to donate an amount of not less than R500 to a college in regular instalments over a period of not more than five years and is not in arrear with his instalments, shall be a donor for the purposes of section 8 (1) (c) of the Act.

Past Students

3. The past students of a college (including past students of the Technical College of which the college is the successor) shall consist of the persons who obtained a certificate or diploma which is recognised or issued by the Minister and which is of a standard higher than the standard ordinarily required for the tenth standard, after completion of a full-time course of study of not less than one year or a part-time course of study of not less than two years at that college.

Manner of Election

4. (1) (a) Whenever it is necessary for local authorities to elect a person a member of a council, the principal shall, by written notice posted at least 90 days before the date determined by him for the election of members of the Council, invite such local authorities to nominate in writing a candidate to be elected a member of the Council.

(b) Whenever it is necessary for donors (excluding local authorities) to elect a person a member of a Council, the principal shall, by written notice posted at least 90 days before the date referred to in paragraph (a), invite such donors to nominate in writing a candidate to be elected a member of the Council.

(c) Whenever it is necessary for past students to elect a person a member of a council, the principal shall, by written notice posted at least 90 days before the date referred to in paragraph (a), invite such past students to nominate in writing a candidate to be elected a member of the Council.

(2) (a) A nomination shall be lodged with the principal at least 60 days before the date referred to in subregulation 1 (a).

(b) Whenever it is necessary for past students to elect a person a member of a council, each nomination shall be signed by at least five past students and counter-signed by the nominee to denote his acceptance of the nomination.

(3) If the number of candidates is not greater than the number of vacancies, the principal shall forthwith declare such candidates to be duly elected.

(4) If more candidates are nominated than are to be elected, the principal shall, at least 30 days before the date referred to in subregulation 1 (a), post to the donors or past students, as the case may be, ballot papers containing in alphabetical order the names of all the candidates.

(5) (a) A local authority that is a donor, shall be entitled to one vote.

(b) A donor who is not a local authority shall be entitled to one vote plus an additional vote for every completed amount of R500 over R500 donated to a college or the donation of which to a college in regular instalments over a period of not more than five years has been undertaken.

(c) A past student shall be entitled to one vote.

(6) (a) A ballot paper shall be returned to the principal by registered post.

(b) A ballot paper which is received by the principal after the date referred to in subregulation 1 (a) shall be invalid.

(2) Iemand wat 'n totale bedrag van minstens R500 aan 'n kollege skenk, of wat onderneem het om 'n bedrag van minstens R500 in gereelde paaimeute gedurende 'n tydperk van hoogstens vyf jaar aan 'n kollege te skenk, en nie agterstallig is met sy paaimeute nie, is 'n donateur vir die doeleindes van artikel 8 (1) (c) van die Wet.

Oud-Studente

3. Die oud-studente van 'n kollege (met inbegrip van oud-studente van die Tegniese Kollege waarvan die kollege die opvolger is) bestaan uit die persone wat 'n sertifikaat of diploma wat deur die Minister erken of uitgereik word en van 'n peil is wat hoër is as die peil wat gewoonlik vir die tiende stender vereis word, na voltooiing van 'n heeltydse studiekursus van minstens een jaar of 'n deeltydse studiekursus van minstens twee jaar aan daardie kollege verwerf het.

Wyse van Verkiezing

4. (1) (a) Wanneer plaaslike besture iemand tot lid van 'n raad moet kies, nooi die hoof sodanige plaaslike besture by wyse van 'n skriftelike kennisgewing wat gepos word minstens 90 dae voor die datum wat hy vir die verkiezing van lede van die Raad bepaal, uit om skriftelik 'n kandidaat vir verkiezing tot lid van die Raad te nomineer.

(b) Wanneer donateurs (uitgesonderd plaaslike besture) iemand tot lid van 'n raad moet kies, nooi die hoof by wyse van 'n skriftelike kennisgewing wat minstens 90 dae voor die datum in paragraaf (a) bedoel gepos word, sodanige oud-studente uit om 'n kandidaat skriftelik vir verkiezing tot lid van die Raad te nomineer.

(c) Wanneer oud-studente iemand tot lid van 'n raad moet kies, nooi die hoof by wyse van 'n skriftelike kennisgewing wat minstens 90 dae voor die datum in paragraaf (a) bedoel gepos word, sodanige oud-studente uit om 'n kandidaat skriftelik vir verkiezing tot lid van die raad te nomineer.

(2) (a) 'n Nominasie word minstens 60 dae voor die datum in subregulasie (1) (a) bedoel by die hoof ingedien.

(b) Wanneer oud-studente iemand tot lid van 'n raad moet kies, word elke nominasie deur minstens vyf oud-studente geteken en deur die genomineerde mede-onderteken ter aanduiding van sy aanvaarding van die nominasie.

(3) Indien die getal kandidate nie meer is as die getal vakatures nie, verklaar die hoof onverwyld dat sodanige kandidate behoorlik verkies is.

(4) Indien meer kandidate genomineer word as wat verkies moet word, pos die hoof minstens 30 dae voor die datum in subregulasie (1) (a) bedoel aan die donateurs of oud-studente, na gelang van die geval, stembriewe met die name van al die kandidate in alfabetiese volgorde daarop.

(5) (a) 'n Plaaslike bestuur wat 'n donateur is, is geregtig op een stem.

(b) 'n Donateur wat nie 'n plaaslike bestuur is nie, is geregtig op een stem sowel as 'n bykomende stem vir elke volle bedrag van R500 bo R500 wat aan 'n kollege geskenk of waarvan die skenking in gereelde paaimeute oor 'n tydperk van hoogstens vyf jaar aan 'n kollege onderneem is.

(c) 'n Oud-student is geregtig op een stem.

(6) (a) 'n Stembrief word per geregistreerde pos aan die hoof teruggestuur.

(b) 'n Stembrief wat na die datum in subregulasie (1) (a) bedoel deur die hoof ontvang word, is ongeldig.

(7) At any election the principal shall act as returning officer and shall be assisted by two scrutineers nominated by him.

(8) The principal shall declare the person obtaining the highest number of votes to have been duly elected, and, in the event of an equality of votes, the result shall be determined by lot by him in the presence of the two scrutineers.

Discharge

5. A member of the Council shall vacate his office if—

(a) he absents himself from three consecutive meetings of the Council without the leave of the Council;

(b) he becomes insolvent;

(c) he is convicted of a criminal offence involving dishonesty or of any offence for which he is sentenced to imprisonment without the option of a fine;

(d) as a result of a mental or physical infirmity or disease, he becomes incapable of performing his official duties; or

(e) he accepts a post at the college of the Council of which he is a member.

Quorum

6. Not less than one-third of the members of a council shall constitute a quorum at a meeting.

Procedure at Meetings

7. (1) At a meeting the Council shall deal with matters of which prior notice has been given and such matters as are raised by a member with the approval of the meeting.

(2) A resolution of the Council shall be taken by the majority of the members who are present and who cast their votes.

(3) Each member present shall have one vote and in the event of an equality of votes the chairman shall, in addition to his deliberative vote, have a casting vote.

(4) The chairman shall give his ruling on a question of order or procedure: Provided that if a member objects to any such ruling the question shall be put to the vote without any further discussion and the decision of the meeting shall be final.

(5) Every motion or amendment shall be seconded and, if the chairman so directs, shall be put in writing and no motion or amendment shall be withdrawn without the consent of the meeting.

(6) If the meeting so decides the number of members who voted for or against a motion or amendment shall be recorded in the minutes and at the request of a member the chairman of the meeting shall direct that the vote of such member for or against a motion or amendment be recorded in the minutes.

(7) The Secretary of the Council shall by written notice at least three days before a meeting, inform each member of the time and venue of such meeting and of the matters to be dealt with.

(8) Notice of a motion by a member of a council shall be submitted in writing to the Secretary of the Council at least one week before the date of the meeting: Provided that urgent matters may be laid before the meeting without prior notification if no objection is raised by a member present.

(9) (a) At each ordinary meeting the minutes of the last preceding ordinary meeting and of any subsequent special meeting shall first be read.

(b) Any objection to those minutes may then be raised and decided upon after which the minutes, as approved, shall be confirmed and signed by the chairman.

(7) By 'n verkiesing tree die hoof as kiesbeampte op en word hy bygestaan deur die twee stemopnemers wat hy benoem.

(8) Die hoof verklaar die persoon wat die grootste aantal stemme verkry, as behoorlik verkose en, in geval van 'n staking van stemme, word die uitslag by wyse van loting deur hom in teenwoordigheid van die twee stemopnemers beslis.

Ontslag

5. 'n Lid van die Raad ontruim sy amp indien—

(a) hy sonder toestemming van die Raad van drie agtereenvolgende raadsvergaderings afwesig is;

(b) hy insolvent raak;

(c) hy skuldig bevind word aan 'n strafbare misdryf waarby oneerlikheid betrokke is of aan 'n misdryf waarvoor hy tot gevangenisstraf sonder die keuse van 'n boete gevonnis word;

(d) hy as gevolg van 'n geestelike of liggaamlike swakheid of siekte onbekwaam geword het om sy ampspilte na te kom; of

(e) hy 'n betrekking aan die kollege van die Raad waarvan hy 'n lid is, aanvaar.

Kworum

6. Nie minder nie as 'n derde van die lede van 'n raad vorm 'n kworum op 'n vergadering.

Prosedure op Vergaderings

7. (1) Op 'n vergadering behandel die Raad sake waarvan daar vooraf kennis gegee is en die sake wat 'n lid met die goedkeuring van die vergadering opper.

(2) 'n Besluit van die Raad word deur 'n meerderheid van die lede wat teenwoordig is en hulle stemme daarvoor uitbring, geneem.

(3) Elke aanwesige lid het een stem en by 'n staking van stemme het die voorsitter, benewens sy beraadslagende stem, ook 'n beslissende stem.

(4) Die voorsitter beslis oor 'n vraag van orde of procedure: Met dien verstande dat, indien 'n lid teen sodanige beslissing beswaar maak, die vraag sonder verdere bespreking tot stemming gebring word en die beslissing van die vergadering afdoende is.

(5) Elke mosie of amendement word gesekondeer en, indien die voorsitter daartoe opdrag gee, op skrif gestel, en geen mosie of amendement word sonder die toestemming van die vergadering teruggetrek nie.

(6) Indien 'n vergadering daartoe besluit, word die getal lede wat vir of teen 'n mosie of amendement stem, in die notule aangeteken en, op versoek van 'n lid, gee die voorsitter van die vergadering opdrag dat daar in die notule aangeteken word dat sodanige lid vir of teen 'n mosie of 'n amendement gestem het.

(7) Die Sekretaris van die Raad reik ten minste drie dae voor 'n vergadering 'n skriftelike kennisgewing aan elke lid uit waarin die tyd en plek van sodanige vergadering en die sake vir behandeling, aangedui word.

(8) Kennis van 'n mosie deur 'n lid van 'n raad word minstens een week voor die datum van die vergadering skriftelik by die Sekretaris van die Raad ingedien: Met dien verstande dat dringende sake sonder voorafgaande kennisgewing op 'n vergadering voorgelê mag word indien geen beswaar deur 'n lid wat teenwoordig is, geopper word nie.

(9) (a) Op elke gewone vergadering word eerstens die notule van die jongste voorafgaande gewone vergadering en van enige buitengewone vergaderings sedertien gehou, voorgelees.

(b) Enige beswaar teen daardie notules mag dan ingebring en oor besluit word waarna die notules, soos goedgekeur, bekragtig en deur die voorsitter onderteken word.

(c) The meeting shall, however, be permitted to consider the minutes read provided that copies thereof have been supplied to each member beforehand.

(10) (a) The chairman may at any time and shall, when requested to do so in writing by any five members who shall state the purpose of the meeting in the petition, call a special meeting.

(b) No other matters except those of which notice has been given, shall be dealt with at such meeting.

(11) (a) No motion shall be raised for a second time before six months have elapsed: Provided that a member of a council may give notice of his intention to have a resolution reviewed at a subsequent meeting with a view to its rescission or amendment: Provided further that such notice shall be given verbally at or in writing within four days of the meeting at which the resolution was passed.

(b) If the notice referred to in subregulation (a) has been given, the mover shall have the right to give brief reasons for the introduction of the motion and the Council shall, without discussion, decide by a majority of votes of the members present whether permission will be granted to have the resolution reviewed.

(c) A resolution reviewed in terms of subregulation (b) shall not be rescinded unless a majority of the members of a council vote in favour thereof and the same motion may not be raised again before six months have elapsed from the date of the meeting at which the resolution was originally passed.

(12) (a) No member may, without special leave of the meeting, speak more than once to a motion or an amendment but the mover of a motion or an amendment shall have the right to reply.

(b) Any member shall have the right to move that the subject of discussion be dealt with in committee and the motion, if seconded, shall be put to the vote without further discussion.

Statements and Reports

8. A council shall on or before 31 March of every year transmit to the Minister a report of its proceedings and of the management of the college, together with the duly audited statement of revenue and expenditure and balance sheet in respect of the preceding year, in both official languages and in decuple.

CHAPTER II

APPOINTMENT OF PRINCIPAL

9. (1) Unless the Minister in an exceptional case approves otherwise, a vacant post of principal shall be advertised at other colleges and in the press simultaneously.

(2) The following documents shall be submitted to the Secretary within two months of the closing of the advertisement referred to in subregulation (1):

- (a) A copy of the advertisement;
- (b) an application form from each candidate;
- (c) a schedule containing—

(i) relevant particulars of all candidates; and

(ii) the Council's reasons for the selection of a particular candidate and for the elimination of the unsuccessful candidates.

(3) If the Minister has approved the appointment of a candidate, such candidate shall be informed, in writing, by the chairman of the Council of his appointment with an indication of the salary, salary scale and incremental date which shall apply.

(4) The appointment of a principal of a college shall be on 12 months probation unless the Minister approves otherwise.

(c) Dit staan die vergadering egter vry om die notules as gelees te beskou mits afskrifte daarvan vooraf aan elke lid verskaf is.

(10) (a) 'n Buitengewone vergadering kan te eniger tyd deur die voorsitter belê en moet ook op skriftelike versoek van enige vyf lede wat die doel van die vergadering in die versoekskrif moet aandui, deur hom belê word.

(b) Geen ander sake behalwe dié waarvan kennis gegee is, word op sodanige vergadering behandel nie.

(11) (a) Geen mosie word vir 'n tweede keer geopper voordat ses maande verstryk het nie: Met dien verstande dat 'n lid van 'n raad kennis kan gee van sy voorneme om 'n besluit op 'n volgende vergadering in hersiening te laat neem met die oog op die herroeping of die wysiging daarvan: Met dien verstande voorts dat sodanige kennis mondeling tydens of skriftelik binne vier dae na afloop van die vergadering waarop die besluit geneem is, gegee word.

(b) Indien kennis soos vermeld in subregulasie (a) gegee is, het die voorsteller die reg om kortliks die redes vir die indiening van die mosie te vermeld en word daar, sonder bespreking, deur die Raad met 'n meerderheid van stemme van die lede teenwoordig besluit of toestemming verleen sal word om die besluit in hersiening te laat neem.

(c) 'n Besluit wat ingevolge subregulasie (b) in hersiening geneem is, word nie herroep tensy 'n meerderheid van die lede van 'n raad ten gunste daarvan stem nie en dieselfde mosie mag nie weer geopper word voordat ses maande verstryk het na die datum van die vergadering waarop die besluit oorspronklik geneem is nie.

(12) (a) Geen lid mag sonder spesiale verlof van die vergadering meer as een keer oor 'n mosie of 'n amendement praat nie, maar die voorsteller van 'n mosie of 'n amendement het die reg om repliek te lewer.

(b) Enige lid het die reg om voor te stel dat die onderwerp van bespreking in komitee behandel word en indien die voorstel gesekondeer word, word dit sonder verdere bespreking tot stemming gebring.

State en Verslae

8. 'n Raad stuur elke jaar op of voor 31 Maart 'n verslag oor sy verrigtings en oor die bestuur van die kollege, tesame met die behoorlik geouditeerde staat van inkomste en uitgawe en balansstaat ten opsigte van die voorafgaande jaar, aan die Minister in albei amptelike tale en in tienvoud deur.

HOOFTUK II

AANSTELLING VAN HOOF

9. (1) Tensy die Minister in 'n uitsonderlike geval anders goedkeur, word 'n vakante pos van Hoof gelyktydig by ander kolleges en in die pers geadverteer.

(2) Die volgende dokumente word binne twee maande na die sluiting van die advertensie bedoel in subregulasie (1), aan die Sekretaris gestuur:

- (a) 'n Afskrif van die advertensie;
- (b) 'n aansoekvorm van elke kandidaat;
- (c) 'n staat bevattende—

(i) tersaaklike besonderhede van alle kandidaat; en

(ii) die Raad se motivering vir die keuse van 'n bepaalde kandidaat en vir die uitskakeling van die onsuksesvolle kandidaat.

(3) As die Minister die aanstelling van 'n kandidaat goedgekeur het, word sodanige kandidaat skriftelik deur die voorsitter van die Raad van sy aanstelling in kennis gestel met vermelding van die salaris, salarisskaal en verhogingsdatum wat van toepassing is.

(4) Die aanstelling van die hoof van 'n kollege geskied op twaalf maande proef tensy die Minister anders goedkeur.

(5) The directions relating to appointments on probation as contained in regulation 12 shall apply *mutatis mutandis* to a principal of a college.

CHAPTER III

GENERAL CONDITIONS OF SERVICE

Duties of Principal and other Employees

10. (1) The principal—

(a) shall supervise the general administration, the activities of the other teaching staff and the non-teaching staff appointed or assigned to assist him in the carrying out of the provisions and compliance with the requirements of any Act, regulation, rule and instruction which applies to the college;

(b) shall direct the instructional and other activities of the college;

(c) shall be responsible to the Council direct for maintaining discipline, efficient instruction and administration and the proper use and care of the property of the college.

(2) Every other employee at a college—

(a) shall be under the control of the principal and shall fulfil, in addition to the requirements contained in the Act and these regulations, and the duties ordinarily assigned to his post, such duties in connection with supervision at a hostel, supervision during examinations and other group activities as the principal may from time to time require;

(b) shall be subject to any rules for the internal control of the college which may be issued by the principal.

(3) The Council or the principal may require an employee temporarily to perform duties other than those ordinarily entrusted to such employee or duties appropriate to the grade, designation or classification of his post.

Assumption of Duty: Commencing Date of Salary

11. (1) A person who is appointed a member of the teaching staff shall be paid salary with effect from the date of assumption of duty up to and including the date of the termination of his service: Provided that—

(a) subject to the provisions of paragraph (b) of this subregulation, a person who assumes duty on the first day of a college term and who renders service for not less than 30 days after the date of assumption of duty, shall be paid salary with effect from the first day of the calendar month in which he assumed duty; and

(b) if a college term commences within the same calendar month as the preceding college term ended, such person shall be paid salary—

(i) with effect from the first day following the date on which the preceding college term ended; or

(ii) with effect from the day following the date of the termination of his service under any other college or education department, if he served as a member of the teaching staff up to the last day of the preceding college term and was in the employ of that college or education department for at least 30 days.

(2) Notwithstanding anything to the contrary contained in these regulations, a person who was appointed a member of the teaching staff in a permanent capacity and who, immediately after completion of his course of his qualifying training or instruction is called up by the Department of Defence for his initial period of compulsory military service, and is, therefore, unable to assume

(5) Die voorskrifte in verband met proefaanstellings soos vervat in regulasie 12 geld *mutatis mutandis* ten opsigte van 'n hoof van 'n kollege.

HOOFSTUK III

ALGEMENE DIENSVORWAARDES

Pligte van Hoof en Ander Werknemers

10. (1) Die hoof—

(a) hou toesig oor die algemene administrasie, die werksaamhede van die ander doserende personeel en die nie-doserende personeel wat aangestel of toegewys is om hom by te staan by die uitvoering van die bepalings en nakoming van die vereistes van enige wet, regulasie, reël en voorskrif wat op die kollege van toepassing is;

(b) gee leiding in verband met die onderrig- en ander werksaamhede van die kollege;

(c) is direk aan die Raad verantwoordelik vir die handhawing van dissipline, doeltreffende onderrig en administrasie asook die behoorlike gebruik en versorging van die eiendom van die kollege.

(2) Elke ander werknemer by 'n kollege—

(a) staan onder die beheer van die hoof en benewens die voorskrifte van die Wet en hierdie regulasies en die pligte gewoonlik verbonde aan sy pos, voer hy die pligte uit in verband met die toesigdiens in 'n koshuis, toesig by eksamens en ander groepwerksaamhede wat die hoof van tyd tot tyd van hom verlang;

(b) is onderworpe aan enige reëls vir die huishoudelike beheer van die kollege wat die hoof uitreik.

(3) Die Raad of die hoof kan 'n werknemer aansê om tydelik ander pligte te verrig as dié wat gewoonlik aan sodanige werknemer opgedra word, of wat by die graad, benaming of indeling van sy pos pas.

Diensaanvaardings: Datum Waarop Salaris Begin

11. (1) Aan iemand wat as lid van die doserende personeel aangestel word, word salaris betaal met ingang van die datum van diensaanvaarding tot en met die datum van diensbeëindiging: Met dien verstande dat—

(a) behoudens die bepalings van paragraaf (b) hiervan, aan so iemand wat op die eerste dag van 'n kollegetermyn diens aanvaar en minstens 30 dae na die datum van diensaanvaarding diens doen, salaris betaal word met ingang van die eerste dag van die kalendermaand waarin hy diens aanvaar het; en

(b) indien 'n kollegetermyn binne dieselfde kalendermaand begin as wat die voorafgaande kollegetermyn geëindig het, aan so iemand salaris betaal word—

(i) met ingang van die eerste dag wat volg op die sluitingsdatum van die voorafgaande kollegetermyn; of

(ii) met ingang van die dag wat volg op die datum van beëindiging van diens onder 'n ander kollege of onderwysdepartement, indien hy tot die laaste dag van die voorafgaande kollegetermyn as lid van die doserende personeel diens gedoen het en minstens 30 dae in diens van daardie kollege of onderwysdepartement was.

