



STAATSKOERANT

VAN DIE REPUBLIEK VAN SUID-AFRIKA

REPUBLIC OF SOUTH AFRICA

GOVERNMENT GAZETTE

REGULASIEKOERANT No. 1653

As 'n Nuusblad by die Poskantoor Geregistreer

PRYS 10c PRICE

OORSEE 15c OVERSEAS

POSVRY—POST FREE

REGULATION GAZETTE No. 1653

Registered at the Post Office as a Newspaper

VOL. 86]

PRETORIA, 11 AUGUSTUS 1972
11 AUGUST

[No. 3629

PROKLAMASIE

van die Staatspresident van die Republiek van Suid-Afrika

No. R. 197, 1972

DATUM VAN INWERKINGTREDING VAN ARTIKEL 9 (1) VAN DIE ALGEMENE REGSWYSIGINGSWET, 1972 (WET 102 VAN 1972)

Kragtens artikel 9 (2) van die Algemene Regswysigingswet, 1972, bepaal ek hierby die 1ste dag van Oktober 1972 as die datum waarop die bepalings van artikel 9 (1) van bedoelde Wet in werking tree.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Pretoria, op hierdie Eerste dag van Augustus Eenduisend Negehoenderd Twee-en-sewentig.

J. J. FOUCHÉ, Staatspresident.

Op las van die Staatspresident-in-rade:

P. C. PELSER.

PROCLAMATION

by the State President of the Republic of South Africa

No. R. 197, 1972

DATE OF COMMENCEMENT OF SECTION (9) (1) OF THE GENERAL LAW AMENDMENT ACT, 1972 (ACT 102 OF 1972)

In terms of section 9 (2) of the General Law Amendment Act, 1972, I hereby declare that the 1st day of October 1972 shall be the date on which the provisions of section 9 (1) of the said Act shall come into operation.

Given under my Hand and the Seal of the Republic of South Africa at Pretoria this First day of August, One thousand Nine hundred and Seventy-two.

J. J. FOUCHÉ, State President.

By Order of the State President-in-Council:

P. C. PELSER.

GOEWERMENSKENNISGEWINGS

DEPARTEMENT VAN ARBEID

No. R. 1384

11 Augustus 1972

WET OP NYWERHEIDSVERSOENING, 1956

BOU- EN MONUMENTKLIPMESSELNYWERHEID, BLOEMFONTEIN.—WYSIGING VAN OOREENKOMS

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

(a) kragtens artikel 48 (1) (a) van die Wet op Nywerheidsversoening, 1956, dat die bepalings van die Ooreenkoms (hierna die Wysigingsooreenkoms genoem) wat in die Bylae hiervan verskyn en op die Bou- en Monumentklipmesselnywerheid betrekking het, met ingang van die tweede Maandag na die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 16 November 1972 eindig, bindend is vir die werkgewers-organisasies en die vakverenigings wat die Wysigingsooreenkoms aangegaan het en vir die werkgewers en werknemers wat lede van genoemde organisasies of verenigings is;

GOVERNMENT NOTICES

DEPARTMENT OF LABOUR

No. R. 1384

11 August 1972

INDUSTRIAL CONCILIATION ACT, 1956

BUILDING AND MONUMENTAL MASONRY INDUSTRIES, BLOEMFONTEIN.—AMENDMENT OF AGREEMENT

I, Marais Viljoen, Minister of Labour, hereby—

(a) in terms of section 48 (1) (a) of the Industrial Conciliation Act, 1956, declare that the provisions of the Agreement (hereinafter referred to as the Amending Agreement) which appears in the Schedule hereto and which relates to the Building and Monumental Masonry Industries, shall be binding, with effect from the second Monday after the date of publication of this notice and for the period ending 16 November 1972, upon the employers' organisations and the trade unions which entered into the Amending Agreement and upon the employers and employees who are members of the said organisations or unions;