(2) Ondanks andersluidende bepalings van hierdie regulasies, word aan iemand wat as lid van die doserende personeel in 'n permanente hoedanigheid aangestel is en wat onmiddellik na voltooiing van sy kwalifiserende opleidings- of onderrigkursus deur die Departement van Verdediging opgeroep word vir sy aanvanklike tydperk van verpligte militêre diens, en dus nie in staat is om

duty on the first day of a college term, and to whom leave in terms of regulation 59 (1) (d) (i) could have been granted had he already assumed duty, shall be paid salary as if he had assumed duty on the first day of the college term.

(3) If a person who was in the employment of a college as a member of the teaching staff in a temporary capacity up to and including the last day of a college term or corresponding calendar quarter, is reappointed with effect from a date within the first four college days of the following college term and he assumes duty on any such date, he shall, subject to the provisions of subregulation (2), be paid salary in respect of the intervening college holidays and his service shall be regarded as continuous: Provided that he shall be granted vacation leave with full pay to the extent available or vacation leave without pay for the full or remaining part of the period, or if no vacation leave with full pay is available, vacation leave without pay in respect of the number of days during which he did not render service.

Appointment from the Services of Government Departments, Administrations and Institutions

12. If a person who is in the full-time employment of—

- (a) a Government department;
- (b) the South African Railways;
- (c) a provincial administration;
- (d) the Administration of South-West Africa;
- (e) the State Diggings; or
- (f) a body or institution with a pension or provident fund administered by the Government,

is appointed without a break in service to a post on the fixed establishment of a college such appointment shall be regarded as a transfer for the payment of transfer expenses, and for leave and pension purposes.

Salary Increments

13. (1) Subject to the provisions of subregulation (2), the salary of an employee shall be increased by one salary increment, within the limits of the scale applicable to him, after completion of each incremental period and with effect from the first day of such employee's incremental month.

(2) If the principal issues a certificate in which he declares that the employee's conduct as to industry, discipline, punctuality or sobriety was not uniformly satisfactory during an incremental period or that he did not perform his work uniformly satisfactorily during such incremental period, the salary of such employee shall not be increased in terms of the provisions of subregulation (1): Provided that notwithstanding such certificate, the council may approve that the salary of an employee be increased in terms of the provisions of subregulation (1).

(3) If the salary of an employee is not increased in terms of the provisions of subregulation (1) or of the proviso to subregulation (2) such employee shall be notified by the Council in writing of the reasons therefor as well as that at the expiry of a continuous period to be indicated which shall be not longer than an incremental period, a salary increment may be granted by the Council on condition that a certificate is issued by the principal in which he declares that the employee's work performance and his conduct in regard to the qualities mentioned in subregulation (2) were satisfactory during such period.

op die eerste dag van 'n kollegetermyn diens te aanvaar nie en aan wie verlof ingevolge regulasie 59 (1) (d) (i) toegestaan sou kon word indien hy reeds diens aanvaar het, salaris betaal asof hy op die eerste dag van die kollegetermyn diens aanvaar het.

(3) Indien iemand wat tot en met die laaste dag van 'n kollegetermyn of ooreenstemmende kalenderkwartaal in 'n tydelike hoedanigheid as 'n lid van die doserende personeel in diens van 'n kollege was, heraangestel word met ingang van 'n datum binne die eerste vier kollegedae van die eersvolgende kollegetermyn, en hy diens aanvaar op enige sodanige datum, word, behoudens die bepalings van subregulasie (2), salaris aan hom betaal ten opsigte van die tussenkomende kollegevakansie, en word sy diens as aaneenlopend beskou: Met dien verstande dat aan hom vakansieverlof met volle betaling in die mate beskikbaar of vakansieverlof sonder betaling vir die volle of oorblywende gedeelte van die tydperk of, indien geen vakansieverlof met volle betaling beskikbaar is nie, vakansieverlof sonder betaling toegestaan word ten opsigte van die getal dae wat hy laat diens aanvaar het.

Aanstelling uit Diens van Staatsdepartemente, Administrasies en Inrigtings

12. Indien iemand wat voltyds in diens is van—

- (a) 'n staatsdepartement;
- (b) die Suid-Afrikaanse Spoorweë;
- (c) 'n provinsiale administrasie;
- (d) die Administrasie van Suidwes-Afrika;
- (e) die Staatsdelwerye; of

(f) 'n liggaam of inrigting wat 'n pensioen- of voorsorgfonds het wat deur die Staat geadministreer word, sonder onderbreking van diens aangestel word in 'n pos op die vaste diensstaat van 'n kollege, word sodanige aanstelling vir die betaling van oorpasingskoste en vir verlof- en pensioendoelindes, geag 'n oorpasing te wees.

Salarisverhogings

13. (1) Behoudens die bepalings van subregulasie (2), word die salaris van 'n werknemer na die voltooiing van elke salarisverhogingstydperk met een salarisverhoging binne die perke van die skaal wat op hom van toepassing is, verhoog met ingang van die eerste dag van sodanige werknemer se verhogingsmaand.

(2) Indien die hoof 'n sertifikaat uitreik waarin hy verklaar dat 'n werknemer se gedrag met betrekking tot ywer, dissipline, stiptheid of matigheid gedurende 'n salarisverhogingstydperk nie deurgaans bevredigend was nie of dat hy sy werk gedurende sodanige salarisverhogingstydperk nie deurgaans op 'n bevredigende wyse verrig het nie, word die salaris van sodanige werknemer nie kragtens die bepalings van subregulasie (1) verhoog nie: Met dien verstande dat die Raad ondanks sodanige sertifikaat kan goedkeur dat die salaris van die werknemer kragtens die bepalings van subregulasie (1) verhoog word.

(3) Indien die salaris van 'n werknemer nie kragtens die bepalings van subregulasie (1) of van die voorbehoudsbepaling van subregulasie (2) verhoog word nie, word sodanige werknemer deur die Raad skriftelik verwittig van die redes daarvoor asook dat by verstryking van 'n aaneenlopende tydperk wat aangedui word maar wat nie langer as 'n salarisverhogingstydperk is nie, 'n salarisverhoging deur die Raad toegeken kan word op voorwaarde dat 'n sertifikaat deur die hoof uitgereik word waarin hy verklaar dat die werknemer se werkverrigting en gedrag met betrekking tot die eienskappe bedoel in subregulasie (2) gedurende sodanige tydperk bevredigend was.

(4) (a) If the period referred to subregulation (3) is shorter than an incremental period and such certificate is issued by the principal one salary increment shall be granted to the employee by the Council with effect from the first day of the calendar month following the date on which such period expired.

(b) If an employee has been granted a salary increment in terms of paragraph (a), a further salary increment shall be granted to him by the Council after the expiry of an incremental period reckoned from the date on which his salary would have been increased in terms of subregulation (1) had such increase not been withheld in terms of subregulation (2): Provided that such salary increment may be granted only if the principal issues a certificate in which he declares that the employee's work performance and his conduct in regard to the qualities mentioned in subregulation (2), continued to be satisfactory from the date of the granting of the salary increment mentioned in paragraph (a) to the date preceding that on which a salary increment may be granted in terms of this paragraph: Provided further that the provisions of this paragraph shall not apply to an employee if his salary is already equal to the maximum notch of the scale applicable to him.

(5) If an employee is not granted a salary increment in terms of subregulation (4) (a)—

(a) such employee shall be notified by the Council in writing of the reasons therefor as well as that at the expiry of a continuous period to be indicated which shall be equal to the difference between the period referred to in subregulation (3) and an incremental period, a salary increment may be granted by the Council on condition that the principal issues a certificate in which he declares that the employee's work performance and his conduct in regard to the qualities mentioned in subregulation (2) were satisfactory during such continuous period;

(b) two salary increments shall be granted by the Council to such employee after the expiry of an incremental period reckoned from the date on which his salary would have been increased in terms of subregulation (1) if such increase had not been withheld in terms of the provisions of subregulation (2): Provided that such salary increments may be granted only if the principal issues a certificate in which he declares that the employee's work performance and his conduct in regard to the qualities mentioned in subregulation (2) were satisfactory during the continuous period referred to in paragraph (a): Provided further that only one salary increment may be granted to the employee if his salary is already equal to the penultimate notch of the scale applicable to him.

(6) If the period referred to in regulation (3) is equal to an incremental period, two salary increments shall be granted by the Council to such employee after the expiry of such period: Provided that such salary increments shall be granted only if the principal issues a certificate in which he declares that the employee's work performance and his conduct in regard to the qualities mentioned in subregulation (2) were satisfactory during the continuous period referred to in subregulation (4) (a): Provided further that such employee shall be granted only one salary increment if his salary is already equal to the penultimate notch of the scale applicable to him.

(4) (a) Indien die tydperk bedoel in subregulasie (3) korter is as 'n salarisverhogingstydperk, en bedoelde sertifikaat deur die hoof uitgereik word, word een salarisverhoging deur die Raad aan die werknemer toegeken met ingang van die eerste dag van die kalendermaand wat volg op die datum waarop genoemde tydperk verstryk.

(b) Indien 'n salarisverhoging kragtens paragraaf (a) aan 'n werknemer toegeken is, word 'n verdere salarisverhoging deur die Raad aan hom toegeken na verstryking van 'n salarisverhogingstydperk gereken vanaf die datum waarop sy salaris kragtens subregulasie (1) verhoog sou gewees het indien die verhoging nie kragtens die bepalings van subregulasie (2) teruggehou was nie: Met dien verstande dat sodanige salarisverhoging toegeken word slegs indien die hoof 'n sertifikaat uitreik waarin hy verklaar dat die werknemer se werkverrigting en gedrag met betrekking tot die eienskappe bedoel in subregulasie (2) vanaf die datum van toekenning van die salarisverhoging bedoel in paragraaf (a), tot die datum voorafgaande dié waarop 'n salarisverhoging kragtens hierdie paragraaf toegeken kan word steeds bevredigend was: Met dien verstande voorts dat die bepalings van hierdie paragraaf nie op 'n werknemer van toepassing is nie indien sy salaris reeds gelyk is aan die maksimum kerf van die skaal wat op hom van toepassing is.

(5) Indien 'n salarisverhoging nie ingevolge subregulasie (4) (a) aan 'n werknemer toegeken word nie—

(a) word sodanige werknemer deur die Raad skriftelik verwittig van die redes daarvoor asook dat by verstryking van 'n aaneenlopende tydperk (wat aangedui word) wat gelykstaande is met die verskil tussen die tydperk bedoel in subregulasie (3) en 'n salarisverhogingstydperk, 'n salarisverhoging deur die Raad toegeken kan word op voorwaarde dat 'n sertifikaat deur die hoof uitgereik word waarin hy verklaar dat die werknemer se werkverrigting en gedrag met betrekking tot die eienskappe bedoel in subregulasie (2) bevredigend was gedurende sodanige aaneenlopende tydperk; en

(b) word twee salarisverhogings deur die Raad aan sodanige werknemer toegeken na verstryking van 'n salarisverhogingstydperk gereken vanaf die datum waarop sy salaris kragtens subregulasie (1) verhoog sou gewees het indien sodanige verhoging nie kragtens die bepalings van subregulasie (2) teruggehou was nie: Met dien verstande dat sodanige salarisverhogings toegeken word alleenlik indien die hoof 'n sertifikaat uitreik waarin hy verklaar dat die werknemer se werkverrigting en gedrag met betrekking tot die eienskappe bedoel in subregulasie (2) bevredigend was gedurende die aaneenlopende tydperk bedoel in paragraaf (a): Met dien verstande voorts dat net een salarisverhoging aan sodanige werknemer toegeken word indien sy salaris reeds gelyk is aan die voorlaaste kerf van die skaal wat op hom van toepassing is.

(6) Indien die tydperk bedoel in subregulasie (3) gelyk is aan 'n salarisverhogingstydperk, word twee salarisverhogings deur die Raad aan sodanige werknemer toegeken na verstryking van sodanige tydperk: Met dien verstande dat sodanige salarisverhogings toegeken word alleenlik indien die hoof 'n sertifikaat uitreik waarin hy verklaar dat die werknemer se werkverrigting en gedrag met betrekking tot die eienskappe bedoel in subregulasie (2) bevredigend was gedurende die aaneenlopende tydperk bedoel in subregulasie 4 (a): Met dien verstande voorts dat net een salarisverhoging aan sodanige werknemer toegeken word indien sy salaris reeds gelyk is aan die voorlaaste kerf van die skaal wat op hom van toepassing is.

(7) If an employee is not granted a salary increment in terms of subregulations (4) (b), (5) (b) or (6), the provisions of subregulations (2), (3), (4), (5) and (6) shall apply *mutatis mutandis* afresh.

(8) Subject to the provisions of these regulations, the salary of an employee to whom a salary increment has been granted in terms of subregulations (4) (b), (5) (b) or (6) shall, at the expiry of each further incremental period, be increased by one salary increment within the limits of the scale applicable to him.

Travelling and Subsistence Allowances

14. (a) An employee who is required to travel on duty or an employee appointed by the Council may be paid such travelling and subsistence allowances as may be approved by the Council: Provided that in respect of a journey outside the borders of the Republic such allowances may be paid with the approval of and on the conditions determined by the Minister.

(b) If an employee is authorised by the Council to use his privately-owned motor transport for the purposes of the college, he shall be paid an allowance at such rate as may be approved by the Council.

Transfer of Employees

15. An employee may, with the approval of the Council, be transferred from the post in which he is employed to any other post in the same division or any other division of the college whether or not established under the Act, and whether or not such transfer is to a post of a lower grade: Provided that no transfer involving a reduction in such employee's pensionable emoluments shall be made without his consent, unless the transfer is in consequence of a reduction of rank imposed under regulation 62 or 63; Provided further that a permanent employee may only with the approval of the Minister be transferred to a post of a lower grade without reduction of pensionable emoluments and that as soon as suitable vacancy occurs he shall be reappointed to a post of a grade to which his salary is appropriate.

Additional Pay or Allowances

16. In addition to his approved pay no allowance, bonus, gratuity, honorarium, reward or privilege, pecuniary or otherwise, shall be paid or granted to an employee without the approval of the Secretary: Provided that this provision shall not apply to any allowance or privilege, the payment or granting of which is authorised by any Act, regulation or instruction without being subject to such approval.

Performance of Other Work by Employees

17. Unless it is otherwise provided in his condition of service—

(a) every employee shall place the whole of his time at the disposal of the college at which he is employed;

(b) no employee shall perform or engage himself to perform remunerative work outside his employment at a college without the permission of the Council; and

(c) no employee may claim as of right additional remuneration in respect of any official duty or work which he is required by competent authority to perform.

Acceptance of Gifts, Commission, Money or Reward

18 (1) An employee shall not accept without the permission of the Council a gift, pecuniary or otherwise, offered to him by a member of the public by reason of his occupying or having occupied a particular office or post in the college.

(7) Indien 'n salarisverhoging nie ingevolge subregulasie (4) (b), (5) (b) of (6) aan 'n werknemer toegeken word nie, is die bepalinge van subregulasies (2), (3), (4), (5) en (6) opnuut *mutatis mutandis* van toepassing.

(8) Behoudens die bepalinge van hierdie regulasies word die salaris van 'n werknemer aan wie 'n salarisverhoging kragtens subregulasies (4) (b), (5) (b) of (6) toegeken is, by die verstryking van elke verdere salarisverhogingstydperk verhoog met een salarisverhoging binne die perke van die skaal wat op hom van toepassing is.

Reis- en Verblyftoelae

14. (a) Aan 'n werknemer wat in diens moet reis of aan 'n werknemer wat deur die Raad aangestel is, kan daar sodanige reis- en verblyftoelae betaal word as wat die Raad mag goedkeur: Met dien verstande dat ten opsigte van 'n reis buite die grense van die Republiek sodanige toelae betaal kan word met die goedkeuring van en op die voorwaardes deur die Minister bepaal.

(b) Indien 'n werknemer deur die Raad gemagtig word om van sy private motorvervoer vir die doeleindes van die kollege gebruik te maak, word aan hom 'n toelae betaal teen die tarief wat die Raad goedkeur.

Verplasing van Werknemers

15. 'n Werknemer kan met die goedkeuring van die Raad verplaas word van die pos waarin hy diens doen na enige ander pos in dieselfde afdeling of enige ander afdeling van die kollege, hetsy dit kragtens die Wet ingestel is al dan nie en hetsy daardie verplasing na 'n pos met 'n laer graad is al dan nie: Met dien verstande dat 'n verplasing wat 'n vermindering in sodanige werknemer se pensioengewende verdienste meebring, nie sonder sy toestemming geskied nie tensy die verplasing geskied as gevolg van 'n verlaging van rang wat ingevolge regulasie 62 of 63 opgelê word: Met dien verstande voorts dat 'n permanente werknemer net met die goedkeuring van die Minister na 'n pos met 'n laer graad sonder vermindering van pensioengewende verdienste verplaas kan word en dat sodanige werknemer weer in 'n pos met 'n graad wat by sy salaris pas, aangestel word, sodra 'n geskikte vakature ontstaan.

Bykomende Betaling of Toelae

16. Benewens sy goedgekeurde betaling word 'n toelae, bonus, gratifikasie, honorarium, beloning of voorreg, geldelik of anders, nie aan 'n werknemer sonder die goedkeuring van die Sekretaris betaal of toegestaan nie: Met dien verstande dat hierdie bepaling nie van toepassing is nie op 'n toelae of voorreg waarvan die betaling of toestaan gemagtig word ingevolge enige wet, regulasie of voorskrif sonder dat dit aan sodanige goedkeuring onderworpe gemaak word.

Verrigting van Ander Werk deur Werknemers

17. Tensy in sy diensvoorwaardes anders bepaal word—

(a) stel 'n werknemer al sy tyd ter beskikking van die kollege waar hy in diens is;

(b) verrig 'n werknemer nie sonder die toestemming van die Raad besoldigde werk buite sy werk in diens van 'n kollege nie, of verbind hom nie om dit te verrig nie; en

(c) het 'n werknemer nie regtens aanspraak op bykomende betaling ten opsigte van enige amptelike diens of werk wat hy deur 'n bevoegde owerheid aangesê word om te verrig nie.

Aanneem van Geskenke, Kommissie, Geld of Beloning

18. (1) 'n Werknemer neem nie sonder die toestemming van die Raad 'n geskenk, geldelik of anders, aan wat hom deur 'n lid van die publiek aangebied word uit hoofde daarvan dat hy 'n bepaalde amp of pos in die kollege beklee of beklee het nie.

(2) An employee shall not accept or demand in respect of the carrying out of or failure to carry out his duties, any commission, fee or reward, pecuniary or otherwise (not being the emoluments payable to him in respect of his duties) or shall not fail to report to the Council the offer of such commission, fee or reward: Provided that in an exceptional case, the council may approve the acceptance of such commission, fee or reward.

Assignment of Pay

19. An employee shall not without the approval of the Council assign the whole or part of his pay.

Private Financial Transactions

20. (1) An employee shall not become a party to any form of promissory note for compromising purposes: Provided that the Council may give its written consent to a parture from the provisions of this subregulation if it has satisfied itself by investigation that the proposed transaction is being entered into for acceptable reasons not connected with speculation, gambling or any other improper dealing which may lead to the pecuniary embarrassment of the employee: Provided further that such consent shall not be given in respect of a transaction between two employees.

(2) An employee shall not borrow money from a subordinate serving in the same college.

(3) If it is evident that an employee is in debt to an unreasonable extent, if he becomes insolvent or assigns his estate for the benefit of his creditors or if a judgment for debt or a decree of civil imprisonment has been obtained against him in a court of law, he shall, if the Council so requires, furnish the Council with a detailed and complete statement of his liabilities together with an explanation as to how the liabilities were incurred and how he proposes to liquidate them.

Legal Proceedings for Debt

21. The issue of a process for debt, civil imprisonment, judgment or insolvency proceedings in which an employee is the defendant, shall forthwith and together with full particulars of the circumstances which led to the issue of such process, be reported to the Council by the said employee.

Confidential Nature of Documents Concerning Employees

22. All documents, files and correspondence concerning anything which may be done in terms of the Act and being the property of the college, shall be of a confidential nature and an employee or his legal representative at any inquiry directed by the Minister, the Secretary or the Council shall not have the right of access thereto or inspection thereof: Provided that an employee may be permitted to have such access to and inspection of the said documents, files and correspondence as may be necessary for the performance of his official duties: Provided further that, in the case where an inquiry has been directed in terms of regulation 62 of 63, the provisions of regulation 62 (11) (a) shall apply *mutatis mutandis*.

Replying to Questions

23. An employee shall reply explicitly to a lawful question put to him by a person who is competent to put such question to him: Provided that an employee shall not be obliged to furnish to a question a reply which may incriminate him.

Obedience

24. (1) Subject to the provisions of subregulation (2) an employee shall obey unconditionally a lawful order given to him by a person who is competent to do so.

(2) 'n Werknemer neem nie enige kommissie, geld of beloning, geldelik of anders (wat nie die betaling is wat ten opsigte van sy pligte aan hom betaalbaar is nie), aan of eis dit nie ten opsigte van die uitvoering van sy pligte of die versuim om sy pligte uit te voer of versuim nie om aan die Raad die aanbod van sodanige kommissie, geld of beloning te rapporteer nie: Met dien verstande dat die Raad in 'n buitengewone geval die aanname van sodanige kommissie, geld of beloning kan goedkeur.

Afstaan van Betaling

19. 'n Werknemer staan nie sy betaling, of deel daarvan, sonder goedkeuring van die Raad af nie.

Private Geldelike Transaksies

20. (1) 'n Werknemer word vir skikkingsdoeleindes nie 'n party by enige vorm van skuldbewys nie: Met dien verstande dat die Raad skriftelik toestemming daartoe kan verleen dat daar van die bepaling van hierdie subregulasie afgewyk word indien hy hom deur ondersoek oortuig het dat die voorgename transaksie aangegaan word om aanneemlike redes wat niks te doen het nie met spekulasie, dobbelary of onbehoorlike handeling wat die werknemer in geldelike moeilikheid kan laat kom: Met dien verstande voorts dat sodanige toestemming nie ten opsigte van 'n transaksie tussen twee werknemers verleen word nie.

(2) 'n Werknemer leen nie geld van 'n ondergeskikte wat aan dieselfde kollege verbonde is nie.

(3) Indien dit blyk dat 'n werknemer in 'n onredelike mate in die skuld is, indien hy insolvent raak of sy boedel afstaan ten behoeve van sy skuldeisers, of indien 'n vonnis weens skuld of 'n gyselingsbevel teen hom in 'n geregs-hof verkry is, lê hy, as die Raad dit vereis, 'n uitvoerige en volledige staat van sy skulde aan die Raad voor tesame met 'n verklaring van hoe die skulde aangegaan en hoe hy van voorneme is om sodanige skulde te vereffen.

Regsvordering weens Skuld

21. Die uitreiking van 'n prosesstuk weens skuld, gyseling, vonnis of 'n insolvensiegeding waarby 'n werknemer die verweerder is, word dadelik en tesame met volledige besonderhede van die omstandighede wat tot die uitreiking van sodanige prosesstuk gelei het, aan die Raad gerapporteer deur bedoelde werknemer.

Vertroulike Aard van Dokumente Rakende Werknemers

22. Alle dokumente, lêers en korrespondensie met betrekking tot enigiets wat kragtens die Wet gedoen kan word, wat die eiendom van die kollege is, is vertroulik van aard en 'n werknemer of sy regsvertegenwoordiger by 'n ondersoek wat deur die Minister, die Sekretaris of die Raad gelas is, het nie die reg op toegang daartoe of insae daarin nie: Met dien verstande dat 'n werknemer toegelaat mag word om dié toegang tot en insae in genoemde dokumente, lêers en korrespondensie te hê wat vir die verrigting van sy amptelike pligte nodig is: Met dien verstande voorts dat in die geval waar 'n ondersoek kragtens regulasie 62 of 63 gelas is, die bepaling van regulasie 62 (11) (a) *mutatis mutandis* van toepassing is.

Beantwoording van Vrae

23. 'n Werknemer antwoord uitdruklik op 'n wettige vraag wat aan hom gestel is deur iemand wat die bevoegdheid het om so 'n vraag aan hom te stel: Met dien verstande dat 'n werknemer nie verplig is om op 'n vraag 'n antwoord te verstrek wat hom kan inkrimineer nie.

Gehoorsaamheid

24. (1) Behoudens die bepaling van subregulasie (2), gehoorsaam 'n werknemer onvoorwaardelik 'n wettige bevel wat aan hom gegee is deur iemand wat die bevoegdheid het om dit te gee.

(2) An employee may demand that an order referred to in subregulation (1) be repeated in writing after his having obeyed such order and he may submit for decision any complaint he may have in connection therewith to the principal: Provided that he may request that the decision be submitted to the Council for revision, if he is dissatisfied with the decision of the principal.

Reports on Staff and Adverse Remarks

25 (1) As often as the Council may require a report shall be completed and submitted by the principal in respect of an employee under his control.

(2) Subject to the provisions of subregulation (3), an employee in respect of whom a report has been completed in terms of subregulation (1), shall not have access thereto.

(3) An adverse remark contained in such report shall be brought to the notice of such employee in writing and in its full context by the principal or any other employee, and the employee reported upon shall sign the written communication and return it, together with any representations, in writing, which he desires to submit: Provided that the Council may approve that adverse remarks shall not be brought to the notice of an employee if it is of the opinion that it is not in the interest of the college or such employee.

(4) The provisions of subregulation (3) shall apply to adverse remarks made in respect of an employee in a written communication: Provided that an adverse remark contained in the minutes of a meeting of a committee appointed for the purpose of merit assessment, shall not be brought to the notice of an employee reported upon.

(5) If a person who has to countersign or consider a report in respect of an employee, finds that no justification exists for an adverse remark appearing therein, the adverse remark shall be expunged from the report and such employee shall be advised in writing of the expunction if the adverse remark has already been brought to his notice and such advice of expunction shall form part of the report.

Residential Addresses and Telephone Numbers

26. An employee shall notify the principal of his residential address and of his telephone number at home (if he has a telephone) and any change thereof, and the principal shall make a record thereof in a register which shall be kept for this purpose.

Notice of Marriage: Permanent Female Employees

27. A permanent female employee shall, before her marriage, give the Council notice in writing of the date on which she proposes to marry.

Participation in Political and Other Activities

28. (1) An employee—

(a) shall not use his position of office to promote or prejudice the interests of a political party or express himself in the public press or at a public meeting on party-political matters: Provided that the expression "public meeting" shall mean any gathering, concourse or procession in, through or along a place of a number of persons having a common purpose, but shall not include a gathering admittance to which is intended for members of one and the same group, party or movement;

(b) who offers himself for election as a member of Parliament or a provincial council, shall be deemed to have left the service of the Council of his own

2. 'n Werknemer kan eis dat 'n bevel bedoel in subregulasie (1) skriftelik herhaal word na gehoorsaming daarvan en hy kan 'n klagte wat hy in verband daarmee het by die hoof vir 'n beslissing voorlê: Met dien verstande dat hy kan versoek dat die beslissing aan die Raad vir hersiening voorgelê word indien hy ontevrede is met die beslissing van die hoof.

Verslae oor Personeel en Ongunstige Opmerkings

25. (1) 'n Verslag word so dikwels as wat die Raad vereis, deur die hoof ten opsigte van 'n werknemer onder sy beheer ingevul en ingedien.

(2) Behoudens die bepalinge van subregulasie (3), het 'n werknemer ten opsigte van wie 'n verslag ingevolge subregulasie (1) ingevul is, nie insae daarin nie.

(3) 'n Ongunstige opmerking vervat in sodanige verslag word deur die hoof of 'n ander werknemer skriftelik en in sy volledige samehang onder die aandag gebring van bedoelde werknemer, wat die skriftelike mededeling onderteken en dit tesame met enige skriftelike verhoë wat hy wil voorlê, terugbesorg: Met dien verstande dat die Raad kan goedkeur dat ongunstige opmerkings nie onder die aandag van 'n werknemer gebring word nie indien hy van oordeel is dat dit nie in belang van die kollege of dié werknemer is nie.

(4) Die bepalinge van subregulasie (3) is van toepassing op ongunstige opmerkings wat ten opsigte van 'n werknemer in 'n skriftelike mededeling gemaak word: Met dien verstande dat 'n ongunstige opmerking wat vervat is in die notule van 'n vergadering van 'n komitee wat vir die doel van verdienstelikeheidsbepaling aangewys is, nie onder die aandag gebring word van die werknemer oor wie gerapporteer word nie.

(5) Indien iemand wat 'n verslag ten opsigte van 'n werknemer moet mede-onderteken of moet oorweeg, bevind dat daar nie regverdiging bestaan nie vir 'n ongunstige opmerking wat daarin voorkom, word die ongunstige opmerking uit die verslag geskrap en sodanige werknemer skriftelik van die skraping verwittig indien die ongunstige opmerking reeds onder sy aandag gebring is, en sodanige verwittiging van skraping maak deel van die verslag uit.

Woonadresse en Telefoonnommers

26. 'n Werknemer stel die hoof in kennis van sy woonadres en van sy telefoonnommer tuis (indien hy 'n telefoon het) en verandering daarvan, en die hoof maak daarvan aantekening in 'n register wat vir die doel gehou word.

Kennisgewing van Huwelik: Permanente Vroulike Werknemers

27. Voor haar huwelik gee 'n permanente vroulike werknemer aan die Raad skriftelik kennis van die datum waarop sy voornemens is om in die huwelik te tree.

Deelname aan Politieke en Ander Bedrywighede

28. (1) 'n Werknemer—

(a) maak nie van sy amptspousie gebruik vir die bevordering of benadeling van die belange van 'n politieke party nie en laat hom nie in die openbare pers of op 'n openbare vergadering oor partypolitieke aangeleentheid uit nie: Met dien verstande dat die uitdrukking "openbare vergadering" 'n byeenkoms, toeloop of optog in, deur of langs 'n plek van 'n aantal persone wat 'n gemeenskaplike doel voor oë het, beteken, maar omvat nie 'n byeenkoms waartoe toegang bedoel is vir lede van een en dieselfde groep, party of beweging nie;

(b) wat hom as lid van die Parlement of 'n provinsiale raad verkiesbaar stel, word geag vrywillig uit die diens van die Raad te getree het met ingang van die datum

free will on the day on which he is in terms of the provisions of the Electoral Consolidation Act, 1946 (Act 46 of 1946), nominated as a candidate for such election: Provided that, if such employee is not elected as contemplated, he may again be appointed as an employee;

(c) shall not display, circulate or distribute a notice, document, bill or other paper which seeks support for a political party or which relates to the election or the opposition of the election of a person as a member of Parliament or a provincial council and any body referred to in subregulation (2) (a), on the grounds, sports grounds or at a function of a college, whether before, during or after college hours, and he shall not perform any other act relating to such election on any such grounds, sports grounds or at any function of a college.

(2) (a) Membership of any divisional council, city council, municipal council, village council, health committee, management committee or consultative committee, local authority, school board or hospital board shall in no way whatsoever interfere with an employee's official duties.

(b) If any dispute arises between the Government or the Council and any body referred to in paragraph (a), an employee who as a member of any such body shall not take part in the discussion of or vote on any such dispute.

(3) If, in the opinion of the Council, an employee through his membership of any body referred to in subregulation (2) (a) detrimentally affects his status and suitability as an employee, the Council may, with the approval of the Minister, in addition to any steps that may be taken in terms of the Act, prohibit him from taking part in the activities of such body and call upon him to resign therefrom within a specified period.

Examination by a Medical Board

29. The Council may require an employee to submit himself to an examination by a medical board consisting of one or more registered medical practitioners indicated by the Council and expenditure connected with the examination shall be borne by the Council: Provided that the employee who is to be examined may arrange at his own expense for his private medical practitioner to be present at the proceedings.

CHAPTER IV

OFFICIAL HOURS OF ATTENDANCE AND INSTRUCTION

Official Hours of Attendance and Instructions: General Provisions

30. (1) The principal shall, subject to the provisions of regulations 31 and 32, determine the official hours of attendance of employees and shall ensure that they observe such hours.

(2) Notwithstanding any provisions to the contrary contained in these regulations, the principal may require an employee to perform official duty on any day of the week or at any time during the day or night or to attend at his normal place of work or elsewhere for such duty.

(3) An employee—

(a) shall, during his official hours of attendance and periods of overtime duty, give his full attention to the duties entrusted to him; and

(b) shall not without the consent of the principal or a person assigned by the principal, be absent from his office or place of work during his official hours of attendance and periods of overtime duty.

waarop hy ooreenkomstig die bepalings van die Wet tot Konsolidasie van die Kieswette, 1946 (Wet 46 van 1946), as kandidaat vir sodanige verkiesing genomineer word: Met dien verstande dat indien bedoelde werknemer nie verkies word soos beoog nie, hy weer as 'n werknemer aangestel kan word;

(c) bring geen kennisgewing, dokument, biljet of ander stuk wat ondersteuning vir 'n politieke party uitlok of wat betrekking het op die verkiesing of die bestryding van die verkiesing van iemand tot lid van die Parlement of 'n provinsiale raad en 'n liggaam bedoel in subregulasie (2) (a) op die terrein, sportterrein of by 'n verrigting van 'n kollege, aan, hetsy voor, gedurende of na die kollege-ure, versprei dit of deel dit uit nie en hy verrig geen ander daad wat op sodanige verkiesing betrekking het op sodanige terrein, sportterrein of by enige verrigting van 'n kollege nie.

(2) (a) 'n Werknemer laat nie sy lidmaatskap van 'n afdelingsraad, stadsraad, munisipale raad, dorpsbestuur, gesondheidskomitee, bestuurs- of raadplegende komitee, plaaslike bestuur, skoolraad op hospitaalbestuur op sy ampspligte inbreuk maak nie.

(b) Indien 'n geskil tussen die Regering of die Raad en 'n liggaam bedoel in paragraaf (a) ontstaan, neem 'n werknemer wat lid is van enige sodanige liggaam nie aan die bespreking of stemming oor daardie geskilpunt deel nie.

(3) Indien 'n werknemer deur sy lidmaatskap van 'n liggaam bedoel in subregulasie (2) (a) na die mening van die Raad sy status en geskiktheid as werknemer benadeel, kan die Raad, benewens enige stappe wat kragtens die Wet gedoen kan word, hom met die goedkeuring van die Minister, verbied om aan die werksaamhede van sodanige liggaam deel te neem en hom aansê om binne 'n bepaalde tydperk daaruit te bedank.

Ondersoek deur 'n Geneeskundige Raad

29. Die Raad kan vereis dat 'n werknemer hom onderwerp aan 'n ondersoek deur 'n geneeskundige raad bestaande uit een of meer geregistreerde geneeshere wat die Raad aanwys, en die koste verbonde aan die ondersoek word deur die Raad betaal: Met dien verstande dat die werknemer wat ondersoek moet word, op eie koste kan reël dat sy private geneesheer by die verrigtinge teenwoordig is.

HOOFSTUK IV

AMPTELIKE DIENS- EN ONDERRIGURE

Amptelike Diens- en Onderrigure: Algemene Bepalings

30. (1) Die hoof bepaal, behoudens die bepalings van regulasies 31 en 32 die amptelike diensure van werknemers en sien toe dat hulle dit nakom.

(2) Ondanks enige andersluidende bepalings in hierdie regulasies, kan die hoof van 'n werknemer vereis om op enige dag van die week of enige tyd van die dag of nag amptelike diens te verrig of om by sy normale werkplek of elders aanwesig te wees vir sodanige diens.

(3) 'n Werknemer—

(a) wy gedurende sy amptelike diensure en tydperke van oortyddiens sy volle aandag aan die pligte wat aan hom toevertrou is; en

(b) is nie gedurende sy amptelike diensure en tydperke van oortyddiens sonder toestemming van die hoof of iemand deur die hoof aangewys, van sy kantoor of werkplek afwesig nie.

(4) The principal shall determine—

(a) the meal break, of not less than half an hour, and any other break of an employee or classes of employees: Provided that such breaks falling within the official hours of attendance shall not be reckoned as official duty time for the completion of the working week; and

(b) the times during which the public shall have access to the college for official purposes.

(5) (a) If an employee, during the official hours of attendance, is absent from duty as a result of leave granted in terms of these regulations or as a result of other circumstances which are acceptable to the Council, he shall, for the purposes of the completion of his working week, be deemed to have been on duty during such absence.

(b) The official hours of attendance which have been determined for an employee in respect of a particular day and which—

(i) fall on a public holiday, in the case of an employee who does not normally work on such day; or

(ii) fall on such other day on which he may be normally relieved from duty in lieu thereof, in the case of an employee who normally works on a public holiday,

shall be reckoned for the purposes of the completion of his working week.

Teaching Staff: Minimum Hours of Instruction

31. (1) A member of the teaching staff shall observe the undermentioned weekly minimum hours of instruction:

	Post	Hours
(i) Principal.....	—	—
(ii) Deputy Director.....	—	—
(iii) Head of Department.....	—	4
(iv) Senior Lecturer (Administrative) determined per approved department:		
Where there is one senior lecturer.....		8-12
Where there are two senior lecturers:		
First Senior Lecturer.....		8
Second Senior Lecturer.....		12
(v) Senior Lecturer (other than Administrative).....		20
(vi) Lecturer.....		20
(vii) Senior Teacher.....		25
(viii) Teacher.....		25

(2) Where classes are so arranged that a member of the teaching staff at a college cannot observe the hours of instruction determined for him in terms of subregulation (1), he may, in respect of the shortfall, be required to give instruction to a class for part-time students attached to such college without receiving extra pay therefor.

(3) If a member of the teaching staff gives instruction for periods which in the aggregate exceed the hours of instruction determined for him in terms of subregulation (1), he may receive extra pay in respect of the excess at the rates applicable to such classes: Provided that a lecturer or senior lecturer shall qualify for additional pay in respect of the number of hours in excess of 22 hours per week which he devotes to instruction.

(4) A member of the teaching staff shall not be entitled to claim additional pay in respect of extra duties performed by or required of him, except as is provided in subregulation (3).

Non-Teaching Staff: Hours of Attendance and Working Weeks

32. The hours of attendance of the non-teaching staff shall be determined by the Council from time to time: Provided that office and stores staff shall observe a working week of 40 hours and any other non-teaching staff a working week of 48 hours.

(4) Die hoof bepaal—

(a) die etenspouse van nie minder as 'n halfuur nie, en enige ander pouse van 'n werknemer of klasse werknemers: Met dien verstande dat sodanige pouses wat binne die amptelike diensure val nie as amptelike diens-tyd vir die voltooiing van die werkweek gereken word nie; en

(b) gedurende welke tye die publiek vir amptelike doeleindes toegang tot die kollege het.

(5) (a) Indien 'n werknemer gedurende die amptelike diensure van diens afwesig is as gevolg van verlof toegestaan kragtens hierdie regulasies of weens ander omstandighede wat vir die Raad aanneemlik is, word hy vir die doeleindes van die voltooiing van sy werkweek geag op diens te gewees het gedurende sodanige afwesigheid.

(b) Die amptelike diensure wat ten opsigte van 'n bepaalde dag vir 'n werknemer bepaal is en wat—

(i) op 'n openbare feesdag val, in die geval van 'n werknemer wat nie normaalweg op sodanige dag werk nie; of

(ii) op sodanige ander dag val as wat hy normaalweg in plaas daarvan van diens vrygestel mag wees, in die geval van 'n werknemer wat normaalweg op 'n openbare feesdag werk,

word ingereken vir die doeleindes van die voltooiing van sy werkweek.

Doserende Personeel: Minimum Onderrigure

31. (1) 'n Lid van die doserende personeel kom die ondergenoemde weeklikse minimum onderrigure na:

	Pos	Ure
(i) Hoof.....	—	—
(ii) Adjunk-direkteur.....	—	—
(iii) Departementshoof.....	—	4
(iv) Senior Dosent (Administratief) bereken per goedgekeurde departement:		
Waar daar een senior dosent is.....		8-12
Waar daar twee senior dosente is:		
Eerste Senior Dosent.....		8
Tweede Senior Dosent.....		12
(v) Senior Dosent (nie Administratief).....		20
(vi) Dosent.....		20
(vii) Senior Onderwyser.....		25
(viii) Onderwyser.....		25

(2) Waar klasse so gereël is dat 'n lid van die doserende personeel by 'n kollege nie die onderrigure kan nakom wat kragtens subregulasie (1) vir hom bepaal is nie, kan hom vereis word om ten opsigte van die tekort, onderrig sonder bykomende betaling te gee aan 'n klas vir deeltydse studente wat aan sodanige kollege verbonde is.

(3) Indien 'n lid van die doserende personeel onderrig gee vir tydperke wat tesame meer is as die onderrigure wat kragtens subregulasie (1) vir hom bepaal is, kan hy ten opsigte van die ekstra ure bykomende betaling ontvang teen die tarief wat op sodanige klasse van toepassing is: Met dien verstande dat 'n dosent of senior dosent vir bykomende betaling in aanmerking kom ten opsigte van die getal ure bo 22 uur per week wat hy aan onderrig bestee.

(4) 'n Lid van die doserende personeel het geen aanspraak op bykomende betaling ten opsigte van enige ekstra diens wat deur hom verrig of van hom vereis word nie behalwe soos in subregulasie (3) bepaal.

Nie-doserende Personeel: Diensure en Werkweke

32. Die diensure van die nie-doserende personeel word van tyd tot tyd deur die Raad bepaal: Met dien verstande dat kantoor- en magasynpersoneel 'n werkweek van 40 uur en ander nie-doserende personeel 'n werkweek van 48 uur nakom.

CHAPTER V

LEAVE AND LEAVE GRATUITIES

Classification of Leave

33. (1) Absences on leave are classified under one or more of the following heads:

- (a) Vacation leave with full pay.
- (b) Vacation leave with half pay in the case of teaching staff.
- (c) Vacation leave without pay.
- (d) Sick leave with full pay.
- (e) Sick leave with half pay.
- (f) Sick leave without pay.
- (g) Special sick leave with full or reduced pay.
- (h) Special leave with full pay.

(2) The granting of leave under any one of the heads mentioned in subregulation (1) shall not affect the granting of leave under any of the other heads mentioned, except in so far as specifically provided elsewhere in these regulations.

(3) Except as provided for in regulation 59 (1) (c), all unauthorised absences from duty shall, apart from any disciplinary steps which may be taken against an employee, be deemed to be vacation leave without pay unless the Council determines otherwise.

Grouping of Employees for Leave Purposes and Leave Provision

34. (1) Employees shall, for the purpose of leave provision, be classified as follows and the leave provision shall be as indicated under the groups:

Group A.1.—A member of the teaching staff appointed in or transferred to the college on or after the date of promulgation of these regulations, and a member of the teaching staff who immediately before the date referred to, was in the service of the college in a temporary capacity:

Vacation leave, per annum: 12 days.

Sick leave in first cycle with—

full pay: 90 days;

half pay: 90 days.

Sick leave in subsequent cycles: The number of days applicable to the first cycle plus an increase of three days in respect of each succeeding cycle up to a maximum of 120 days.

Group A.2.—A member of the teaching staff who was in the service of a college in a permanent capacity before the date of promulgation of these regulations:

Vacation leave, per annum: 14 days.