(b) kragtens artikel 48 (1) (b) van genoemde Wet, dat die bepalings van die Wysigingsooreenkoms met ingang van die tweede Maandag na die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 16 November 1972 eindig, bindend is vir alle ander werkgewers en werknemers as dié genoem in paragraaf (a) van hierdie kennisgewing, wat betrokke is by of in diens is in genoemde Nywerheid in die gebied binne 'n radius van 15 myl vanaf die Hoofposkantoor, Bloemfontein; en

(c) kragtens artikel 48 (3) (a) van genoemde Wet, dat die bepalings van die Wysigingsooreenkoms met ingang van die tweede Maandag na die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 16 November 1972 eindig, in die gebied gespesifiseer in paragraaf (b) van hierdie kennisgewing *mutatis mutandis* bindend is vir alle Bantoes in diens in genoemde Nywerheid by dié werkgewers vir wie enigeen van genoemde bepalings ten opsigte van werknemers bindend is en vir daardie werkgewers ten opsigte van Bantoes in hul diens.

M. VILJOEN, Minister van Arbeid.

BYLAE

NYWERHEIDSRaad VIR DIE BOUNYWERHEID, BLOEMFONTEIN OOREENKOMS

ingevolge die Wet op Nywerheidsversoenings, 1956, gesluit en aangegaan deur en tussen die

Master Builders' and Allied Trades' Association, Bloemfontein
en die

Electrical Contractors' Association of South Africa

(hierna die "werkgewers" of die "werkgewersorganisasies" genoem), aan die een kant, en die

Amalgamated Society of Woodworkers of South Africa

Amalgamated Union of Building Trade Workers of South Africa

South African Electrical Workers' Association

en die

Blanke Bouwerkersvakbond

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

wat die partye is by die Nywerheidsraad vir die Bounywerheid, Bloemfontein, om die Ooreenkoms gepubliseer by Goewermentskennisgewing R. 3688 van 7 November 1969, soos gewysig by Goewermentskennisgewings R. 2165, R. 2069 en R. 885 van onderskeidelik 4 Desember 1970, 12 November 1971 en 26 Mei 1972, soos volg verder te wysig:

KLOUSULE 17.—LONE

Vervang subklousule (1) (h) deur die volgende:

"(h) Arbeider—

met ingang van die datum van inwerkingtreding van hierdie Ooreenkoms.....	22
met ingang van 1 November 1972.....	24".

Namens die partye op hierdie 18de dag van Mei 1972 te Bloemfontein onderteken.

L. C. STEYN, Voorsitter van die Raad.

J. J. LUDICK, Ondervoorsitter van die Raad.

H. K. ARCHER, Sekretaris van die Raad.

No. R. 1397

11 Augustus 1972

WET OP VAKLEERLINGE, 1944, SOOS GEWYSIG NASIONALE VAKLEERLINGSKAPKOMITEE VIR DIE METAALNYWERHEID.—VOORGENOME AANWYSING VAN AMBAG EN WYSIGING VAN LEERVOORWAARDES

Ek, Marais Viljoen, Minister van Arbeid, handelende kragtens artikel 16 van bogemelde Wet, is voornemens om—

(i) Goewermentskennisgewing R. 828 van 29 Mei 1970, soos toegepas by Goewermentskennisgewing R. 1248 van 7 Augustus 1970 en gewysig by Goewerments-

(b) in terms of section 48 (1) (b) of the said Act, declare that the provisions of the Amending Agreement shall be binding, with effect from the second Monday after the date of publication of this notice and for the period ending 16 November 1972, upon all employers and employees other than those referred to in paragraph (a) of this notice, who are engaged or employed in the said Industries in the area within a radius of 15 miles from the General Post Office, Bloemfontein; and

(c) in terms of section 48 (3) (a) of the said Act, declare that in the area specified in paragraph (b) of this notice and with effect from the second Monday after the date of publication of this notice and for the period ending 16 November 1972, the provisions of the Amending Agreement shall *mutatis mutandis* be binding upon all Bantu employed in the said Industries by the employers upon whom any of the said provisions are binding in respect of employees and upon those employers in respect of Bantu in their employ.