Sick leave in first cycle with—

full pay: 90 days;

half pay: 90 days.

Sick leave in subsequent cycles: The number of days applicable to the first cycle plus an increase of three days in respect of each succeeding cycle up to a maximum of 120 days.

Group B.—White employees, except those classified in Group A or those whose conditions of service have been determined in accordance with the provisions of industrial or similar agreements, who are not normally required to remain on duty during periods of college holidays when instruction is suspended:

Vacation leave, per annum: 10 days.

Sick leave in each cycle with—

full pay: 90 days;

half pay: 90 days.

HOOFSTUK V

VERLOF EN VERLOFGRATIFIKASIES

Indeling van Verlof

33. (1) Afwesighede met verlof word onder een of meer van die volgende hoofde ingedeel:

- (a) Vakansieverlof met volle betaling.
- (b) Vakansieverlof met halwe betaling in die geval van doserende personeel.
- (c) Vakansieverlof sonder betaling.
- (d) Siekteverlof met volle betaling.
- (e) Siekteverlof met halwe betaling.
- (f) Siekteverlof sonder betaling.
- (g) Spesiale siekteverlof met volle of verminderde betaling.
- (h) Spesiale verlof met volle betaling.

(2) Die toestaan van verlof onder enige een van die hoofde in subregulasie (1) genoem, beïnvloed nie die toestaan van verlof onder enige van die ander genoemde hoofde nie, behalwe soos elders in hierdie regulasies uitdruklik bepaal word.

(3) Behalwe soos in regulasie 59 (1) (c) bepaal word, word ongemagtigde afwesighede van diens, ongeag enige tugmaatreëls wat teen 'n werknemer geneem kan word, geag vakansieverlof sonder betaling te wees, tensy die Raad anders bepaal.

Groepering van Werknemers vir Verlofdoeleindes en Verlofvoorsiening

34. (1) Werknemers word vir die doeleindes van verlofvoorsiening soos volg ingedeel en die verlofvoorsiening is soos onder die groepe aangetoon:

Groep A.1.—'n Lid van die doserende personeel wat op of na die datum van afkondiging van hierdie regulasies in die kollege aangestel of daarheen oorgeplaas is en 'n lid van die doserende personeel wat onmiddellik voor bedoelde datum in 'n tydelike hoedanigheid in die kollege se diens was:

Vakansieverlof, per jaar: 12 dae.

Siekteverlof in eerste tydkring met—

volle betaling: 90 dae;

halwe betaling: 90 dae.

Siekteverlof in daaropvolgende tydkringe:

Die getal dae wat in die eerste tydkring van toepassing is plus 'n vermeerdering van drie dae ten opsigte van elke daaropvolgende tydkring, tot 'n maksimum van 120 dae.

Groep A.2.—'n Lid van die doserende personeel wat voor die datum van afkondiging van hierdie regulasie in 'n permanente hoedanigheid in diens van die kollege was:

Vakansieverlof, per jaar: 14 dae.

Siekteverlof in eerste tydkring met—

volle betaling: 90 dae;

halwe betaling: 90 dae.

Siekteverlof in daaropvolgende tydkringe:

Die getal dae wat in die eerste tydkring van toepassing is plus 'n vermeerdering van drie dae ten opsigte van elke daaropvolgende tydkring, tot 'n maksimum van 120 dae.

Groep B.—Blanke werknemers, uitgesonderd dié wat in A ingedeel is of wie se diensvoorwaardes vasgestel is in ooreenstemming met die bepalings van nywerheids- of dergelike ooreenkomste, van wie normaalweg nie vereis word om gedurende kollegevakansies wanneer onderrig opgeskort is aan diens te bly nie:

Vakansieverlof, per jaar: 10 dae.

Siekteverlof in elke tydkring met—

volle betaling: 90 dae;

halwe betaling: 90 dae.

Group C.—White employees, except employees classified in Groups A or B or those whose conditions of service have been determined in accordance with the provisions of industrial or similar agreements, who are normally required to remain on duty during periods of college holidays although instruction is suspended and the college is closed, and who have completed—

(i) fifteen years' or longer service:

Vacation leave per annum: 38 days.

Sick leave in each cycle with—

full pay: 120 days;

half pay: 120 days;

(ii) ten years' or longer but less than 15 years' service:

Vacation leave, per annum: 36 days.

Sick leave in each cycle with—

full pay: 120 days;

half pay: 120 days;

(iii) less than 10 years' service:

Vacation leave, per annum: 30 days.

Sick leave in each cycle with—

full pay: 120 days;

half pay: 120 days.

Group D.—Non-White employees, excluding employees whose conditions of service have been determined in accordance with the provisions of industrial or similar agreements, who have completed—

(i) twenty years' or longer service:

Vacation leave, per annum: 30 days.

Sick leave in each cycle with—

full pay: 90 days;

half pay: 90 days.

(ii) fifteen years' or longer but less than 20 years' service:

Vacation leave, per annum: 30 days.

Sick leave in each cycle with—

full pay: 60 days;

half pay: 60 days;

(iii) ten years' or longer but less than 15 years' service:

Vacation leave, per annum: 24 days;

Sick leave in each cycle with—

full pay: 60 days;

half pay: 60 days;

(iv) five years' or longer but less than 10 years' service:

Vacation leave per annum: 18 days.

Sick leave in each cycle with—

full pay: 30 days;

half pay: 30 days;

(v) less than five years' service:

Vacation leave per annum: 18 days.

Sick leave in each cycle with—

full pay: 15 days;

half pay: 15 days.

(2) The vacation leave standing to the credit of an employee on 1 January of each year, shall be recorded in the leave register, and in recording such credit any part of a day shall be reckoned as one day.

Groep C.—Blanke werknemers, uitgesonderd werknemers wat in Groepe A of B ingedeel is of wie se diensvoorwaardes vasgestel is in ooreenstemming met die bepalinge van nywerheids- of dergelike ooreenkomste, van wie normaalweg vereis word om gedurende kollegevakansies aan diens te bly alhoewel onderrig opgeskort en die kollege gesluit is en wat—

(i) vyftien jaar of langer diens voltooi het:

Vakansieverlof, per jaar: 38 dae.

Siekteverlof in elke tydkring met—

volle betaling: 120 dae;

halwe betaling: 120 dae;

(ii) tien jaar of langer maar minder as 15 jaar diens voltooi het:

Vakansieverlof, per jaar: 36 dae.

Siekteverlof in elke tydkring met—

volle betaling: 120 dae;

halwe betaling: 120 dae;

(iii) minder as 10 jaar diens voltooi het:

Vakansieverlof, per jaar: 30 dae.

Siekteverlof in elke tydkring met—

volle betaling: 120 dae;

halwe betaling: 120 dae.

Groep D.—Nie-Blanke werknemers, uitgesonderd werknemers wie se diensvoorwaardes vasgestel is in ooreenstemming met die bepalinge van nywerheids- of dergelike ooreenkomste, wat—

(i) twintig jaar of langer diens voltooi het:

Vakansieverlof, per jaar: 30 dae.

Siekteverlof in elke tydkring met—

volle betaling: 90 dae;

halwe betaling: 90 dae;

(ii) vyftien jaar of langer maar minder as 20 jaar diens voltooi het:

Vakansieverlof, per jaar: 30 dae.

Siekteverlof in elke tydkring met—

volle betaling: 60 dae;

halwe betaling: 60 dae;

(iii) tien jaar of langer maar minder as 15 jaar diens voltooi het:

Vakansieverlof, per jaar: 24 dae.

Siekteverlof in elke tydkring met—

volle betaling: 60 dae;

halwe betaling: 60 dae;

(iv) vyf jaar of langer maar minder as 10 jaar diens voltooi het:

Vakansieverlof, per jaar: 18 dae.

Siekteverlof in elke tydkring met—

volle betaling: 30 dae;

halwe betaling: 30 dae;

(v) minder as vyf jaar diens voltooi het:

Vakansieverlof, per jaar: 18 dae.

Siekteverlof in elke tydkring met—

volle betaling: 15 dae;

halwe betaling: 15 dae.

(2) Die vakansieverlof wat 'n werknemer op 1 Januarie van elke jaar tot sy krediet het, word in die verlofstaat aangeteken, en by die aantekening van sodanige krediet word enige gedeelte van 'n dag as een dag gereken.

(3) If an employee is transferred from one post to another and his transfer results in a change in his classification for leave purposes or if, for any reason other than his transfer, he passes from one vacation leave group to another—

(a) he shall retain the vacation leave credit which accrued during his service in the previous group or groups; and

(b) the vacation leave of the new group shall become applicable to him from the first day of the calendar month during which such transfer or passing becomes effective, unless the provisions of regulation 38 (4) apply to him.

Leave a Privilege

35. (1) Leave provided for in these regulations is a privilege and is granted with due regard to the exigencies of the college.

(2) Leave cannot be claimed as of right, and when an employee leaves the service of the council for any reason whatsoever his leave shall lapse on the last day of his service and he cannot claim payment in respect of the cash value of leave standing to his credit: Provided that the provisions of this regulation shall not preclude the payment of a leave gratuity in terms of regulation 60.

Court Cases and Inquiries; Absences from Duty Which Need Not Be Recorded as Leave

36. (a) An employee shall not be deemed to be absent from duty when he appears as—

- (i) a witness in a criminal court case;
- (ii) a witness or respondent in a civil court case (including a divorce case); and
- (iii) a witness or respondent at a rent board inquiry.

(b) If, however, such employee is the plaintiff in a civil court case (including a divorce case) or the person who takes the initiative in a rent board inquiry, his absence from duty shall be covered by the granting of vacation leave with or without pay, as the case may be.

Granting and Withdrawal of Leave: Leave Application Forms and Leave Registers

37. (1) (a) The granting of all leave shall be subject to the approval of the Council: Provided that a Council may delegate to the principal or any other senior permanent employee, the authority to grant leave to its employees.

(b) Leave already granted may at any time be withdrawn by the Council

(2) Except in the case where a permanent employee is suspended from duty or where an employee is prevented by his sudden illness, or by other circumstances which are acceptable to the council, from remaining on or reporting for duty, he shall not leave or stay away from work until he has applied, in writing, for leave and has been advised that the leave application has been approved.

(3) (a) Application for leave shall be made in writing in a form determined by the Council: Provided that such application shall not be essential in the case of unauthorised absences.

(b) The form of the certificate of indisposition which is to serve in support of an application for sick leave, shall be determined by the Council.

(4) (a) The college shall keep a leave register in respect of each employee in which all absences from duty shall be recorded in accordance with the classification in regulation 33.

(3) Indien 'n werknemer van een pos na 'n ander pos oorgeplaas word en sy oorplasing 'n verandering van sy groepering vir verlofdoeleindes meebring of as hy om enige ander rede as sy oorplasing van die een na die ander vakansieverlofgroep oorgaan—

(a) behou hy die vakansieverlofkrediet wat gedurende sy diens tydperk in die vorige groep of groepe aangewas het; en

(b) word die nuwe groep se vakansieverlof op hom van toepassing vanaf die eerste dag van die kalendermaand waarin sodanige oorplasing of oorgang van krag word,

tensy die bepalings van regulasie 38 (4) op hom van toepassing is.

Verlof 'n Vergunning

35. (1) Verlof waarvoor in hierdie regulasies voorsiening gemaak word, is 'n vergunning en word toegestaan met inagneming van die behoeftes van die kollege.

(2) Verlof kan nie as 'n reg geëis word nie en wanneer 'n werknemer die diens van die Raad verlaat, om watter rede ook al, vervel sy verlof op die laaste dag waarop hy in diens was en kan hy nie eis dat die geldwaarde van ongebruikte verlof aan hom uitbetaal word nie: Met dien verstande dat die bepalings van hierdie regulasie nie die betaling van 'n verlofgratifikasie ingevolge regulasie 60 verhoed nie.

Hofsake en Ondersoek: Afwesighede van Diens wat nie as Verlof Aangeteken hoef te word nie

36. (a) 'n Werknemer word nie geag afwesig van diens te wees nie indien hy verskyn as—

- (i) getuie by 'n kriminele hofsak;
- (ii) getuie of verweerder in 'n siviele hofsak (insluitende 'n egskedingsak); en
- (iii) getuie of gedaagde by 'n huurraadondersoek.

(b) Wanneer sodanige werknemer egter die eiser in 'n siviele hofsak (insluitende 'n egskedingsak) is of die persoon is wat die inisiatief in 'n huurraadondersoek neem, word sy afwesigheid van diens gedek deur die toestaan van vakansieverlof met of sonder betaling, na gelang van die geval.

Toestaan en Intrekking van Verlof: Verlofsaansoekvorms en Verlofstate

37. (1) (a) Die toestaan van alle verlof is onderworpe aan die goedkeuring van die Raad: Met dien verstande dat 'n raad aan die hoof of 'n ander senior permanente werknemer die bevoegdheid kan deleger om verlof aan sy werknemers toe te staan.

(b) Verlof reeds toegestaan, kan te eniger tyd deur die Raad ingetrek word.

(2) Behalwe in die geval waar 'n permanente werknemer in sy diens geskors is of waar 'n werknemer weens sy skielike siekte of weens ander omstandighede wat vir die Raad aanneemlik is, verhinder word om in sy werk aan te bly of hom vir diens aan te meld, verlaat hy nie sy werk of bly nie van diens weg voordat hy skriftelik om verlof aansoek gedoen het en hy in kennis gestel is dat die verlofsaansoek goedgekeur is nie.

(3) (a) Aansoek om verlof word skriftelik gedoen in 'n vorm deur die Raad bepaal: Met dien verstande dat sodanige aansoek nie 'n vereiste is in die geval van ongemagtigde afwesighede nie.

(b) Die vorm van die sertifikaat van ongesteldheid wat ter stawing van 'n aansoek om siekteverlof dien, word deur die Raad bepaal.

(4) (a) Die kollege hou ten opsigte van elke werknemer 'n verlofstaat waarin alle afwesighede van diens aangeken word volgens die indeling in regulasie 33.

(b) All applications for leave shall be filed for audit and other purposes in the office where the leave register is kept, for such period as the Secretary may direct.

Lapse of Leave on Retirement

38. (1) Immediately an employee gives notice of resignation, or a female officer if given notice of her discharge in terms of regulation 64 (1) (g) any leave with pay granted shall lapse with effect from the date of such notice, or, if the notice is undated, from the date the notification is received by the principal and leave applied for or absence from duty thereafter shall be deemed to be vacation leave without pay: Provided that the Council may depart from this regulation in the case of an employee who resigns to join the service of some other college or institution approved by the Secretary: Provided further that the provisions of this subregulation shall—

(a) apply only in respect of absences during an employee's last 30 days of service; and

(b) not apply to—

(i) sick leave;

(ii) special leave granted in terms of regulation 59;

(iii) vacation leave granted in terms of regulation 54 (3); and

(iv) a temporary employee whose contract of service or letter of appointment contains a clause expressly providing that his services may be terminated on 24 hours' notice on either side but who nevertheless gives more than 24 hours' notice of resignation.

(2) If an employee leaves the service, any leave granted to him shall lapse on the day immediately preceding that on which such retirement becomes effective or on the date determined in terms of subregulation (1) if that subregulation applies to him.

(3) The period of service of an employee shall not be extended in order to enable him to utilise leave which may have been granted to him.

(4) If a permanent employee who has resigned or retired is reappointed in a temporary or permanent capacity, with or without a break in service, such reappointment shall be deemed to be a new appointment for the purposes of these regulations.

Payment of Allowances, etc., During Leave

39. The continuance or cessation of the payment to an employee of allowances or remuneration other than salary or wage and the liability of an employee for payment due to the college in respect of goods supplied or services rendered by the college during periods of leave, shall be subject to the provisions of the regulations applicable thereto or directions issued by the Secretary in connection therewith.

College Holidays: Not Part of Leave

40. When an employee who ordinarily does not perform duties during college holidays, is absent on leave up to and including the last day of a college term and proceeds on leave as from the first day of the next college term, the period of college holidays intervening shall not rank as leave: Provided that where such period of college holidays is preceded and succeeded by sick leave without pay or vacation leave without pay, the employee shall not receive payment for such college holidays.

(b) Alle verlofaansoeke word vir audit- en ander doeleindes bewaar in die kantoor waar die verlofstaat gehou word, en wel vir dié tydperk wat die Sekretaris bepaal.

Verval van Verlof by Uitdienstreding

38. (1) Sodra 'n werknemer kennis gee van bedanking of sodra aan 'n permanente vroulike werknemer kennis gegee word van haar ontslag ingevolge regulasie 64 (1) (g) verval enige toegestane verlof met betaling met ingang van die datum van die kennisgewing, of indien die kennisgewing nie gedateer is nie, vanaf die datum van ontvangs daarvan deur die hoof, en verlof aangevra of afwesigheid van diens na daardie datum word geag vakansieverlof sonder betaling te wees: Met dien verstande dat die Raad van hierdie regulasie kan afwyk in die geval van 'n werknemer wat bedank om in die diens van 'n ander, deur die Sekretaris goedgekeurde kollege of inrigting te tree: Met dien verstande voorts dat die bepalings van hierdie subregulasie—

(a) net van toepassing is ten opsigte van afwesigheid gedurende die laaste 30 dae van 'n werknemer se diens; en

(b) nie van toepassing is nie op—

(i) siekteverlof;

(ii) spesiale verlof wat kragtens regulasie 59 toegestaan word; en

(iii) vakansieverlof wat kragtens regulasie 54 (3) toegestaan word; en

(iv) 'n tydelike werknemer wie se dienskontrak of aanstellingsbrief 'n klousule bevat wat uitdruklik bepaal dat sy dienste met wedersydse kennisgewing van 24 uur beëindig kan word, maar wat desnieteenstaande langer as 24 uur kennis van sy bedanking gee.

(2) Indien 'n werknemer uit diens tree, verval enige toegestane verlof op die dag wat die datum onmiddellik voorafgaan waarop sodanige uitdienstreding van krag word of op die datum wat ingevolge subregulasie (1) bepaal word, indien gemelde subregulasie op hom van toepassing is.

(3) 'n Werknemer se dienstydsperk word nie verleng nie ten einde hom in staat te stel om gebruik te maak van verlof wat aan hom toegestaan mag gewees het.

(4) Indien 'n permanente werknemer wat bedank of afgetree het, met of sonder onderbreking van diens heraanstelling word in 'n tydelike of permanente hoedanigheid, word sodanige heraanstelling vir die doeleindes van hierdie regulasies as 'n nuwe aanstelling beskou.

Betaling van Toelaes, ens., Tydens Verlof

39. Die voortsetting of staking van die betaling aan 'n werknemer van toelaes of ander besoldiging as sy salaris of loon en die aanspreeklikheid van 'n werknemer vir die betaling van gelde aan die kollege verskuldig vir goedere of dienste deur die kollege gelewer gedurende tydperke van verlof, is onderworpe aan die bepalings van die regulasies wat daarop van toepassing is of voorskrifte wat deur die Sekretaris daaromtrent uitgereik is.

Kollegevakansies: Nie Deel van Verlof nie

40. Wanneer 'n werknemer wat gewoonlik nie gedurende 'n kollegevakansie diens verrig nie tot en met die laaste dag van 'n kollegetermyn met verlof afwesig is en met ingang van die volgende kollegetermyn met verlof gaan, word die tussenkomende kollegevakansie nie as verlof gereken nie: Met dien verstande dat waar sodanige kollegevakansie voorafgegaan en gevolg word deur siekteverlof sonder betaling of vakansieverlof sonder betaling, die werknemer nie vir daardie kollegevakansie betaling ontvang nie.

Days of Rest

41. A day of rest shall not be deemed to be leave and shall not be recorded as such in the leave register: Provided that—

(a) a day of rest, or two or more consecutive days of rest, falling within a period of leave, shall be deemed to be leave;

(b) a day of rest, or two or more consecutive days of rest, falling between a period of vacation leave or a period during which instruction is suspended and a period of sick leave (or vice versa) shall be deemed to be vacation leave unless the employee concerned produces evidence that he was actually ill on such day or days of rest;

(c) if an employee who is called upon to report for duty on a day of rest fails to do so, such day of rest shall be deemed to be vacation leave without pay, unless he is prevented from reporting for duty by circumstances which are acceptable to the Council.

Voluntary Termination of Leave by an Employee

42. An employee who wishes to assume duty before the expiry of a period of leave granted to him under these regulations, shall not do so before having obtained the prior approval of the Council.

Overgrant of Leave

43. If an employee is granted vacation leave with pay in excess of that provided for in these regulations, such overgrant may be deducted from vacation leave which subsequently accrues to him, provided the Council is satisfied that the overgrant was made in good faith: Provided that if such employee resigns or his services are terminated before sufficient vacation leave has accrued to him for the purpose of such deduction, that portion of the overgrant which has not yet been set off against his vacation leave accrual on the last day of his service shall be deemed to be an overpayment of salary which shall be recovered or written off with the approval of the Minister.

Leave Counts for the Purpose of Salary Increments

44. All leave, of whatever nature, whether with full or part pay or without pay, shall count for the purpose of salary increments.

Accrual of Vacation Leave

45. Vacation leave, excluding vacation leave placed to the credit of an employee in terms of regulation 46, shall accrue in respect of each completed month of service at the rate of one-twelfth of the provision applicable to an employee in terms of regulation 34 (1).

Leave Credit for Service During College Holidays

46. The Council may require an employee who normally does not render service during college holidays, to remain on duty during any period of college holidays: Provided that where an employee is so required to remain on duty, he shall be credited with vacation leave, in addition to the vacation leave mentioned in regulation 34 (1), equal to half the number of days for which he remained on duty during a period of college holidays: Provided further that—

(a) such employee shall not be so credited with more than 24 days' vacation leave in any calendar year;

(b) a member of the teaching staff may request, within one month of his having so remained on duty, that he be credited with the number of days leave referred to in paragraph (a), or that in lieu thereof he receive a non-pensionable cash payment equal to one half of his basic annual salary at the time of the

Rusdae

41. 'n Rusdag' word nie geag verlof te wees nie en word nie in die verlofstaat as sodanig aangeteken nie: Met dien verstande dat—

(a) 'n rusdag of twee of meer opeenvolgende rusdae wat binne 'n tydperk van verlof val, geag word verlof te wees; en

(b) 'n rusdag of twee of meer opeenvolgende rusdae wat tussen 'n tydperk van vakansieverlof of 'n tydperk waartydens onderrig opgeskort is en siekteverlof (of omgekeerd) val, geag word vakansieverlof te wees, tensy die betrokke werknemer bewys lewer dat hy werklik op sodanige rusdag of rusdae siek was;

(c) indien 'n werknemer aangesê word om hom op 'n rusdag vir diens aan te meld en hy in gebreke bly om dit te doen sodanige rusdag geag word vakansieverlof sonder betaling te wees, tensy hy weens omstandighede wat vir die Raad aanneemlik is, verhinder word om hom vir diens aan te meld.

Vrywillige Beëindiging van Verlof deur 'n Werknemer

42. 'n Werknemer wat diens wil hervat voor die verstryking van 'n tydperk van verlof wat ingevolge hierdie regulasies aan hom toegestaan is, doen dit nie sonder die voorafverkreë goedkeuring van die Raad nie.

Oortoekening van Verlof

43. Indien daar aan 'n werknemer meer vakansieverlof met betaling toegestaan is as waarvoor in hierdie regulasies voorsiening gemaak word, kan sodanige oortoekening afgetrek word van vakansieverlof wat later aan hom toeval, mits die Raad oortuig is dat die oortoekening te goeder trou gedoen is: Met dien verstande dat indien die werknemer bedank of sy dienste beëindig word voordat voldoende vakansieverlof vir die doel van sodanige aftrekking aan hom toegeval het, daardie gedeelte van die oortoekening wat sy vakansieverlofaanwas op die laaste dag van sy diens oorskry, 'n oorbetalings van salaris geag word wat of teruggevorder of met goedkeuring van die Minister afgeskryf word.

Verlof Tel vir Salarisverhogingsdoeleindes

44. Alle verlof, van watter aard ook al, hetsy met volle of gedeeltelike betaling of sonder betaling, tel vir salarisverhogingsdoeleindes.

Vakansieverlofaanwas

45. Vakansieverlof, uitgesonderd vakansieverlof wat ingevolge regulasie 46 tot 'n werknemer se krediet geplaas word, was aan ten opsigte van elke voltooide maand van diens teen een twaalfde van die voorsiening wat ingevolge regulasie 34 (1) op 'n werknemer van toepassing is.

Verlofkrediet vir Kollegevakansiediens

46. Die Raad kan vereis dat 'n werknemer wat normaalweg nie gedurende 'n kollegevakansie diens doen nie, gedurende enige kollegevakansietydperk op diens bly: Met dien verstande dat waar 'n werknemer aldus verplig word om op diens te bly, hy gekrediteer word met vakansieverlof, bo en behalwe dié in regulasie 34 (1) genoem gelykstaande met die helfte van die getal dae wat hy gedurende 'n kollegevakansietydperk op diens gebly het: Met dien verstande voorts dat—

(a) sodanige werknemer nie aldus met meer as 24 dae vakansieverlof in 'n kalenderjaar gekrediteer word nie;

(b) 'n lid van die doserende personeel binne een maand nadat hy aldus diens gedoen het, kan versoek dat hy met die getal dae verlof bedoel in paragraaf (a) gekrediteer word of dat hy in plaas daarvan 'n nie-pensioendraende kontantbetaling ontvang wat gelyk staan met die helfte van sy basiese jaarlikse salaris ten

performance of such duty, for a maximum period of 48 days' duty during college holidays in any calendar year.

Vacation Leave: Persons Appointed Without a Break from Provincial or Other Service

47. (1) A person who is appointed an employee without a break in service and who before such appointment, was in the service of—

- (a) a Government department;
- (b) the South African Railways;
- (c) a provincial administration;
- (d) the Administration of South-West Africa;
- (e) a body or institution which has a pension or provident fund administered by the Government,

shall retain the vacation leave standing to his credit on the last day of his service with his previous employer and the previous service in respect of which the leave credit is carried forward, shall count as service for leave purposes: Provided that in the case of a person appointed a member of the teaching staff—

(i) who enjoyed a vacation leave provision exceeding 36 days per annum during any part of such service, the leave credit shall be reduced by the total of the number of days his vacation leave provision exceeded 36 days per annum;

(ii) who, immediately before his appointment, occupied a post as a member of the teaching staff at any educational institution not connected with one of the above-mentioned institutions, the vacation leave credit of such person shall be calculated as though, during the period of his service at that educational institution, he served for vacation leave purposes at the college concerned as a member of the teaching staff with a vacation leave provision of 12 days per annum in terms of the provisions of regulation 34.

(2) For the purposes of subregulation (1) any part of a day shall be reckoned as one day when the vacation leave credit is placed to the credit of an employee on the date these regulations become applicable to him.

Leave Which Counts for Leave Purposes

48. (1) All leave, of whatever nature, with full or part pay, and vacation and sick leave without pay not exceeding 15 days in the aggregate in any calendar month, shall count for the purpose of leave accrual.

(2) If the leave without pay exceeds the number of days mentioned in subregulation (1)—

(a) such excess shall not be regarded as service for the purposes of regulation 45; and

(b) the provision in respect of sick leave with full pay and sick leave with half pay which applies to an employee in terms of regulation 34 (1) shall be reduced by one thirty-sixth in respect of each such excess, which reduction shall be made from the provision of the cycle in which the excess occurs, or, if the available sick leave for the relative cycle has already been taken, from the provision of the next succeeding cycle.

(3) Vacation leave without pay and sick leave without pay shall count as service for the purpose of determining an employee's leave group under regulation 34.

(4) Vacation leave which in terms of subregulation (1) accrues during a period of vacation leave without pay or sick leave without pay shall not be granted to an

tye van die verrigting van die diens, vir 'n maksimum tydperk van 48 dae diens gedurende kollegevakansies in 'n kalenderjaar.

Vakansieverlof: Persone Aangestel sonder Onderbreking vanaf Provinsiale of ander Diens

47. (1) Iemand wat sonder onderbreking van diens as 'n werknemer aangestel word en wat voor sodanige aanstelling in diens was van—

- (a) 'n staatsdepartement;
- (b) die Suid-Afrikaanse Spoorweë;
- (c) 'n provinsiale administrasie;
- (d) die Administrasie van Suidwes-Afrika; of
- (e) 'n liggaam of inrigting wat 'n pensioen- of voorsorgfonds het wat deur die Staat geadminestreer word,

behou die vakansieverlof wat hy tot sy krediet gehad het op die laaste dag van sy diens by sy vorige werkgewer en die vorige diens ten opsigte waarvan die verlofkrediet oorgedra word, tel as diens vir verlofdoeleindes: Met dien verstande dat in die geval van iemand wat as lid van die doserende personeel aangestel is—

(i) en wat 'n vakansieverlofvoorsiening van meer as 36 dae per jaar gedurende enige deel van sodanige diens geniet het, die verlofkrediet verminder word met die som van die getal dae waarmee sy vakansieverlofvoorsiening 36 dae per jaar oorskryf het; en

(ii) die vakansieverlofkrediet van so iemand wat onmiddellik voor sy aanstelling 'n pos as lid van die doserende personeel aan 'n opvoedkundige inrigting beklee het maar wat nie verbonde is aan een van die bogenoemde instellings nie bereken word asof hy gedurende die tydperk van sy diens by daardie opvoedkundige inrigting vir vakansieverlofdoeleindes by die betrokke kollege diens gedoen het as lid van die doserende personeel met 'n vakansieverlofvoorsiening van 12 dae per jaar kragtens die bepalings van regulasie 34.

(2) By die toepassing van die bepalings van subregulasie (1) word enige gedeelte van 'n dag as een dag gereken wanneer die vakansieverlofkrediet tot 'n werknemer se krediet geplaas word op die datum waarop hierdie regulasies op hom van toepassing word.

Verlof wat vir Vakansieverlofdoeleindes Tel

48. (1) Alle verlof, van watter aard ook al, met volle of gedeeltelike betaling, en vakansie- en siekteverlof sonder betaling van altesaam hoogstens 15 dae in 'n kalendermaand tel vir die doel van verlofaanwas.

(2) Indien die verlof sonder betaling die getal dae bedoel in subregulasie (1) oorskry, word—

(a) sodanige oorskryding nie as diens vir die doeleindes van regulasie 45 gereken nie;

(b) die voorsiening ten opsigte van siekteverlof met volle betaling en siekteverlof met halwe betaling wat ingevolge regulasie 34 (1) op 'n werknemer van toepassing is met een ses-en-dertigste ten opsigte van elke sodanige oorskryding verminder en hierdie vermindering word aangebring aan die voorsiening van die tydkring waarin die oorskryding voorkom of as die beskikbare siekteverlof van die betrokke tydkring reeds gebruik is, aan die voorsiening vir die eersvolgende tydkring.

(3) Vakansieverlof sonder betaling en siekteverlof sonder betaling tel as diens vir die vasstelling van die indeling van 'n werknemer by 'n verlofgroep kragtens regulasie 34.

(4) Vakansieverlof wat kragtens subregulasie (1) aanwas gedurende 'n tydperk van vakansieverlof sonder betaling of siekteverlof sonder betaling word nie aan 'n werknemer

employee until he has resumed his duties after his absence on vacation or sick leave without pay, and then only in respect of absence after such resumption of duty.

Granting of Vacation Leave

49. (1) The Council may at any time require an employee to take a portion or the whole of the vacation leave due to him: Provided that the maximum period of leave prescribed in subregulations (2) and (4) shall not be exceeded.

(2) (a) Vacation leave with pay shall not be granted to a member of the teaching staff for less than one full college term and the total continuous period of vacation leave with pay shall not extend over more than two college terms.

(b) A member of the teaching staff who has at least one college term vacation leave standing to his credit and who desires to take leave for two college terms, may apply in writing for the conversion of the vacation leave standing to his credit into vacation leave with half pay on the basis of two days with half pay for each day of vacation leave he utilises for this purpose:

Provided that the dates of commencement and termination of any period of vacation leave granted to such member shall coincide with the first and the last day, respectively, of the college term: Provided further that the Council may authorise a member of the teaching staff to take at any time such vacation leave, or part thereof, as may have accrued to him.

(3) Vacation leave with pay up to a maximum of 184 days in any period of 18 months may be granted to a member of the non-teaching staff, and subject to subregulation (4), any absence from duty in excess of this limit shall be covered by the granting of vacation leave without pay.

(4) Subject to subregulations (2) and (3) and regulation 57 (3), the Council may, if sound reasons exist, grant an employee with no vacation leave standing to his credit, vacation leave without pay not exceeding two college terms if he is a member of the teaching staff and not exceeding 184 days if he is a member of the non-teaching staff, in a continuous period of 18 months.

Vacation Leave for Study Purposes

50. (1) Notwithstanding anything to the contrary in these regulations, vacation leave may be granted to a member of the teaching staff who has completed at least five years' or in special circumstances, less than five years' continuous satisfactory service at a college for such study course and for such period as may be approved by the Council.

(2) The vacation leave referred to in subregulation (1) shall be granted with full pay to the extent such member has vacation leave to his credit or at such member's written request, with half pay on the basis of two days with half pay for each day of vacation leave standing to his credit, and without pay for such period as the Council may approve.

(3) In respect of each day of vacation leave with full pay granted in terms of subregulation (2), one day's special leave with full pay or, at such member's written request, two days' special leave with half pay may be granted, or in respect of each day of vacation leave with half pay granted in terms of subregulation (2), one day's special leave with half pay may be granted: Provided

toegestaan voordat hy, na sy afwesigheid met vakansie- of siekteverlof sonder betaling, sy dienste hervat het nie en dan slegs ten opsigte van afwesigheid na sodanige hervatting van diens.

Toestaan van Vakansieverlof

49. (1) Die Raad kan te eniger tyd vereis dat 'n werknemer 'n gedeelte of die geheel van die vakansieverlof wat hom toekom, neem: Met dien verstande dat die maksimum verlof tydperk wat in subregulasies (2) en (4) voorgeskryf word, nie oorskry word nie.

(2) (a) Vakansieverlof met betaling wat minder as een volle kollegetermyn is, word nie aan 'n lid van die doserende personeel toegestaan nie en die totale onafgebroke tydperk van vakansieverlof met betaling strek nie oor meer as twee kollegetermynne nie.

(b) 'n Lid van die doserende personeel wat minstens een kollegetermyn vakansieverlof tot sy krediet het en verlang om twee kollegetermynne verlof te neem, kan skriftelik aansoek doen dat die vakansieverlof wat hy tot sy krediet het, omskep word in vakansieverlof met halwe betaling op die grondslag van twee dae met halwe betaling vir elke dag vakansieverlof wat hy vir die doel aanwend:

Met dien verstande dat die aanvangs- en verstrykingsdatum van enige tydperk van vakansieverlof wat aan 'n sodanige lid toegestaan word saamval met, onderskeidelik, die eerste en laaste dag van 'n kollegetermyn: Met dien verstande voorts dat die Raad 'n lid van die doserende personeel kan magtig om te eniger tyd die vakansieverlof wat hom toekom, of 'n gedeelte daarvan, te neem.

(3) Vakansieverlof met betaling tot hoogstens 184 dae kan in enige tydperk van 18 maande aan 'n lid van die nie-doserende personeel toegestaan word en behoudens subregulasie (4) word enige afwesigheid van diens bo hierdie beperking gedek deur die toestaan van vakansieverlof sonder betaling.

(4) Behoudens subregulasies (2) en (3) en regulasie 57 (3) kan die Raad, indien gegronde redes daarvoor bestaan, aan 'n werknemer wat nie vakansieverlof tot sy krediet het nie, vakansieverlof sonder betaling vir hoogstens twee kollegetermynne toestaan as hy lid van die doserende personeel is en hoogstens 184 dae as hy lid van die nie-doserende personeel is, in 'n onafgebroke tydperk van 18 maande.

Vakansieverlof vir Studiedoeleindes

50. (1) Ondanks andersluidende bepalinge van hierdie regulasies, kan aan 'n lid van die doserende personeel wat minstens vyf jaar, of in besondere omstandighede minder as vyf jaar onafgebroke bevredigende diens by 'n kollege voltooi het, vakansieverlof toegestaan word vir 'n studiekursus en vir 'n tydperk wat die Raad goedkeur.

(2) Die vakansieverlof in subregulasie (1) bedoel, word met volle betaling toegestaan in die mate wat sodanige lid vakansieverlof tot sy krediet het of, op sodanige lid se skriftelike versoek, met halwe betaling op die grondslag van twee dae met halwe betaling vir elke dag vakansieverlof wat hy tot sy krediet het en sonder betaling vir 'n tydperk wat die Raad goedkeur.

(3) Vir elke dag vakansieverlof wat ingevolge subregulasie (2) met volle betaling toegestaan word, kan een dag spesiale verlof met volle betaling of, op sodanige lid se skriftelike versoek, twee dae spesiale verlof met halwe betaling toegestaan word, of vir elke dag vakansieverlof wat ingevolge subregulasie (2) met halwe betaling toegestaan word, kan een dag spesiale verlof met halwe betaling toegestaan word: Met dien verstande dat die toestaan

that the granting of special leave in terms of this subregulation shall be subject to such member's entering into an agreement with the college on such basis as the Minister may determine.

(4) A member of the non-teaching staff may be granted study leave on the basis determined by the Minister.

Vacation Leave for Private Affairs

51. (1) Notwithstanding anything to the contrary in these regulations, vacation leave may be granted to a member of the teaching staff to enable him to attend to private affairs.

(2) Vacation leave granted in terms of subregulation (1) shall be with or without pay as the Council may determine: Provided that such leave with full pay shall be limited to the number of days of vacation leave standing to the credit of the member concerned at the commencement of the leave.

Vacation Leave for Confinement

52. (1) A married female member of the teaching staff shall take vacation leave without pay for her confinement for such period as may be determined by the Council but not less than a period commencing three months before the anticipated date of confinement and ending six weeks after the confinement: Provided that—

(a) vacation leave with full pay may be granted to her if she so applies within 30 days of her resumption of duty and if the vacation leave stands to her credit: Provided further that vacation leave with half pay may be granted on the basis of two days with half pay for each day of vacation leave standing to her credit;

(b) she shall give at least one month's notice of the date on which the leave will commence.

(2) Subject to regulation 56, a married female member of the non-teaching staff shall take vacation leave with or without pay for her confinement for such period as the Council may determine, but for a period of at least one month before the anticipated date of the confinement and six weeks after the confinement: Provided that she shall give at least one month's notice of the date on which the leave will commence.

Vacation Leave for Continuity of Service

53. (1) Notwithstanding anything to the contrary contained in these regulations, a member of the teaching staff who is appointed in the service of a college and who was previously employed by the college as a temporary member of the teaching staff, may be granted vacation leave without pay not exceeding 90 days, for the purpose of preserving the continuity of his service, from the first day following the date of the termination of his service to the date preceding the date of assumption of duty pursuant to such appointment: Provided that—

(a) the limitation of 90 days shall not apply where the period during which he was not in service, extends from the day following the last day of a college term to the day preceding the first day of a college term after a full college term has lapsed; and

(b) the provisions of this regulation shall not apply to a case covered by regulation 11.

General Provisions: Sick Leave

54. (1) Sick leave shall accrue to an employee on the first day of a cycle or on the date of his assumption of duty where such date falls within a cycle, and with effect from that day the full provision of the relative cycle may

van spesiale verlof ingevolge hierdie subregulasie, daaraan onderworpe is dat sodanige lid 'n verbintenis met die kollege aangaan op die grondslag wat die Minister bepaal.

(4) Aan 'n lid van die nie-doserende personeel word studieverlof toegestaan op die grondslag wat die Minister bepaal.

Vakansieverlof vir Private Sake

51. (1) 'n Getroude vroulike lid van die doserende regulasies, kan aan 'n lid van die doserende personeel vakansieverlof toegestaan word om hom in staat te stel om aandag te skenk aan private sake.

(2) Vakansieverlof wat ingevolge subregulasie (1) toegestaan word, is met of sonder betaling al na die Raad bepaal: Met dien verstande dat sodanige verlof met volle betaling beperk word tot die getal dae vakansieverlof wat die betrokke lid by die aanvang van die verlof tot sy krediet het.

Vakansieverlof vir Bevalling

52. (1) 'n Getroude vroulike lid van die doserende personeel neem vakansieverlof sonder betaling vir haar bevalling vir 'n tydperk wat die Raad bepaal, maar vir 'n tydperk van minstens drie maande voor die verwagte datum van bevalling en ses weke na die bevalling: Met dien verstande dat—

(a) vakansieverlof met volle betaling aan haar toegestaan kan word mits sy binne 30 dae nadat sy diens hervat het aldus aansoek doen en sy die vakansieverlof tot haar krediet het: Met dien verstande voorts dat vakansieverlof met halwe betaling op die grondslag van twee dae met halwe betaling vir elke dag vakansieverlof wat sy tot haar krediet het, toegestaan kan word;

(b) sy minstens een maand kennis gee van die datum waarop die verlof 'n aanvang sal neem.

(2) 'n Getroude vroulike lid van die nie-doserende personeel neem, behoudens regulasie 56, vakansieverlof met of sonder betaling vir haar bevalling vir 'n tydperk wat die Raad bepaal, maar vir 'n tydperk van minstens 'n maand voor die verwagte datum van bevalling en ses weke na die bevalling: Met dien verstande dat sy minstens een maand kennis gee van die datum waarop die verlof 'n aanvang sal neem.

Vakansieverlof vir Dienskontinuiteit

53. (1) Ondanks andersluidende bepalings van hierdie regulasies, kan aan 'n lid van die doserende personeel wat in diens van 'n kollege aangestel word en wat voorheen by die kollege as 'n tydelike lid van die doserende personeel in diens was, hoogstens 90 dae vakansieverlof sonder betaling toegestaan word vanaf die eerste dag wat volg op die datum van sy diensbeëindiging tot die dag voor die datum van diensaanvaarding ingevolge sodanige aanstelling met die doel om die kontinuïteit van sy diens te behou: Met dien verstande dat—

(a) die beperking van 90 dae nie geld nie waar die tydperk wat hy nie in diens was nie strek vanaf die dag wat volg op die laaste dag van 'n kollegetermyn tot die dag vóór die eerste dag van 'n kollegetermyn nadat een volle kollegetermyn verloop het; en

(b) die bepalings van hierdie regulasie nie van toepassing is nie op 'n geval wat gedek word deur regulasie 11.

Algemene Bepalings: Siekteverlof

54. (1) Siekteverlof val toe aan 'n werknemer op die eerste dag van 'n tydkring of op die datum van sy diensaanvaarding waar sodanige datum binne 'n tydkring val en met ingang van daardie dag kan die volle voorsiening

be granted to him provided the other provisions of these regulations are complied with: Provided that no employee shall be granted sick leave with full or half pay until he has completed 30 days' service and then only in respect of absences subsequent to the completion of such service.

(2) Subject to the medical requirements of the case, the date on which any sick leave of a member of the teaching staff shall be deemed to commence and the date on which it shall be deemed to end, shall be those as determined by the Council who may, in determining the period of the leave, take into consideration the interests of the college.

(3) An employee may, on his written application, be granted vacation leave standing to his credit in lieu of sick leave with half pay or sick leave without pay, provided such application is submitted not later than 30 days after he has resumed duty: Provided that—

(a) at the written request of a member of the teaching staff, such vacation leave may be converted into vacation leave with half pay on the basis of two days with half pay for each day of vacation leave standing to his credit;

(b) the number of days of vacation leave so granted to a member of the non-teaching staff shall not exceed 365 days in a cycle;

(c) the Council is satisfied that the employee is at that stage not permanently unfit for the performance of his normal duties; and

(d) once such vacation leave has been granted to an employee and he has received payment in respect thereof, it shall not be reconverted into sick leave with half pay or without pay.