M. VILJOEN, Minister of Labour.

SCHEDULE

INDUSTRIAL COUNCIL FOR THE BUILDING INDUSTRY, BLOEMFONTEIN AGREEMENT

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

Master Builders' and Allied Trades' Association, Bloemfontein
and the

Electrical Contractors' Association of South Africa

(hereinafter referred to as the "employers" or the "employers' organisations"), of the one part, and the

Amalgamated Society of Woodworkers of South Africa

Amalgamated Union of Building Trade Workers of South Africa

South African Electrical Workers' Association

and the

White Building Workers Union

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

being the parties to the Industrial Council for the Building Industry, Bloemfontein, to further amend the Agreement published under Government Notice R. 3688 of 7 November 1969, as amended by Government Notices R. 2165, R. 2069 and R. 885 of 4 December 1970, 12 November 1971 and 26 May 1972, respectively, as follows:

CLAUSE 17.—WAGES

Substitute the following for subclause (1) (h):

"(h) Labourer—

with effect from the date of coming into operation of this Agreement.....	22
with effect from 1 November 1972.....	24".

Signed at Bloemfontein on behalf of the parties on this 18th day of May 1972.

L. C. STEYN, Chairman of the Council.

J. J. LUDICK, Vice-Chairman of the Council.

H. K. ARCHER, Secretary of the Council.

No. R. 1397

11 August 1972

APPRENTICESHIP ACT, 1944, AS AMENDED

NATIONAL APPRENTICESHIP COMMITTEE FOR THE METAL INDUSTRY.—PROPOSED DESIGNA- TION OF TRADE AND AMENDMENT OF CONDI- TIONS OF APPRENTICESHIP

I, Marais Viljoen, Minister of Labour, acting in terms of section 16 of the above-mentioned Act, propose to—

(i) amend Government Notice R. 828 of 29 May 1970, as applied by Government Notice R. 1248 of 7 August 1970 and amended by Government Notice

kennisgewing R. 49 van 15 Januarie 1971 soos toegepas by Goewermentskennisgewing R. 444 van 26 Maart 1971, te wysig deur klousule 2 daarvan wat op leertyd betrekking het deur die volgende klousule te vervang:

"2. LEERTYD

Behoudens klousule 6 (c) (ii), is die leertyd vyf jaar in die aangewese ambag Instrumentwerktuigkundige: Industriële Instrumentasie en Prosesbeheer en in die aangewese ambag Meulmaker (Elektro-meganikus), en vier jaar in alle ander aangewese ambagte: Met dien verstande dat 'n vakleerling wat voor die aanvang van sy vakleerlingskap die eerste tydperk van ononderbroke diens in die Burgermag, soos bepaal in artikel 22 (3) van die Verdedigingswet, Wet 44 van 1957, voltooi het, geag word die eerste vier maande van bedoelde leertyd te voltooi het."

(ii) die ambag Diensman: Elektroniese Musiektoe-rusting as 'n ambag waarop die Wet van toepassing is, aan te wys vir die Nywerheid en gebied waarvoor die Nasionale Vakleerlingskapkomitee vir die Metaal-nywerheid ingestel is;

(iii) die voorwaardes hieronder gemeld en die voorwaardes wat betrekking het op kwalifikasies om met vakleerlingskap te begin, tegniese studies en die betaling van klas- of kursus- en eksamengelde vermeld in klousules 1, 4 en 5 van Goewermentskennisgewing R. 828 van 29 Mei 1970, soos toegepas by Goewermentskennisgewing R. 1248 van 7 Augustus 1970, as leer-voorwaardes ten opsigte van die ambag in paragraaf (ii) genoem, voor te skryf in die Nywerheid en gebied waarvoor genoemde Komitee ingestel is:

VOORWAARDES

1. LEERTYD

Behoudens klousule 3 (c), is die leertyd vier jaar: Met dien verstande dat 'n vakleerling wat voor die aanvang van sy vakleerlingskap die eerste tydperk van ononderbroke diens in die Burgermag, soos bepaal in artikel 22 (3) van die Verdedigingswet, Wet 44 van 1957, voltooi het, geag word die eerste vier maande van bedoelde leertyd te voltooi het.