(4) If an employee to whom vacation leave with pay has been granted, takes ill while on vacation leave, that part of vacation leave during which he was ill may, subject to the provisions of regulation 55 (3) be converted into sick leave: Provided that—

(a) an employee shall apply in writing for such conversion within 30 days of the expiry of his vacation leave; and

(b) the period in the case of a member of the teaching staff, shall be more than seven days.

(5) An employee who retains his vacation leave credit in terms of regulation 47 (1), shall be granted sick leave with pay during the unexpired part of the cycle in which he was so transferred, which shall not exceed the sick leave which could have been granted to him, had the whole period of his service during such cycle been service at the college.

(6) Notwithstanding regulation 34 (1) and subject to regulation 55, a member of the teaching staff may be granted, subsequent to the completion of nine years' continuous service and in every three cycles thereafter, additional sick leave up to a maximum of 90 days with full pay and 90 days with half pay on submission of a certificate referred to in regulation 55 (3) (a).

(7) Unused sick leave prescribed for any particular cycle shall lapse at the end of that cycle and shall not be carried forward to the next cycle.

vir die betrokke tydkring aan hom toegestaan word, mits aan die ander bepalings van hierdie regulasies voldoen word; Met dien verstande dat aan geen werknemer siekteverlof met volle of halwe betaling toegestaan word voordat hy 30 dae diens voltooi het nie en dan slegs ten opsigte van afwesighede na die voltooiing van sodanige diens.

(2) Onderworpe aan die geneeskundige vereistes van die geval, is die datum waarop geag word dat enige siekteverlof van 'n lid van die doserende personeel begin en die datum waarop dit eindig, soos deur die Raad bepaal wat, by die vasstelling van die tydperk van die verlof, die belange van die kollege in aanmerking kan neem.

(3) Aan 'n werknemer kan, op sy skriftelike aansoek, vakansieverlof wat hy tot sy krediet het, toegestaan word in plaas van siekteverlof met halwe betaling of siekteverlof sonder betaling, mits sodanige aansoek nie later nie as 30 dae nadat hy diens hervat het, ingedien word: Met dien verstande dat—

(a) op die skriftelike versoek van 'n lid van die doserende personeel bedoelde vakansieverlof omskep kan word in vakansieverlof met halwe betaling op die grondslag van twee dae met halwe betaling vir elke dag vakansieverlof wat hy tot sy krediet het;

(b) die getal dae vakansieverlof wat aldus aan 'n lid van die nie-doserende personeel toegestaan word, nie 365 dae in 'n tydkring oorskry nie;

(c) die Raad oortuig is dat die werknemer op daardie tydstip nie permanent ongeskik is vir die verrigting van sy normale pligte nie; en

(d) indien bedoelde vakansieverlof aan 'n werknemer toegestaan is en hy ten opsigte daarvan betaling ontvang het, dit nie weer in siekteverlof met halwe betaling of sonder betaling omgesit word nie.

(4) Indien 'n werknemer aan wie vakansieverlof met betaling toegestaan is, siek word terwyl hy met vakansieverlof is, kan daardie gedeelte van die vakansieverlof waartydens hy siek was, behoudens die bepalings van regulasie 55 (3), in siekteverlof omgeskep word: Met dien verstande dat—

(a) 'n werknemer binne 30 dae na verstryking van sy vakansieverlof skriftelik om die omskepping aansoek doen;

(b) die tydperk in die geval van 'n lid van die doserende personeel meer as sewe dae is.

(5) Aan 'n werknemer wat sy vakansieverlofkrediet in gevolge regulasie 47 (1) behou word gedurende die onverstreke gedeelte van die tydkring waarin hy aldus oorgeplaas is, siekteverlof met betaling toegestaan wat nie meer is nie as die siekteverlof wat aan hom toegestaan kon gewees het indien al sy diens gedurende sodanige tydkring diens by die kollege was.

(6) Aan 'n lid van die doserende personeel kan, ondanks regulasie 34 (1) en behoudens regulasie 55, na voltooiing van nege jaar onafgebroke diens en in elke drie tydkringe daarna, addisionele siekteverlof vir hoogstens 90 dae met volle betaling en 90 dae met halwe betaling, by indiening van 'n sertifikaat bedoel in regulasie 55 (3) (a) toegestaan word.

(7) Ongebruikte siekteverlof wat vir 'n bepaalde tydkring voorgeskryf is, vervel aan die einde van daardie tydkring en word nie na die volgende tydkring oorgedra nie.

(8) If a member of the non-teaching staff, who has been granted the maximum sick leave provided for in these regulations, is unable, for reasons of health, to resume his duties, the Council may—

- (a) on submission of a satisfactory certificate referred to in regulation 55 (3);
 - (b) if such member at that time is not permanently unfit to perform his normal duties; and
 - (c) if such member has no vacation leave to his credit,
- grant him further sick leave with half pay not exceeding 92 days in any cycle: Provided that such grant may be made in respect of separate periods of absence and in respect of different kinds of illnesses.

(9) If an employee during a cycle and without a break in service—

- (a) passes to a group in which the sick leave provision is less favourable than that formerly applicable to him, he shall, for the duration of that cycle, retain the sick leave provision formerly applicable to him; or
- (b) passes to a group in which the sick leave provision is more favourable than that formerly applicable to him, he shall immediately acquire the sick leave provision of the new group: Provided that the more favourable provision for the current cycle shall be reduced by the paid sick leave already used by him.

(10) A member of the non-teaching staff, who has completed at least 21 years' continuous service and who used all the sick leave with full pay which may be granted in terms of these regulations, may be granted additional sick leave with full pay to such extent and on such conditions as the Minister may approve.

Granting of Sick Leave

55. (1) Sick leave shall be granted only in respect of the absence from duty of an employee owing to an illness, indisposition or injury through no fault of his own or failure to take reasonable precautions.

(2) Sick leave shall be granted in respect of nervous complaints, insomnia, debility or similar ill-defined illnesses or indispositions only if the employee's state of health—

- (a) incapacitates him for duty; and
 - (b) does not arise from his failure to take vacation leave.
- (3) (a) If an employee is absent from duty for a continuous period exceeding three days owing to illness, he may be granted sick leave with or without pay only if he submits a certificate by a registered medical practitioner (or a registered dentist) which—
- (i) describes the nature of the illness;
 - (ii) states that he is not capable of performing his official duties;
 - (iii) indicates the period necessary for his recuperation.

(b) The Council may require an employee to submit a certificate referred to in subparagraph (a) in respect of periods of three days or less.

(8) Indien aan 'n lid van die nie-doserende personeel die maksimum hoeveelheid siekteverlof toegestaan is waarvoor in hierdie regulasies voorsiening gemaak is en hy weens gesondheidsredes nie in staat is om sy pligte te hervat nie, kan die Raad—

- (a) by die voorlegging van 'n bevredigende sertifikaat bedoel in regulasie 55 (3);
- (b) indien sodanige lid op daardie tydstip nie permanent ongeskik is vir die verrigting van sy normale pligte nie; en
- (c) indien sodanige lid nie vakansieverlof tot sy krediet het nie,

verdere siekteverlof met halwe betaling aan hom toeken vir hoogstens 92 dae in 'n tydkring: Met dien verstande dat hierdie toekenning gedoen kan word ten opsigte van afsonderlike tydperke van afwesigheid en ten opsigte van ongesteldhede van verskillende aard.

(9) Indien 'n werknemer gedurende 'n tydkring sonder onderbreking van diens—

- (a) oorgaan na 'n groep waarin die siekteverlofvoorsiening minder gunstig is as dié wat voorheen op hom van toepassing was, behou hy vir die duur van daardie tydkring die siekteverlofvoorsiening wat voorheen op hom van toepassing was; of
- (b) oorgaan na 'n groep waar die siekteverlofvoorsiening gunstiger is as dié wat voorheen op hom van toepassing was, verwerf hy onmiddellik die siekteverlofvoorsiening van die nuwe groep: Met dien verstande dat die gunstiger voorsiening vir die lopende tydkring verminder word met die siekteverlof met betaling wat hy reeds geneem het.

(10) Aan 'n lid van die nie-doserende personeel wat minstens 21 jaar onafgebroke diens voltooi het en wat al die siekteverlof met volle betaling geneem het wat ingevolge hierdie regulasies aan hom toegestaan kan word, kan addisionele siekteverlof met volle betaling toegestaan word in die mate en op die voorwaardes soos deur die Minister goedgekeur.

Toestaan van Siekteverlof

55. (1) Siekteverlof word net toegestaan in verband met 'n werknemer se afwesigheid van diens weens 'n siekte, ongesteldheid of besering wat nie te wyte is aan sy eie toedoen of gebrek aan behoorlike voorsorg nie.

(2) Siekteverlof word vir senuwee-aandoenings, slape-loosheid, swakte of dergelike minder goed omskrewe siektes of ongesteldhede net toegestaan indien die werknemer se gesondheidstoestand—

- (a) hom ongeskik maak vir sy werk; en
- (b) nie voortvloei uit sy versuim om van vakansieverlof gebruik te maak nie.

(3) (a) Indien 'n werknemer weens siekte van diens afwesig is vir 'n aaneenlopende tydperk van langer as drie dae, kan siekteverlof met of sonder betaling aan hom toegestaan word net as hy 'n sertifikaat van 'n geregistreerde geneesheer (of 'n geregistreerde tandarts) indien waarin—

- (i) die aard van die siekte omskryf is;
- (ii) verklaar word dat hy nie in staat is om sy ampspligte waar te neem nie; en
- (iii) aangetoon word watter tydperk vir sy herstel nodig is.

(b) Die Raad kan van 'n werknemer vereis dat 'n sertifikaat bedoel in subparagraaf (a) ten opsigte van tydperke van drie dae of minder ingedien word.

(c) If the absence of an employee is due to illness and there are good reasons for the non-submission of a certificate in terms of paragraph (a), the Council may exempt such employee from the submission of such certificate in respect of sick leave for a continuous period not exceeding 14 days.

(d) Exemption from the submission of a certificate in terms of subparagraph (c) shall be recorded on the application for leave.

(e) Subject to the provisions of subparagraph (c), sick leave with or without pay in respect of which a certificate as defined in this subregulation is not submitted, shall be granted only for an aggregate not exceeding 10 days during any calendar year and further absences shall be covered by the granting of vacation leave with pay or, if the employee has no vacation leave to his credit, of vacation leave without pay.

(4) Notwithstanding the submission of a certificate referred to in subregulation (3), the Council may refuse to grant sick leave with pay in respect of any absence from duty to which the certificate relates, in which case the Council may determine that the absence was unauthorised and the provisions of regulation 32 (3) shall apply.

Housemothers: Sick Leave During Confinement

56. Notwithstanding the provisions of regulation 52, a member of the housemother staff who is the wife of an employee, where the two of them serve as hostel parents, may be granted sick leave for the purpose of a confinement, including a period before and after such confinement, within the limits of these regulations and on such basis and such conditions as the Council may determine.

Sick Leave Without Pay

57. (1) Notwithstanding the provisions of regulation 54 (3), an employee who has used all his sick leave with pay provided for in these regulations, may be granted sick leave without pay—

(a) not exceeding 365 days in any cycle if he is a member of the non-teaching staff; and

(b) for such further periods as may be determined by the Council if he is a member of the teaching staff.

(2) Leave may be granted in terms of subregulation (1) (a) notwithstanding that additional sick leave with half pay has been granted in terms of regulation 54 (8).

(3) If a member of the non-teaching staff has been granted all the sick leave without pay provided for in these regulations, he shall not, during the relative cycle, be granted any further leave, of whatever nature, in respect of his absence from duty owing to illness, except with the approval of the Minister.

Special Sick Leave

58. (1) An employee who is absent owing to an injury sustained in an accident arising out of and in the course of his duties or owing to a disease contracted in the course of and as a result of his duties, may be granted special sick leave with full pay for the period he is incapacitated for his duties, or, special sick leave with remuneration equal to the difference between full pay and the compensation payable to him in the form of periodical payments of his monthly earnings, if his case falls within the scope of the Workmen's Compensation Act, 1941.

(c) Indien die werknemer weens siekte afwesig was en daar goeie redes bestaan waarom 'n sertifikaat nie ingevolge subparagraaf (a) ingedien is nie, kan die Raad hom vrystel van die indiening van sodanige sertifikaat ten opsigte van 'n aaneenlopende tydperk van siekteverlof van nie langer as 14 dae nie.

(d) Vrystelling van die indiening van 'n sertifikaat ingevolge subparagraaf (c) word op die verlofaansoek aangeteken.

(e) Behoudens die bepalinge van subparagraaf (c) word siekteverlof met of sonder betaling ten opsigte waarvan 'n sertifikaat soos in hierdie subregulasie omskryf, nie ingedien is nie, toegestaan vir 'n totaal van hoogstens 10 dae gedurende 'n kalenderjaar en verdere afwesighede word gedek deur die toestaan van vakansieverlof met betaling, of, as die werknemer geen vakansieverlof tot sy krediet het nie, van vakansieverlof sonder betaling.

(4) Ondanks die indiening van 'n sertifikaat bedoel in subregulasie (3), kan die Raad weier om siekteverlof met betaling toe te staan ten opsigte van enige afwesigheid van diens waarop die sertifikaat betrekking het, en in sodanige geval kan die Raad bepaal dat die afwesigheid ongemagtig was en is die bepalinge van regulasie 32 (3) van toepassing.

Huismoeders: Siekteverlof Tydens Bevalling

56. Ondanks die bepalinge van regulasie 52 kan aan 'n lid van die huismoederpersoneel wat die vrou van 'n werknemer is en wat saam met hom as koshuisouers diens doen, siekteverlof vir die doel van 'n bevalling, insluitende 'n tydperk voor en na sodanige bevalling, toegestaan word binne die perke van hierdie regulasies en volgens die grondslag en voorwaardes wat die Raad bepaal.

Siekteverlof Sonder Betaling

57. (1) Aan 'n werknemer wat al sy siekteverlof met betaling geneem het waarvoor in hierdie regulasies voorsiening gemaak is, kan ondanks die bepalinge van regulasie 54 (3) siekteverlof sonder betaling toegestaan word—

(a) vir hoogstens 365 dae in 'n tydkring as hy 'n lid van die nie-doserende personeel is; en

(b) vir 'n verdere tydperk wat die Raad bepaal as hy 'n lid van die doserende personeel is.

(2) Verlof ingevolge subregulasie (1) (a) kan toegestaan word ondanks die feit dat addisionele siekteverlof met halwe betaling ingevolge regulasie 54 (8) toegestaan is.

(3) Indien al die siekteverlof sonder betaling waarvoor in hierdie regulasies voorsiening gemaak word, aan 'n lid van die nie-doserende personeel toegestaan is, word nie verdere verlof, van watter aard ook al gedurende die betrokke tydkring aan hom toegestaan nie ten opsigte van sy afwesigheid weens siekte, behalwe met die goedkeuring van die Minister.

Spesiale Siekteverlof

58. (1) Aan 'n werknemer wat afwesig is weens 'n besering wat voortspruit uit 'n ongeval wat uit sy diens ontstaan en in die loop daarvan plaasvind of weens 'n siekte wat in die loop van en as gevolg van sy diens opgedoen is, kan spesiale siekteverlof met volle betaling toegestaan word vir die tydperk wat hy nie geskik is om diens te verrig nie, of, spesiale siekteverlof met besoldiging gelyk aan die verskil tussen volle betaling en die skadeloosstelling wat aan hom by wyse van periodieke uitkerings van sy maandelikse verdienste betaalbaar is indien sy geval binne die bestek van die Ongevallewet, 1941, val.

(2) Special sick leave in terms of this regulation shall not be granted if the accident is attributable to the serious and wilful misconduct as defined in the Workmen's Compensation Act, 1941, of the employee.

(3) The provisions of regulation 55 (3) shall apply *mutatis mutandis* to the granting of special sick leave.

Special Leave With Full Pay

59 (1) Special leave with full pay may be granted to an employee—

(a) for each day on which he writes an approved examination: Provided that one day's special leave with full pay may be granted additionally in respect of each day on which he actually does an examination;

(b) when he is absent from duty as a result of segregation or isolation on medical instructions where he was in contact with a person who has contracted, or is suspected of having contracted an infectious or contagious disease;

(c) when he is arrested or has to appear in court on a criminal charge and he is subsequently acquitted or the charge withdrawn;

(d) (i) when, as a member of the Citizen Force, he is required in terms of the Defence Act, 1957, to perform continuous or non-continuous military service, except in the case of his initial period of military service in which case special leave with pay equal to the difference between his normal pay and the pay which he receives in terms of the Citizen Force Regulations may be granted to him: Provided that—

(aa) this paragraph shall not apply when he is performing full-time service in terms of section 20 of the Defence Act, 1957; and

(bb) an employee who is called up for his initial period of compulsory military service by the Department of Defence, shall enter into an agreement with the college according to conditions approved by the Secretary in accordance with which he undertakes to serve the college for a period equal to at least the period in respect of which special leave has been granted to him in terms of this paragraph.

(ii) when, as a member of the Citizen Force as defined above, he voluntarily, or in pursuance of a special agreement between him and the Department of Defence relating to his service and with the permission of the council performs any continuous or non-continuous service or attends an instructional or qualifying course over and above any service to which he is liable in terms of the said Act, provided the officer commanding the relative command, or South African Air Force group certifies that such service or course is necessary in the interest of the South African Defence Force.

(iii) when, as a member of a commando, he is required in terms of the Defence Act, 1957, to render service or to undergo training provided that the officer commanding the relative command certifies that the rendering of such service or attendance at such training is in accordance with the provisions of the said Act;

(iv) when, as a member of a commando, he attends an instructional or qualifying course, provided that the officer commanding the relative command certifies that attendance at such course is necessary in the interest of the South African Defence Force;

(v) when, as a member of the Reserve of Officers, he is required to attend a refresher course or undergo refresher training in order to maintain his proficiency, provided that the relative Army, Air or Naval

(2) Spesiale siekteverlof ingevolge hierdie regulasie word nie toegestaan indien die ongeval aan die ernstige en opsetlike wangedrag soos omskryf in die Ongevallewet, 1941, van die werknemer toe te skryf is nie.

(3) Die bepalings van regulasie 55 (3) is *mutatis mutandis* van toepassing op die bestaan van spesiale siekteverlof.

Spesiale Verlof met Volle Betaling

59. (1) Spesiale verlof met volle betaling kan aan 'n werknemer toegestaan word—

(a) vir elke dag waarop hy 'n goedgekeurde eksamen doen: Met dien verstande dat een addisionele dag spesiale verlof met volle betaling toegestaan kan word vir elke dag waarop werklik eksamen afgeleë word;

(b) wanneer hy van diens afwesig is as gevolg van afsondering of isolasie kragtens geneeskundige instruksies waar hy in aanraking was met iemand wat 'n besmetlike of aansteeklike siekte opgedoen of vermoedelik opgedoen het;

(c) wanneer hy gevange geneem is of voor die hof moet verskyn op 'n aanklag van misdaad en later vrygespreek of die aanklag teruggetrek word;

(d) (i) wanneer hy as lid van die Burgermag kragtens die Verdedigingswet, 1957, onafgebroke of afgebroke militêre diens moet verrig, behalwe in die geval van sy aanvanklike tydperk van militêre diens, in welke geval spesiale verlof met salaris gelyk aan die verskil tussen sy gewone salaris en die soldy wat hy kragtens die Burgermagregulasies ontvang, aan hom toegestaan kan word: Met dien verstande dat—

(aa) die bepalings van hierdie paragraaf nie van toepassing is as hy voltydse diens kragtens artikel 20 van die Verdedigingswet, 1957, verrig nie; en

(bb) 'n werknemer wat vir sy aanvanklike tydperk van militêre diensplig deur die Departement van Verdediging opgeroep word, 'n verbintenis met die kollege aangaan, volgens voorwaardes deur die Sekretaris goedgekeur, waarvolgens hy onderneem om die kollege te dien vir 'n tydperk gelykstaande met minstens die tydperk waarvoor spesiale verlof ingevolge hierdie paragraaf aan hom toegestaan is;

(ii) wanneer hy as lid van die Burgermag soos hierbo omskryf, met toestemming van die Raad vrywillig of as gevolg van 'n spesiale ooreenkoms tussen hom en die Departement van Verdediging in verband met sy diens, bo en behalwe enige diens wat hy ooreenkomstig genoemde Wet moet verrig, enige onafgebroke of afgebroke diens verrig of 'n instruksie- of kwalifiserende kursus bywoon, mits die bevelvoerder van die betrokke kommandement of Suid-Afrikaanse Lugmaggroep sertifiseer dat sodanige diens of kursus nodig is in belang van die Suid-Afrikaanse Weermag;

(iii) wanneer hy as lid van 'n kommando kragtens die Verdedigingswet, 1957, diens moet lewer of opleiding moet ontvang, mits die bevelvoerder van die betrokke kommandement sertifiseer dat die verrigting van sodanige diens of bywoning van sodanige opleiding in ooreenstemming met die bepalings van bedoelde Wet is;

(iv) wanneer hy as lid van 'n kommando, 'n instruksie- of kwalifiserende kursus bywoon, mits die bevelvoerder van die betrokke kommandement sertifiseer dat bywoning van sodanige kursus nodig is in belang van die Suid-Afrikaanse Weermag;

(v) wanneer hy as lid van die Reserwe van Offisiere 'n herhalingsoefenkursus moet bywoon of herhalingsopleiding moet ontvang ten einde sy bekwaamheid te behou, mits die Stafhoof van die betrokke Landmag,

Chief of Staff certifies that such course or training is necessary in the interest of the South African Defence Force;

(vi) when, as a member of a section of the South African Defence Force (except a member of the Citizen Force who is performing full-time service in terms of section 20 of the Defence Act, 1957), including a commando which in terms of the Defence Act, 1957, is performing duty or is undergoing training he is called up in terms of the provisions of Chapter X of the said Act, for service in the prevention or suppression of disorder or other emergencies in the Republic;

(vii) when, as a member of the Reserve Police Force, he in terms of the Police Act, 1958, undergoes full-time training or attends any compulsory rifle practice necessitating his absence from duty or is called up for service in the prevention or suppression of disorder or other emergencies in the Republic;

(e) when, as a member of the teaching staff, he attends an education class or vacation course for teachers approved by the Council.