2. LONE

(a) 'n Werkgewer moet 'n vakleerling besoldig teen minstens die skaal hieronder gespesifiseer:

	Per week
	R
Eerste jaar.....	17,55
Tweede jaar.....	21,60
Derde jaar.....	26,10
Vierde jaar.....	30,60:

Met dien verstande dat 'n vakleerling wie se leertyd ingevolge artikel 3 (c) verleng is, met ingang van die dag na die datum waarop die vierde jaar van sy leertyd verstryk, minstens die laagste loon betaal moet word wat in die Hoofdooreenkoms van die Nasionale Nywerheidsraad vir die Yster-, Staal-, Ingenieurs- en Metallurgiese Nywerheid voorgeskryf is vir Tarief A-werk, ongeag of genoemde Ooreenkoms bindend is vir die gebied of ambag waarin die vakleerling in diens is.

(b) Indien die Ooreenkoms verstryk wat in subklousule (a) vermeld word, moet 'n vakleerling wat 'n leertyd van meer as vier jaar uitdien, in sy vyfde jaar minstens die laagste loon betaal word wat in die verstreke Ooreenkoms voorgeskryf is vir Tarief A-werk, ongeag of die verstreke Ooreenkoms bindend is vir die gebied of ambag waarin die vakleerling in diens is, tot tyd en wyl so 'n ooreenkoms weer van krag word.

R. 49 of 15 January 1971 as applied by Government Notice R. 444 of 26 March 1971, by the substitution for clause 2 thereof relating to the period of apprenticeship, of the following clause:

"2. PERIOD OF APPRENTICESHIP

Subject to clause 6 (c) (ii) the period of apprenticeship shall be five years in the designated trade Instrument Mechanician: Industrial Instrumentation and Process Control and in the designated trade Millwright (Electromechanician) and four years in all other designated trades: Provided that an apprentice who prior to the commencement of his apprenticeship has completed the first period of continuous service in the Citizen Force as laid down in section 22 (3) of the Defence Act, Act 44 of 1957, shall be deemed to have completed the first four months of the said period of apprenticeship";

(ii) designate for the Industry and area for which the National Apprenticeship Committee for the Metal Industry was established the trade Electronic Musical Equipment Serviceman as a trade to which the Act shall apply;

(iii) prescribe the conditions set out hereunder and the conditions relating to qualifications for commencing apprenticeship, technical studies and the payment of class or course and examination fees set out in clauses 1, 4 and 5 of Government Notice R. 828 of 29 May 1970 as applied by Government Notice R. 1248 of 7 August 1970, as conditions of apprenticeship in respect of the trade specified in paragraph (ii) in the Industry and area for which the said Committee was established:

CONDITIONS

1. PERIOD OF APPRENTICESHIP

Subject to clause 3 (c), the period of apprenticeship shall be four years: Provided that an apprentice who prior to the commencement of his apprenticeship has completed the first period of continuous service in the Citizen Force as laid down in section 22 (3) of the Defence Act, Act 44 of 1957, shall be deemed to have completed the first four months of the said period of apprenticeship.

2. WAGES

(a) An employer shall remunerate an apprentice at not less than the rates specified hereunder:

	Per week
	R
First year.....	17,55
Second year.....	21,60
Third year.....	26,10
Fourth year.....	30,60:

Provided that an apprentice whose period of apprenticeship is extended in terms of clause 3 (c) shall, with effect from the day following upon the date of termination of his fourth year of apprenticeship, be paid not less than the lowest wage prescribed in the Main Agreement of the National Industrial Council for the Iron, Steel, Engineering and Metallurgical Industry for Rate A work, irrespective of whether the said Agreement is binding in respect of the area or trade in which the apprentice is employed.

(b) If the Agreement referred to in subclause (a) lapses, an apprentice serving more than four years of apprenticeship shall in his fifth year be paid not less than the lowest wage prescribed in the lapsed Agreement for Rate A work, irrespective of whether the lapsed Agreement applied to the area or trade in which the apprentice is employed, until such an agreement again comes into force.

(c) Indien 'n werkgewer en 'n voornemende meerderjarige vakleerling ooreenkom, voordat hulle 'n vakleerlingkontrak aangaan, dat 'n hoër besoldiging betaal moet word as dié wat in subklousule (a) voorgeskryf word, moet sodanige hoër besoldiging in die kontrak gemeld en aan die vakleerling betaal word.

(d) (i) 'n Werkgewer moet die besoldiging voorgeskryf in hierdie klousule ten opsigte van elke vakleerling, uitgesonderd 'n vakleerling in sy vyfde jaar, wat enigee van die opvoedkundige kwalifikasies in die Bylae hieronder gemeld, of gelykwaardige kwalifikasies, besit of verwerf, verhoog met minstens die bedrag in die Bylae gemeld:

BYLAE

Opvoedkundige kwalifikasies verwerf voor of gedurende vakleerlingskap	Per week
Groep 1	R
(i) Nasionale Junior Sertifikaat met werkwinkelpraktik as een vak waarin geslaag is.....	1,35
(ii) Nasionale Tegnieëse Sertifikaat, Deel I, met die betrokke ambagsteorie as een vak waarin geslaag is.....	
Groep 2	
(i) Nasionale Tegnieëse Sertifikaat, Deel II.....	4,50
(ii) Standaard 10 sonder wiskunde as een vak waarin geslaag is (nie-universiteitstoelating).....	
Groep 3	
(i) Nasionale Tegnieëse Sertifikaat, Deel III.....	5,85
(ii) Standaard 10 met wiskunde as een vak waarin geslaag is (nie-universiteitstoelating).....	
(iii) Deel A van die Nasionale Diploma vir Tegnici..	
Groep 4	
(i) Nasionale Tegnieëse Sertifikaat, Deel IV.....	6,75
(ii) Matrikulasiesertifikaat (universiteitstoelating)....	
(iii) Deel B van die Nasionale Diploma vir Tegnici...	
Groep 5	
(i) Nasionale Tegnieëse Sertifikaat, Deel V.....	8,10
(ii) Deel C van die Nasionale Diploma vir Tegnici...	
(iii) Gedeeltelike B.Sc. (slaag in drie vakke).....	
Groep 6	
(i) Nasionale Tegnieëse Diploma.....	11,25
(ii) Deel D van die Nasionale Diploma vir Tegnici...	

(ii) Die bedrae voorgeskryf ingevolge paragraaf (i) is nie kumulatief nie maar is betaalbaar ten opsigte van slegs een, te wete, die hoogste sertifikaat of diploma wat verwerf is. Enige bedrag waarop 'n vakleerling ingevolge genoemde paragraaf geregtig is, moet, waar die betrokke sertifikaat of diploma gedurende sy leertyd verwerf word, betaal word vanaf die datum van uitreiking daarvan.

3. AMBAGSTOETSE

(a) 'n Vakleerling moet so kort moontlik voor die einde van die vierde jaar van sy leertyd 'n kwalifiserende ambagstoets, wat deur die Departement van Arbeid en die Departement van Nasionale Opvoeding afgeneem word, aflê in die praktyk van die ambag waarvoor hy ingeboek is.

(b) 'n Vakleerling wat op die peil van die Nasionale Tegnieëse Sertifikaat, Deel II, of gelykwaardige kwalifikasie geslaag het in die teorie van die ambag waarvoor hy ingeboek is of wat die Nasionale Tegnieëse Sertifikaat, Deel II, of gelykwaardige kwalifikasie behaal het in vakke wat op sy ambag betrekking het, kan vrywillig 'n kwalifiserende ambagstoets aflê nadat hy twee en 'n half jaar van sy leertyd voltooi het. 'n Verdere vrywillige toets of toetse kan afgeleë word op 'n datum of datums wat deur die Departement van Arbeid en die Departement van Nasionale Opvoeding bepaal word.