(2) Special leave granted in terms of subregulation (1) may include a period actually and necessarily occupied in travelling for the purpose for which the leave is granted.

Leave Gratuities

60. An employee shall be paid a leave gratuity in accordance with the basis applicable to a person appointed in terms of the provisions of the Public Service Act, 1957 (Act 54 of 1957).

CHAPTER VI

MISCONDUCT AND INEFFICIENCY

Definition of Misconduct

61. A permanent employee shall be guilty of misconduct if he—

(a) contravenes or fails to comply with a provision of the Act or a regulation relating to a college, with which it is his duty to comply;

(b) does, or causes or permits to be done, or connives at, an act which is prejudicial to the administration, discipline or efficiency of a college;

(c) disobeys, disregards or makes wilful default in carrying out a lawful order given to him, or by word or conduct displays insubordination;

(d) is negligent or indolent in the discharge of his duties;

(e) undertakes, without the permission of the Secretary any private agency or private work in connection with any matter connected with the performance of his official functions or the discharge of his official duties;

(f) publicly comments adversely upon the administration of the college or a government department;

(g) attempts to secure intervention, through any person not in the employment of the college in relation to his position and conditions of service, unless it is done to obtain redress of any grievance through Parliament;

(h) conducts himself in a disgraceful, improper or unbecoming manner, or, while on duty, is grossly discourteous to any person;

(i) uses intoxicants or stupefying drugs excessively, or, while he is or should be on duty, is under the influence of intoxicants or stupefying drugs to an extent

Lugmag of Vlootmag sertifiseer dat sodanige kursus of opleiding nodig is in belang van die Suid-Afrikaanse Weermag;

(vi) wanneer hy as lid van 'n afdeling van die Suid-Afrikaanse Weermag (behalwe 'n lid van die Burgermag wat voltydse diens kragtens artikel 20 van die Verdedigingswet, 1957, verrig) insluitende 'n kommando wat kragtens die Verdedigingswet, 1957, diens verrig of opleiding ontvang, opgeroep word kragtens die bepalings van Hoofstuk X van bedoelde Wet vir diens in verband met die voorkoming of onderdrukking van onluste of ander noodtoestande in die Republiek; en

(vii) wanneer hy as lid van die Reserwepolisiemag kragtens die Polisiewet, 1958, voltydse opleiding ontvang, 'n verpligte skietoefening bywoon wat sy afwesigheid van diens noodsaak of opgeroep word vir diens in verband met die voorkoming of onderdrukking van onluste of ander noodtoestande in die Republiek;

(e) wanneer hy as 'n lid van die doserende personeel 'n onderwysklas of vakansiekursus vir onderwysers bywoon wat deur die Raad goedgekeur word.

(2) Spesiale verlof wat ooreenkomstig subregulasie (1) toegestaan word, kan 'n tydperk insluit wat werklik en noodsaaklikerwys deurgebring is met reise vir doeleindes waarvoor die verlof toegestaan word.

Verlofgratifikasies

60. Aan 'n werknemer word 'n verlofgratifikasie betaal ooreenkomstig die grondslag wat van toepassing is, op iemand aangestel kragtens die bepalings van die Staatsdienswet, 1957 (Wet 54 van 1957).

HOOFSTUK VI

WANGEDRAG EN ONBEKWAAMHEID

Omskrywing van Wangedrag

61. 'n Permanente werknemer is skuldig aan wangedrag indien hy—

(a) 'n bepaling van die Wet of 'n regulasie wat op 'n kollege betrekking het wat hy moet nakom oortree of versuim om daaraan te voldoen;

(b) 'n daad wat nadelig is vir die administrasie, dissipline of doeltreffendheid van 'n kollege doen, of laat doen, of toelaat of oogluikend toelaat dat dit gedoen word;

(c) 'n wettige bevel wat aan hom gegee is nie gehoorsaam nie of verontagsaam, of opsetlik versuim om dit uit te voer, of deur woord of gedrag hom aan insubordinasie skuldig maak;

(d) nalatig of traag by die vervulling van sy pligte is;

(e) sonder die toestemming van die Sekretaris 'n private agentskap of private werk onderneem in verband met 'n aangeleentheid wat in verband staan met die verrigting van sy amptelike werksaambede of die uitvoering van sy ampspligte;

(f) in die openbaar kritiek uitoefen aangaande die administrasie van die kollege of 'n staatsdepartement;

(g) deur middel van iemand wat nie in die diens van die kollege is nie, probeer om ingryping in verband met sy posisie en diensvoorwaardes te verkry, tensy dit geskied om herstel van 'n grief deur bemiddeling van die Parlement te probeer verkry;

(h) hom op 'n skandelige, onbehoorlike of onbetaamlike wyse gedra of, terwyl hy diens doen, hom aan growwe onbeleefdheid teenoor 'n ander persoon skuldig maak;

(i) buitensporig gebruik maak van sterk drank of bedwelmende middels, of, terwyl hy aan diens is of behoort te wees, onder die invloed van sterk drank of

which is prejudicial to the college or to the efficient performance of his duties, unless it is proved that it is not due to any improper conduct or action on his part;

(j) become insolvent or compromises with his creditors or if a decree of civil imprisonment is made against him by any court of law, unless it is shown that his insolvency or such composition or the making of such decree against him has been occasioned by unavoidable misfortune;

(k) becomes pecuniarily embarrassed, unless it is shown that his pecuniary embarrassment has not been occasioned by imprudence or other reprehensible cause, and is not prejudicial to the faithful performance of his duties;

(l) discloses, otherwise than in the discharge of his official duties, information gathered or obtained by him through his employment at a college, or uses such information for any purpose other than for the discharge of his official duties, whether or not he discloses such information: Provided that an employee of a college may publish, with or without remuneration, papers or articles in any journal, provided that such article was approved by the chairman and two members of the Council before publication;

(m) accepts or demands in respect of the discharge of or the failure to discharge his duties any commission, free or other reward, not being the emoluments payable to him in respect of his duties, or fails to report to the Council the offer of any such commission, fee or reward;

(n) misappropriates or improperly uses any property of the college or fails to take proper care of such property under his supervision and control and such misappropriation or use does not constitute an offence;

(o) commits an offence;

(p) absents himself from his college or duty without leave, unless he can prove a valid cause for his absence;

(q) with a view to obtaining any privilege or advantage in relation to his official position or his duties, or to causing prejudice or injury to the college or educational service or a member of such service, makes a false or incorrect statement, knowing it to be false or incorrect.

Procedure in Case of Misconduct

62. (1) If a permanent employee is accused of misconduct, as defined in regulation 61, the chairman of the Council, or, if authorised thereto by the Council, the principal, may charge him in writing under his hand with that misconduct.

(2) The person who signed the charge shall serve it upon the person charged by causing it to be delivered or sent by registered letter to him, or to be left at his place of residence or last known place of residence.

(3) The charge shall contain or shall be accompanied by a direction calling upon the person charged to transmit or deliver, within a reasonable period to be specified in such direction, to a person likewise specified, a written admission or denial of the charge and, if he so desires, a written explanation of the misconduct with which he is charged.

(4) The chairman of the Council or, if authorised thereto by the Council, the principal, may suspend from duty any person accused of misconduct, as defined in regulation 61, whether or not such person has been charged with misconduct.

bedwelende middels is in 'n mate wat tot nadeel strek van die kollege of van die doeltreffende verrigting van sy pligte, tensy daar bewys word dat dit nie aan onbetaamlike gedrag of optrede van sy kant te wyte is nie;

(j) insolvent word of 'n akkoord met sy skuldeisers aangaan of as 'n bevel tot siviele gyseling deur 'n geregshof teen hom uitgereik word, tensy daar bewys word dat sy insolvensie of die akkoord of die uitreiking van die bevel teen hom deur onvermydelike teenspoed veroorsaak is;

(k) in geldelike moeilikheid raak, tensy daar bewys word dat sy geldelike moeilikheid nie die gevolg is van onversigtigheid of ander laakbare oorsaak nie, en nie nadelig is vir die getroue uitvoering van sy pligte nie;

(l) inligting wat hy ingewin of bekom het as gevolg van sy werk by 'n kollege, openbaar maak anders as by die vervulling van sy ampspligte, of sodanige inligting gebruik vir 'n ander doel as vir die vervulling van sy ampspligte, hetsy hy sodanige inligting openbaar maak of nie: Met dien verstande dat 'n werknemer van 'n kollege met of sonder vergoeding artikels in 'n tydskrif kan publiseer mits so 'n artikel vooraf deur die voorsitter en twee lede van die Raad goedgekeur is;

(m) enige kommissie, geld of ander beloning wat nie die emolumente is wat ten opsigte van sy pligte aan hom betaalbaar is nie, aanneem of eis, ten opsigte van die uitvoering van sy pligte of die versuim om sy pligte uit te voer, of as hy versuim om die Raad van die aanbod van sodanige kommissie, geld of beloning te verwittig;

(n) hom eiendom van die kollege wederregtelik toeëien of op onbehoorlike wyse daarvan gebruik maak of versuim om enige sodanige eiendom onder sy toesig en beheer behoorlik te versorg, en sodanige toe-eiening of gebruikmaking nie 'n misdryf uitmaak nie;

(o) 'n misdryf pleeg;

(p) sonder verlof van sy kollege of diens wegbly, tensy hy 'n geldige rede vir sy afwesigheid kan bewys;

(q) met die oog op die verkryging van 'n voorreg of voordeel met betrekking tot sy amptelike posisie of sy pligte, of op die veroorsaking van enige nadeel of skade aan die kollege of onderwysdiens of lid van sodanige diens, 'n valse of onjuiste verklaring aflê terwyl hy weet dat dit vals of onjuis is.

Prosedure in Geval van Wangedrag

62 (1) Indien 'n permanente werknemer beskuldig word van wangedrag soos in regulasie 61 omskryf, kan die voorsitter van die Raad of, indien daartoe gemagtig deur die Raad, die hoof, hom skriftelik onder sy handtekening van daardie wangedrag aankla.

(2) Die persoon wat die aanklag onderteken het, laat dit aan die aangeklaagde bestel deur dit aan hom te laat oorhandig of te stuur per geregistreerde brief of dit te laat afgee by sy woonplek of die plek waar, sover bekend, hy laas gewoon het.

(3) Die aanklag bevat, of gaan gepaard met 'n aansegging waarby die aangeklaagde aangesê word om binne 'n redelike tydperk wat in die aansegging vermeld word, 'n skriftelike erkenning of ontkenning van die aanklag en, indien hy dit verlang, 'n skriftelike verduideliking van die wangedrag waarvan hy aangekla word, aan iemand insgelyks vermeld, te stuur of te oorhandig.

(4) Die voorsitter van die Raad, of die hoof, indien daartoe deur die Raad gemagtig, kan iemand wat beskuldig word van wangedrag soos in regulasie 61 omskryf, in sy diens skors, hetsy hy van wangedrag aangekla is of nie.

(5) The chairman of the Council or the principal who suspended any person in terms of subregulation (4), may at any time cancel the suspension, but the cancellation of the suspension shall not affect any proceedings in connection with the charge of misconduct.

(6) A person who has been suspended in terms of subregulation (4) shall not be entitled to any emoluments in respect of the period of his suspension: Provided that the Council may order payment to the said person of the whole or a portion of his emoluments.

(7) If no charge under this regulation is preferred against a person who has been so suspended from duty, he shall be allowed to assume duty as soon as practicable and be paid his emoluments in respect of the period of his suspension in so far as it has not been done already.

(8) (a) If the person charged admits the charge, he shall be deemed to have been found guilty in terms of this regulation of the misconduct with which he has been charged.

(b) If the person charged denies the charge or fails to comply with the direction mentioned in subregulation (3), the Council shall appoint a person to inquire into the charge.

(9) (a) The person who is to hold the inquiry shall, in consultation with the person who signed the charge, fix the time and place of the inquiry, and the person who signed the charge shall give the person charged reasonable written notice of the time and place so fixed: Provided that the Council may postpone the inquiry on good cause shown.

(b) The law relating to witnesses and evidence which applies in criminal cases in a magistrate's court, shall *mutatis mutandis* apply for the purposes of and at any such inquiry: Provided that subpoenas to procure the attendance of witnesses thereat shall be issued by the person who is to hold the inquiry.

(10) The person who signed the charge may authorise any person to be present at the inquiry and to adduce evidence and arguments in support of the charge, and to cross-examine any person called as a witness for the defence.

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

(b) The failure of the person charged to be present at the inquiry, either personally or through a representative, shall not invalidate the proceedings.

(c) The person holding the inquiry shall keep a record of the proceedings at the inquiry and of the evidence given thereat.

(12) If the misconduct with which any person is charged, is the commission of an offence and it is proved that he has been convicted thereof by a court of law, a certified copy of the record of his trial and conviction by that court shall be *prima facie* evidence of the commission by him of that offence.

(13) The person holding the inquiry, shall after the conclusion thereof decide whether the person charged is guilty or not guilty of the misconduct with which he has been charged and inform him and the Council of his decision.

(14) If the person charged is found not guilty of the misconduct with which he has been charged and was suspended from duty in terms of subregulation (4), he shall

(5) Die voorsitter van die Raad of die hoof wat iemand ingevolge subregulasie (4) geskors het, kan die skorsing te eniger tyd intrek, maar die intrekking van die skorsing raak geen verrigting in verband met die aanklag van wangedrag nie.

(6) Iemand wat ingevolge subregulasie (4) in sy diens geskors is, is nie op enige besoldiging ten opsigte van die tydperk van sy skorsing geregtig nie: Met dien verstande dat die Raad kan gelas dat aan so iemand sy volle besoldiging of 'n gedeelte daarvan betaal word.

(7) As geen aanklag kragtens hierdie regulasie ingebring word nie teen iemand wat aldus in sy diens geskors is, word hy toegelaat om so spoedig doenlik sy diens te hervat, en word sy besoldiging ten opsigte van die tydperk van sy skorsing aan hom betaal vir sover dit nie reeds gedoen is nie.

(8) (a) Indien die aangeklaagde die aanklag erken, word hy geag kragtens hierdie regulasie skuldig bevind te wees aan die wangedrag waarvan hy aangekla is.

(b) Indien die aangeklaagde die aanklag ontken of versuim om te voldoen aan die aanseggings vermeld in subregulasie (3), stel die Raad iemand aan om ondersoek na die aanklag in te stel.

(9) (a) Die persoon wat die ondersoek instel, stel in oorleg met die persoon wat die aanklag onderteken het, die tyd en plek van die ondersoek vas, en die persoon wat die aanklag onderteken het, gee die aangeklaagde redelike skriftelike kennis van die tyd en plek aldus vasgestel: Met dien verstande dat die Raad die ondersoek kan uitstel indien goeie redes daarvoor aangevoer word.

(b) Die reg met betrekking tot getuieis en getuies wat geld in verband met strafsake in 'n landdroshof, geld *mutatis mutandis* vir die doeleindes van en by so 'n ondersoek: Met dien verstande dat dagvaardings om die aanwesigheid van getuies daarby te verkry, uitgereik word deur die persoon wat die ondersoek instel.

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

(11) (a) By die ondersoek kan die aangeklaagde teenwoordig wees, het hy die reg om persoonlik of deur 'n verteenwoordiger aangehoor te word, iemand wat as getuie ter staving van die aanklag opgeroep is, onder kruisverhoor te neem, insae te hê in stukke wat as getuieis voorgelê is en ander persone as getuies op te roep, en kan hy self getuieis aflê.

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

(c) Die persoon wat die ondersoek instel, hou notule van die verrigtinge by die ondersoek en van die getuieis wat daarby afgelê word.

(12) Indien die wangedrag waarvan iemand aangekla word, die pleeg van 'n misdryf is en daar bewys word dat hy deur 'n geregshof daaraan skuldig bevind is, is 'n gesertifiseerde afskrif van die notule van sy verhoor en skuldigbevinding deur daardie hof *prima facie*-bewys dat hy daardie misdryf gepleeg het.

(13) Die persoon wat die ondersoek instel, beslis na afloop daarvan of die aangeklaagde skuldig of onskuldig is aan die wangedrag waarvan hy aangekla is en verwittig hom en die Raad van sy beslissing.

(14) Indien die aangeklaagde onskuldig bevind word aan die wangedrag waarvan hy aangekla is en hy ingevolge subregulasie (4) in sy diens geskors is, word hy toegelaat om so spoedig doenlik sy diens te hervat en

be allowed to resume duty as soon as practicable and be paid his emoluments in respect of the period of his suspension in so far as it has not been done already.

(15) If the person charged is found guilty of the misconduct with which he has been charged, he may within 14 days of the date on which he was informed of the finding, appeal therefrom to the Minister by delivering or posting to the person who held the inquiry a written notice of appeal setting forth fully the grounds on which the appeal is based.

(16) If the person holding the inquiry finds that the person charged is guilty of the misconduct with which he has been charged, he shall—

(a) after expiry of the period referred to in subregulation (15) forward to the Council—

- (i) the record of the proceedings at the inquiry;
- (ii) the documentary evidence admitted thereat;
- (iii) a statement of his finding and his reasons therefor;

(iv) any observations which he may wish to make on the case; and

(v) if there is an appeal from his finding in terms of subregulation (15) the notice of appeal; and

(b) if there is such an appeal from his finding, furnish the appellant with a copy of his reasons for the finding.

(17) If the appellant applies to the Council for a copy of the record of the proceedings at the inquiry and of the documentary evidence admitted thereat, within seven days of the date upon which he was furnished with a copy of the reasons for the finding, the Council shall furnish him with it.

(18) The appellant may, if he has made an application in terms of subregulation (17), within 14 days of the date upon which he was furnished with a copy of the reasons for the findings or if he did not make such an application, within 21 days of the date upon which he was furnished with the reasons of the finding, submit to the Council written representations in support of his appeal, and the Council shall after receipt thereof or, if it did not receive such representations within the prescribed period after expiry of such period, submit to the Minister the record of the proceedings at the inquiry, the other documents in his possession which relate to the inquiry or appeal, and his recommendation concerning the appeal.

(19) After consideration of the record and other documents in question the Minister may allow the appeal in whole or in part and set aside or vary the finding, dismiss the appeal and confirm the finding, or, before arriving at a final decision on the appeal, remit any matter in connection with the inquiry to the person who held the inquiry and direct him to report thereon or to hold a further inquiry and to arrive at a finding thereon.

(20) If the Minister has directed that a further inquiry be held, the provisions of subregulations (9), (10) and (11) shall apply in respect thereof.

(21) If the Minister has arrived at a final decision on the appeal, he shall convey that decision in writing to the appellant and the Council.

(22) If the Minister allows the appeal and the appellant has been suspended from duty in terms of subregulation (4), he shall be allowed to resume duty as soon as practicable and be paid his emoluments in respect of the period of his suspension in so far as it has not been done already.

word sy besoldiging ten opsigte van die tydperk van sy skorsing aan hom betaal, vir sover dit nie reeds gedoen is nie.

(15) Indien die aangeklaagde skuldig bevind word aan die wangedrag waarvan hy aangekla is, kan hy binne veertien dae na die datum waarop hy van die bevinding verwittig is, na die Minister daarteen appelleer deur aan die persoon wat die ondersoek ingestel het, 'n skriftelike kennisgewing van appèl te oorhandig of te pos waarin die gronde waarop die appèl gebaseer is, volledig uiteengesit word.

(16) Indien die persoon wat die ondersoek instel, bevind dat die aangeklaagde skuldig is aan die wangedrag waarvan hy aangekla is—

(a) stuur hy na verstryking van die tydperk vermeld in subregulasie (15) aan die Raad—

- (i) die notule van die verrigtinge by die ondersoek;
- (ii) die dokumentêre bewysstukke wat daarby toegelaat is;

(iii) 'n uiteensetting van sy bevinding en sy redes daarvoor;

(iv) enige opmerkings wat hy oor die saak wil maak;

(v) indien teen sy bevinding ingevolge subregulasie (15) geappelleer is, die kennisgewing van appèl; en

(b) verstrek hy skriftelik sy redes vir die bevinding aan die appellant, indien daar aldus teen sy bevinding geappelleer is.

(17) Indien die appellant binne sewe dae na die datum waarop 'n afskrif van die redes vir die bevinding aan hom verstrekk is, by die raad aansoek doen om 'n afskrif van die notule van die verrigtinge by die ondersoek en die dokumentêre bewysstukke wat daarby toegelaat is, verstrek die Raad dit aan hom.

(18) Die appellant kan, indien hy 'n aansoek ingevolge subregulasie (17) gedoen het, binne 14 dae na die datum waarop 'n afskrif van die redes vir die bevinding aan hom verstrekk is, of, indien hy nie aldus aansoek gedoen het nie, binne 21 dae na die datum waarop die redes vir die bevinding aan hom verstrekk is, skriftelike vertoë ter stawing van sy appèl aan die Raad voorlê, en die Raad lê na ontvangs daarvan, of, indien hy geen sodanige vertoë binne die voorgeskrewe tydperk ontvang het nie, na verstryking van die tydperk, die notule van die verrigtinge by die ondersoek, die ander stukke in sy besit wat op die ondersoek of appèl betrekking het, en sy aanbeveling omtrent dié appèl aan die Minister voor.