(c) If an employer and a prospective major apprentice agree, before entering into a contract of apprenticeship, that wages shall be paid at rates higher than those prescribed in subclause (a), such higher rates of wages shall be recorded in the contract and shall be paid to the apprentice.

(d) (i) An employer shall increase the wage prescribed in this clause in respect of every apprentice, other than an apprentice in his fifth year, who is in possession of or attains any of the educational qualifications scheduled hereunder or equivalents, by an amount of not less than that indicated in the Schedule:

SCHEDULE

Educational qualifications attained prior to or during apprenticeship	Per week
Group 1	R
(i) National Junior Certificate with workshop practice as one subject of success.....	1,35
(ii) National Technical Certificate, Part I, with the relevant trade theory as one subject of success..	
Group 2	
(i) National Technical Certificate, Part II.....	4,50
(ii) Standard 10 without mathematics as one subject of success (non-university entrance).....	
Group 3	
(i) National Technical Certificate, Part III.....	5,85
(ii) Standard 10 with mathematics as one subject of success (non-university entrance).....	
(iii) Part A of the National Diploma for Technicians	
Group 4	
(i) National Technical Certificate, Part IV.....	6,75
(ii) Matriculation certificate (university entrance)....	
(iii) Part B of the National Diploma for Technicians	
Group 5	
(i) National Technical Certificate, Part V.....	8,10
(ii) Part C of the National Diploma for Technicians.	
(iii) Part B.Sc. (pass in three subjects).....	
Group 6	
(i) National Technical Diploma.....	11,25
(ii) Part D of the National Diploma for Technicians	

(ii) The amounts prescribed in terms of paragraph (i) shall not be cumulative but shall be payable in respect of only one, i.e. the highest certificate or diploma attained. Any amount to which an apprentice is entitled in terms of the said paragraph shall, where the relevant certificate or diploma is attained during his apprenticeship, be payable as from the date of issue thereof.

3. TRADE TESTS

(a) An apprentice shall undergo a qualifying trade test, conducted by the Department of Labour and of National Education, as shortly as practicable before the end of the fourth year of his period of apprenticeship, in the practice of the trade in which he is indentured.

(b) An apprentice who has attained a pass at National Technical Certificate, Part II, or equivalent qualification level in the theory of the trade in which he is indentured or who has attained the National Technical Certificate, Part II, or equivalent qualification in subjects related to his trade, may voluntarily undergo a qualifying trade test after he has completed two and a half years of his period of apprenticeship. A further voluntary qualifying test or tests may be undertaken on a date or dates to be determined by the Departments of Labour and of National Education.

(c) Die leertyd van 'n vakleerling wat nie voor of aan die einde van die vierde jaar van sy leertyd in 'n ambagstoets ingevolge subklousule (a) of (b) slaag nie, word met 'n tydperk van 12 maande verleng: Met dien verstande dat die vakleerling gedurende sodanige verlengde tydperk vrywillig 'n kwalifiserende ambagstoets kan ondergaan op 'n datum wat deur die Departement van Arbeid en die Departement van Nasionale Opvoeding bepaal word, ongeag of hy in besit is van die kwalifikasie in subklousule (b) vermeld of nie.

(d) 'n Bedrag van R6 is deur 'n vakleerling betaalbaar ten opsigte van die tweede of enige daaropvolgende ambagstoets wat op 'n vrywillige grondslag ingevolge hierdie klousule afgelê word.

(e) 'n Vakleerling wat 'n ambagstoets ingevolge hierdie klousule ondergaan, moet ten opsigte van die tydperk wat bestee word in verband met een vrywillige toets en die verpligte toets, sy gewone besoldiging deur sy werkgever betaal word ten opsigte van sodanige tydperk van afwesigheid van werk.

(f) 'n Tydperk van afwesigheid van werk vir die doel om 'n ambagstoets ingevolge hierdie klousule te ondergaan, word, vir die toepassing van artikel 26 van die Wet, nie geag afwesigheid van werk te wees nie.

4. OPLEIDINGSKURSUSSE

'n Werkgever moet 'n vakleerling die praktiese opleiding gee in die ambag waarvoor hy ingeboek is, ooreenkomstig die Bylae van hierdie klousule. 'n Vakleerling moet, sover prakties moontlik, opgelei word onder die gereelde toesig van 'n ambagsman wat bevoegd is om hom op te lei in die ambag waarvoor hy ingeboek is.

BYLAE

Logboek-simbool	Praktiese opleiding
	AMBAG: DIENSMAN: ELEKTRONIESE MUSIEK-TOERUSTING
1.1	Veiligheidsmaatreëls op die ambag van toepassing.
1.2	Versorging en onderhoud van gereedskap en werkwinkeluitrusting op die ambag van toepassing.
1.3	Die inmeekaarpas en vervanging van onderdele.
1.4	Die name en gebruik van verskillende stukke handgereedskap.
1.5	Soldeerkomponente (bedrading en gedrukte bane, met die klem op halfsirkelwerk).
1.6	Boorwerk.
1.7	Elementêre afmerkwark.
1.8	Die gebruik van eenvoudige multimeters.
1.9	Elementêre kennis van lakpoeleerwerk waar die geriewe beskikbaar is.
2.1	Die versorging en onderhoud van ws.- en gs.- breukperdekragmotore op die elektronikanywerheid van toepassing.
2.2	Die gebruik en bou van verligtingsbeveiliging op die elektronikanywerheid van toepassing.
2.3	Die lees van kringdiagramme en simbole en die uitleg van diensvoorskrifte.
2.4	Elementêre herstelwerk, verstelling en onderhoud van eenvoudige kontroles, skakelaars en relê.
2.5	Kennis van kragtvoevoer (gereël en ongereël).
2.6	Opleiding in die beskerming van uitrusting teen oorspannings, spanningstuwings, abnormale temperature, vogtigheid, meganiese spannings (veral in draagbare uitrusting), stof, gasse, ens.
2.7	Opleiding in die vaardigheid om volgens diagramme en tekeninge te werk.
2.8	Foutsoeping in elektroniese uitrusting met gebruik van apparaat in 2.9 bepaal (stelselmatige metode moet beklemtoon word), met inbegrip van klankopneemtoestelle en bandmeganismes.
2.9	Algemene kennis van apparaat wat op elektroniese uitrusting gebruik word, soos die ossilloskoop, sinus-, vierkant- en komplekse golf- en pulsgenerators, brûe, elektroniese voltmeters, buistoetsers en transistortoetsers.
2.10	Kennis van die werking van ws.- en gs.- magnetiese en draaiversterkers.

(c) The period of apprenticeship of an apprentice who does not pass a trade test in terms of subclause (a) or (b) at or before the end of the fourth year of his period of apprenticeship shall be extended by a period of 12 months: Provided that during such extended period the apprentice may, whether or not he is in possession of the qualification referred to in subclause (b), voluntarily undergo a qualifying trade test on a date to be determined by the Departments of Labour and of National Education.

(d) A fee of R6 shall be payable by an apprentice in respect of the second or any subsequent trade test undertaken on a voluntary basis in terms of this clause.

(e) An apprentice undergoing a trade test in terms of this clause shall in respect of the period spent in connection with one voluntary test and the compulsory test, be paid his ordinary wage by his employer in respect of such period of absence from work.

(f) A period of absence from work for the purpose of undergoing a trade test in terms of this clause shall not be deemed to be absence from work for the purpose of section 26 of the Act.