(19) Na oorweging van die betrokke notule en ander stukke van die Minister van appèl geheel en al of ten dele handhaaf en die bevinding tersyde stel of wysig, die appèl van die hand wys en die bevinding bekrachtig, of, voordat hy tot 'n finale beslissing oor die appèl kom, 'n aangeleentheid in verband met die ondersoek terugverwys na die persoon wat die ondersoek ingestel het, en hom gelas om verslag daaroor te doen of nadere ondersoek in te stel en 'n bevinding daaroor te doen.

(20) Indien die Minister gelas dat nadere ondersoek ingestel word, is die bepalinge van subregulasies (9), (10), en (11) ten opsigte daarvan van toepassing.

(21) Indien die Minister tot 'n finale beslissing oor die appèl gekom het, deel van die beslissing skriftelik mee aan die appellant en die Raad.

(22) Indien die Minister die appèl handhaaf en die appellant ingevolge subregulasie (4) in sy diens geskors is, word hy toegelaat om so spoedig doenlik sy diens te hervat en word sy besoldiging ten opsigte van die tydperk van sy skorsing aan hom betaal, vir sover dit nie reeds gedoen is nie.

(23) If the person charged has admitted the charge of misconduct as is contemplated in subregulation (3) or if he has been found guilty of misconduct in terms of subregulation (13) and has not appealed therefrom within the period prescribed, or has appealed therefrom and the appeal has been dismissed wholly or in part in terms of this regulation, the Council may—

- (a) caution or reprimand the person charged;
- (b) subject to the second proviso to regulation 14, transfer the person charged to some other post;
- (c) reduce the emoluments or rank or both the emoluments and rank of the person charged; or
- (d) discharge the person charged, or call upon him to resign.

(24) (a) Except where the Council acts in terms of subregulation (23) (a) or (d), it may act in terms of more than one of the other paragraphs of that subregulation.

(b) The Council may postpone for a period not exceeding 12 months, any action taken in terms of subregulation (23).

(25) (a) If the Council discharges any person in terms of subregulation (23) (d), the discharge shall take effect on a date fixed by the Council.

(b) If the Council in terms of subregulation (23) (d) calls upon any person to resign and such person fails so to resign with effect from a date fixed by the Council, he shall be deemed to have been discharged in terms of this subregulation from service with effect from that date.

(26) If any person has been suspended from duty in terms of subregulation (4) and the Council deals with him in a manner contemplated in subregulation (23) (a), (b) or (c), or the Council deals with him in accordance with subregulation (24) (b) such person shall be allowed to resume duty in an appropriate post as soon as practicable and be paid his emoluments in respect of the period of his suspension in so far as it has not been done already: Provided that if the emoluments or rank of such person are reduced as is contemplated in subregulation (23) (c), his emoluments in respect of the period of his suspension shall be calculated on the basis of the reduced emoluments or rank, as the case may be: Provided further that if in respect of the period of his suspension emoluments in excess of the emoluments so calculated have already been paid to him in terms of subregulation (6), he shall not be obliged to refund the excess.

(27) If any person who has been suspended or charged with misconduct in terms of this regulation, resigns from the service of a college or assumed other employment before the appropriate charge of misconduct has been disposed of under this regulation, he shall be deemed to have been discharged on account of misconduct from such service with effect from a date fixed by the Council; unless before the receipt of his notification of resignation or his assumption of other employment, he was notified that he would not be charged with misconduct or, as the case may be, that the charge of misconduct against him had been withdrawn.

(28) The fact that a person has been convicted or acquitted by a court of law of the commission of an offence, shall not preclude the taking of any steps in terms of this regulation against such person.

Inefficient Permanent Employees

63 (1) If it is alleged that any permanent employee is unfit for, or is incapable of performing efficiently, the duties attaching to his post from causes not within his control and not attributable to the performance of his duties, the Council may appoint a person to inquire into the allegation.

(23) Indien die aangeklaagde die aanklag van wangedrag erken het soos in subregulasie (3) beoog of indien hy aan wangedrag skuldig bevind is ingevolge subregulasie (13) en nie binne die voorgeskrewe tydperk daarteen geappelleer het nie, of daarteen geappelleer het en die appel geheel en al of ten dele van die hand gewys is ingevolge hierdie regulasie kan die Raad die aangeklaagde—

- (a) waarsku of berispe;
- (b) behoudens die tweede voorbehoudsbepaling by regulasie 14, na 'n ander pos oorplaas;
- (c) se besoldiging of rang of sy besoldiging sowel as sy rang verlaag; of
- (d) ontslaan of gelas om te bedank.

(24) (a) Behalwe wanneer die Raad 'n handeling kragtens subregulasie (23) (a) of (d) doen, kan hy 'n handeling kragtens meer as een van die ander paragrawe van daardie subregulasie doen.

(b) Die Raad kan optrede kragtens subregulasie (23) vir 'n tydperk van hoogstens 12 maande uitstel.

(25) (a) Indien die Raad iemand ingevolge subregulasie (23) (d) ontslaan, tree die ontslag in werking op 'n datum wat die Raad bepaal.

(b) Indien die Raad iemand ingevolge subregulasie (23) (d) gelas om te bedank en so iemand versuim om aldus te bedank met ingang van 'n datum wat die Raad bepaal, word hy geag uit die diens ingevolge hierdie subregulasie ontslaan te wees met ingang van daardie datum.

(26) Indien iemand ingevolge subregulasie (4) in sy diens geskors is en die Raad met hom handel soos in subregulasie (23) (a), (b) of (c) beoog, of die Raad met hom handel ooreenkomstig subregulasie (24) (b) word so iemand so spoedig doenlik toegelaat om diens in 'n gepaste pos te hervat, en word sy besoldiging ten opsigte van die tydperk van sy skorsing aan hom betaal vir sover dit nie reeds gedoen is nie: Met dien verstande dat indien so iemand se besoldiging of rang verlaag word soos beoog in subregulasie (23) (c) sy besoldiging ten opsigte van die tydperk van sy skorsing bereken word op die grondslag van die verlaagde besoldiging of rang, na gelang van die geval: Met dien verstande voorts dat indien ten opsigte van die tydperk van sy skorsing reeds 'n hoër besoldiging aan hom ingevolge subregulasie (6) betaal is as die besoldiging aldus bereken, hy nie verplig is om die verskil terug te betaal nie.

(27) Indien iemand wat ingevolge hierdie regulasie geskors of van wangedrag aangekla is, uit die diens van 'n kollege bedank of ander werk aanvaar voordat die toepaslike aanklag van wangedrag kragtens hierdie regulasie afgehandel is, word hy geag weens wangedrag uit dié diens ontslaan te wees met ingang van 'n datum wat die Raad bepaal, tensy, voordat sy kennisgewing van bedanking ontvang is of hy die ander werk aanvaar het, hy in kennis gestel is dat hy nie van wangedrag aangekla sal word nie, of, na gelang van die geval, dat die aanklag van wangedrag teen hom teruggetrek is.

(28) Die feit dat iemand deur 'n geregshof skuldig of onskuldig aan die pleeg van 'n misdryf bevind is, belet nie dat stappe teen so iemand ingevolge hierdie regulasie gedoen word nie.

Onbekwame Permanente Werknemers

63. (1) Indien beweer word dat 'n permanente werknemer ongeskik is vir die pligte wat aan sy pos verbonde is of nie in staat is om daardie pligte op bekwame wyse uit te voer nie weens oorsake wat buite sy beheer is en nie aan die uitvoering van sy pligte toe te skryf is nie, kan die Raad iemand aanstel om ondersoek na die bewering in te stel.

(2) The provisions of subregulations (9), (10), (11), (13), (15) to (21) inclusive, and (23) and (25) (a) of regulation 52 shall *mutatis mutandis* apply in respect of any inquiry referred to in subregulation (1) and the permanent employee in respect of whom the allegation was made: Provided that in the application of the said subregulation (23) the Council may only lay down that the permanent employee in question be discharged from the service of the college or that his rank be reduced and, if his emoluments are more than the maximum for the reduced rank, such emoluments be reduced to that maximum.

CHAPTER VII

TERMINATION OF SERVICE

Termination of Service: Terminating Date of Salary

64. (1) Unless the Minister in an exceptional case approves otherwise, an employee who is a member of the teaching staff, shall resign his post only with effect from the date following the end of a calendar quarter or the end of the corresponding college term, whichever may be the later date: Provided that he shall give notice thereof not later than the first day of the college term concerned.

(2) If a member of the teaching staff resigns or is, discharged for any reason other than misconduct, as defined in regulation 61, or unfitness or inefficiency, as provided in regulation 63, and his services terminate as a result thereof—

(a) at any time during a college term, he shall be paid salary up to and including the last day on which he actually rendered service; and

(b) with effect from the day immediately following the last day of a college term, he shall be paid salary up to and including the last day of the calendar month in which such college term ended: Provided that if such college term ends within the same calendar month as the month in which the next college term commences, he shall be paid salary up to and including the last day of the college term in which his services so terminate: Provided further that a member of the teaching staff who is discharged in terms of regulation 65 (1) (b) and (c) shall receive at least a college term's notice of his discharge.

(3) (a) Unless otherwise provided in the terms of his appointment, or the Minister in an exceptional case approves otherwise, a permanent employee who is a member of the non-teaching staff, shall give at least one calendar month's notice of his intention to resign his post: Provided that such notice may also be given on the first day of such calendar month: Provided further that where the first day or the first day as well as the following day or days of such calendar month falls on a day of rest or days of rest, such notice may also be given on the first working day immediately following such day of rest or days of rest.

(b) If such employee so gives notice he shall be paid for the full calendar month, irrespective of whether it ends on a day of rest or on a day during which instruction is suspended, provided that he remains in service up to and including the last day he is required to serve in such calendar month.

(4) If notice of resignation shorter than a calendar month is accepted in the case of an employee who is a member of the non-teaching staff he shall be paid up to and including the last day on which he actually rendered service.

(2) Die bepalings van subregulasies (9), (10), (11), (13), (15) tot en met (21), (23) en (25) (a) van regulasie 52 is *mutatis mutandis* van toepassing ten opsigte van 'n ondersoek vermeld in subregulasie (1) en die permanente werknemer ten opsigte van wie die bewering gedoen is: Met dien verstande dat by die toepassing van die genoemde subregulasie (23) die Raad slegs kan bepaal dat die betrokke permanente werknemer uit die diens van die kollege ontslaan word of dat sy rang verlaag word en, indien sy besoldiging meer is as die maksimum vir die verlaagde rang, die besoldiging tot dié maksimum verminder word.

HOOFTUK VII

DIENSBEEÏNDIGING

Diensbeëindiging: Datum Waarop Salaris Eindig

64. (1) Tensy die Minister in 'n uitsonderlike geval anders goedkeur, bedank 'n werknemer wat 'n lid is van die doserende personeel uit sy pos alleenlik met ingang van die dag wat volg op die end van 'n kalenderkwartaal of die end van die ooreenstemmende kollegetermyn, naamlik die laaste datum van die twee: Met dien verstande dat hy kennis daarvan gee nie later nie as die eerste dag van die betrokke kollegetermyn.

(2) Indien 'n lid van die doserende personeel bedank of ontslaan word om 'n ander rede as wangedrag soos in regulasie 61 omskryf, of ongeskiktheid of onbekwaamheid soos in regulasie 63 bepaal en sy dienste eindig as gevolg daarvan—

(a) te eniger tyd gedurende 'n kollegetermyn, word aan hom salaris betaal tot en met die laaste dag waarop hy werklik diens gedoen het; en

(b) met ingang van die dag onmiddellik na die laaste dag van 'n kollegetermyn, word salaris aan hom betaal tot en met die laaste dag van die kalendermaand waarin bedoelde kollegetermyn gesluit het: Met dien verstande dat as bedoelde kollegetermyn binne dieselfde kalendermaand sluit as dié waarin die volgende kollegetermyn begin, aan hom salaris betaal word tot en met die laaste dag van die kollegetermyn waarin sy dienste aldus eindig: Met dien verstande voorts dat 'n lid van die doserende personeel wat ingevolge regulasies 65 (1) (b) en (c) ontslaan word, minstens 'n kollegetermyn kennis van sy ontslag kry.

(3) (a) Tensy in sy aanstellingsvoorwaardes anders bepaal word of die Minister in 'n uitsonderlike geval anders goedkeur, gee 'n permanente werknemer wat 'n lid van die nie-doserende personeel is, minstens een kalendermaand kennis van sy voorneme om uit sy pos te bedank: Met dien verstande dat sodanige kennis ook op die eerste dag van sodanige kalendermaand gegee kan word: Met dien verstande voorts dat waar die eerste dag of die eerste dag sowel as die daaropvolgende dag of dae van sodanige kalendermaand op 'n rusdag of rusdae val, sodanige kennis ook op die eerste werksdag wat onmiddellik op sodanige rusdag of rusdae volg, gegee kan word.

(b) Indien sodanige werknemer aldus kennis gee, word hy betaal vir die volle kalendermaand ongeag of dit eindig op 'n rusdag of op 'n dag waartydens onderrig opgeskort is, al dan nie, mits hy in diens bly tot en met die laaste dag wat van hom vereis word om in sodanige kalendermaand diens te doen.

(4) Indien korter kennisgewing van bedanking as 'n kalendermaand in die geval van 'n werknemer wat lid is van die nie-doserende personeel, aanvaar word, word hy betaal tot en met die laaste dag waarop hy werklik diens gedoen het.

(5) If a permanent employee who is a member of the non-teaching staff is discharged for a reason referred to in regulation 65 (1) (b) and (c) he shall receive at least one calendar month's notice of discharge: Provided that such notice may also be given on the first day of such calendar month: Provided further that where the first day or the first day as well as the following day or days of such calendar month falls on a day of rest or days of rest, such notice may also be given on the first working day immediately following such day of rest or days of rest.

(6) (a) Unless his contract of employment determines otherwise, the service of a temporary employee may be terminated on 24 hours' notice from either side and such notice may be given at any time during or at the end of a calendar month.

(b) If such temporary employee gives notice as indicated in subregulation (4) (a), he shall be paid until the end of such calendar month irrespective of whether it ends on a day of rest or on a day during which instruction is suspended, provided that he remains in service up to the last day he is required to serve in such calendar month.

Termination of Service of Permanent Employees

65. (1) Subject to the provisions of subregulation (2) the services of a permanent employee may be terminated by the Council—

- (a) on account of continued ill-health;
- (b) owing to the abolition of his post or any reduction in or reorganisation or readjustment of the staff of a college;
- (c) if, for reasons other than his own unfitness or incapacity, his discharge will promote efficiency or economy in the college at which he is employed;
- (d) on account of misconduct;
- (e) on account of unfitness for his duties, or incapacity to carry them out efficiently;
- (f) if, in the case of a permanent employee appointed on probation, his appointment is not confirmed; and
- (g) in the case of a permanent female employee, on account of her marriage: Provided that such female employee shall not be retained in a permanent capacity after her marriage unless the approval of the Minister is obtained.

(2) (a) A permanent employee, other than a person on probation, whose services are to be terminated on account of one or more of the reasons referred to in subregulation (1) may, within fourteen days of receipt of notice of such termination of service, appeal to the Minister.

(b) The Minister may cause the matter to be investigated and his decision on the appeal shall be final.

(3) A permanent employee who without approved leave absents himself from his official duties for a period exceeding one month, shall be deemed to have been discharged from his employment on account of misconduct with effect from the date immediately succeeding the last day on which he was in attendance at his place of duty: Provided that if such employee assumes other employment he shall be deemed to have been discharged as aforesaid notwithstanding that the said period has not yet expired: Provided further that if such employee reports for duty at any time after the expiry of the said period, he may, subject to the approval of the Minister, be reinstated in his former or any

(5) Indien 'n permanente werknemer wat lid is van die nie-doserende personeel ontslaan word om 'n rede bedoel in regulasie 65 (1) (b) en (c), kry hy minstens een kalendermaand kennis van ontslag: Met dien verstande dat sodanige kennis ook op die eerste dag van sodanige kalendermaand gegee kan word: Met dien verstande voorts dat waar die eerste dag of die eerste dag sowel as die daaropvolgende dag of dae van sodanige kalendermaand op 'n rusdag of rusdae val sodanige kennisgewing ook op die eerste werksdag wat onmiddellik op sodanige rusdag of rusdae volg, gegee kan word.

(6) (a) Tensy daar in sy dienskontrak anders bepaal word, kan die diens van 'n tydelike werknemer beëindig word deur 24 uur kennisgewing van die kant van die Raad of van die werknemer en sodanige kennisgewing kan te eniger tyd gedurende of aan die einde van 'n kalendermaand gegee word.

(b) Indien sodanige tydelike werknemer kennis gee soos in subregulasie (4) (a) aangedui, word hy tot aan die einde van sodanige kalendermaand besoldig ongeag of dit eindig op 'n rusdag of op 'n dag waartydens onderlig opgeskort is al dan nie, mits hy in diens bly tot die laaste dag wat van hom vereis word om in sodanige kalendermaand diens te doen.

Diensbeëindiging van Permanente Werknemers

65. (1) Behoudens die bepalings van subregulasie (2) kan die diens van 'n permanente werknemer deur die Raad beëindig word—

- (a) weens voortdurende swak gesondheid;
- (b) weens die afskaffing van sy pos of vermindering of reorganisasie of herreëling van die personeel van 'n kollege;
- (c) as om ander redes as sy eie ongeskiktheid of onvermoë sy ontslag doeltreffendheid of besuiniging in die kollege waar hy in diens is, sal bevorder;
- (d) weens wangedrag;
- (e) weens ongeskiktheid vir sy pligte of onvermoë om hulle op bekwame wyse uit te voer;
- (f) indien, in die geval van 'n permanente werknemer wat op proef aangestel is, sy aanstelling nie bekrachtig word nie; en
- (g) in die geval van 'n permanente vroulike werknemer, weens haar huwelik: Met dien verstande dat sodanige vroulike werknemer na haar huwelik nie in 'n permanente hoedanigheid in diens gehou word nie, tensy die goedkeuring van die Minister verkry is.

(2) (a) 'n Permanente werknemer wat nie op proef is nie en wie se diens weens een of meer van die gronde bedoel in subregulasie (1), beëindig staan te word, kan binne veertien dae na ontvangs van die kennisgewing van sodanige beëindiging van diens by die Minister appèl aanteken.

(b) Die Minister kan die saak laat ondersoek en sy beslissing oor die appèl is finaal.

(3) 'n Permanente werknemer wat sonder goedgekeurde verlof vir 'n tydperk van meer as 'n maand van sy amppligte wegbly, word geag weens wangedrag uit sy diens ontslaan te gewees het met ingang van die datum wat onmiddellik volg op die laaste dag waarop hy op sy plek van diens teenwoordig was: Met dien verstande dat indien sodanige werknemer ander werk aanvaar, hy geag word ontslaan te gewees het soos voormeld, nie te staande die bedoelde tydperk nog nie verstryk het nie: Met dien verstande voorts dat indien sodanige werknemer hom te eniger tyd na die verstryking van bedoelde tydperk vir diens aanmeld, hy onderworpe aan die goedkeuring van die Minister in sy vorige of 'n ander pos

other post or appointment in the service of the college in question, on such conditions as the Minister may determine, and in that event the period of his absence from his official duties shall be deemed to be absence on vacation leave without pay, or leave on such other conditions as the Minister may determine.

Retiring Age

66. (1) The retiring age of a permanent employee appointed with effect from a date after the thirty-first day of December 1955 shall be the age of 65 years: Provided that if such employee attains the said age after the first day of a calendar month, the date of retirement shall be the first day of the following calendar month.

(2) A permanent employee who was appointed before the first day of January 1956 and who on or after the said date in the case of a male attains the age of sixty years or in the case of a female the age of fifty-five years, shall have the right at any time to give written notification to the Council of his wish to be retired on pension and if he gives such notification he shall—

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

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

(3) A council may, subject to the approval of the Secretary, retain the services of an employee beyond the prescribed age of retirement for a further period not exceeding one year at a time.

of betrekking in die diens van die betrokke kollege herstel kan word, op die voorwaardes wat die Minister bepaal en in sodanige geval word die tydperk van sy afwesigheid van sy ampspligte geag afwesigheid met vakansieverlof sonder betaling of verlof op die ander voorwaardes wat die Minister bepaal, te wees.

Ouderdom van Uitdienstreding

66. (1) Die uitdienstredingsleeftyd van 'n permanente werknemer aangestel met ingang van 'n datum na die een-en-dertigste dag van Desember 1955 is die ouderdom van 65 jaar: Met dien verstande dat indien sodanige werknemer bedoelde ouderdom na die eerste dag van 'n kalendermaand bereik die datum van uitdienstreding die eerste dag van die daaropvolgende kalendermaand is.

(2) 'n Permanente werknemer wat voor die eerste dag van Januarie 1956 aangestel is en wat op of na genoemde datum in die geval van 'n man die leeftyd van sestig jaar of in die geval van 'n vrou die leeftyd van vyf-en-vyftig jaar bereik, het die reg om te eniger tyd die raad skriftelik kennis te gee van sy wens om met pensioen afgedank te word en as hy aldus kennis gee word hy—

(a) as sodanige kennis minstens drie maande voor die datum waarop hy bedoelde leeftyd bereik gegee word, afgedank met pensioen wanneer hy daardie leeftyd bereik; of

(b) as sodanige kennis nie minstens drie maande voor die datum waarop hy bedoelde leeftyd bereik gegee word nie, afgedank met pensioen op die eerste dag van die vierde maand na die maand waarin die kennisgewing deur die Raad ontvang word.

(3) 'n Raad kan, onderworpe aan die goedkeuring van die Sekretaris, die dienste van 'n werknemer na bereiking van die voorgeskrewe uitdienstredingsouderdom vir 'n verdere tydperk, hoogstens 'n jaar per keer, behou.

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