4. COURSES OF TRAINING

An employer shall provide an apprentice with practical training in the trade in which he is indentured in accordance with the Schedule to this clause. An apprentice shall as far as practicable be trained under the regular supervision of an artisan qualified to train him in the trade in which he is indentured.

SCHEDULE

Logboek symbols	Practical training
	TRADE: ELECTRONIC MUSICAL EQUIPMENT SERVICEMAN
1.1	Safety precautions applicable to the trade.
1.2	Care and maintenance of tools and workshop equipment applicable to the trade.
1.3	Fitting together and replacement of components.
1.4	Names and use of various hand tools.
1.5	Soldering components (wiring and printed circuits with emphasis on semi-circular work).
1.6	Drilling.
1.7	Elementary marking off.
1.8	Use of simple multimeters.
1.9	Elementary knowledge of french polishing where facilities are available.
2.1	Care and maintenance of A.C. and D.C. fractional H.P. motors applicable to the electronics industry.
2.2	Use and construction of lighting protection applicable to the electronics industry.
2.3	Reading of circuit diagrams and symbols and interpretation of service instructions.
2.4	Elementary repair, adjustment and maintenance of simple controls, switches and relays.
2.5	Knowledge of power supplies (regulated and unregulated).
2.6	Instruction in the protection of equipment against over-voltages, voltage surges, abnormal temperatures, moisture, mechanical stresses (particularly in portable equipment), dust, fumes, etc.
2.7	Training in ability to work to diagrams and drawings.
2.8	Fault tracing in electronic equipment using apparatus designated in 2.9 (systematic method to be stressed), including sound recording devices and tape mechanisms.
2.9	General knowledge of apparatus used on electronic equipment, such as oscilloscope, sine-, square- and complex-wave and pulse generators, bridges, electronic voltmeters, valve testers and transistor checkers.
2.10	Knowledge of operation of A.C. and D.C. rotary and magnetic amplifiers.

Logboek-simbool	Praktiese opleiding
2.11	Kennis van die gebruik van oordraers by die meet van tyd, spanning, dikte, druk, getalle, ens., waar die geriewe beskikbaar is.
2.12	Elementêre werk in kennis van die volgende: Relê-en skakelkringe, foto-elektriese toestelle, elektromagnetiese toestelle, ossillatortoestelle, vastestaatskakeltoestelle, met inbegrip van monostabiele en bistabiele toestelle, teenwipkringe en kennis van sinchroniseer- en servomeganismes.
2.13	Funksionele kennis van direkteestellers en -meters, digitale voltmeters en eenvoudige geheue-toestelle waar die geriewe beskikbaar is.
3	Hersiening en onafhanklike werk.

Alle belanghebbende persone wat enige besware teen bogenelde voornemens het, word versoek om binne 30 dae vanaf die datum van publikasie van hierdie kennisgewing sodanige besware skriftelik in te dien by die Sekretaris, Nasionale Vakleerlingskapkomitee vir die Metaalnywerheid, Privaatsak X117, Pretoria.

M. VILJOEN, Minister van Arbeid.

No. R. 1415 11 Augustus 1972
WET OP NYWERHEIDSVERSOENING, 1956
ARBITRASIETOEKENNING VIR DIE PADPASSASIERSVVERVOERBEDRYF (KAAP)

Ek, Marais Viljoen, Minister van Arbeid, verklaar hierby ingevolge artikel 49 (5) van die Wet op Nywerheidsversoening, 1956, dat die bepalings van die Arbitrasietoekenning vir die Padpassasiersvervoerbedryf, Kaap, wat op 26 Junie 1970, deur die Nywerheidshof gemaak is met ingang van die datum van publikasie van hierdie kennisgewing ophou om bindend te wees.

M. VILJOEN, Minister van Arbeid.

DEPARTEMENT VAN BANTOE-ADMINISTRASIE EN -ONTWIKKELING

No. R. 1376 11 Augustus 1972
VENDA- WETGEWENDE VERGADERING
WET 3 VAN 1972 (VENDA-WET OP DIE REGERINGSDIENS, 1972)

Dit het die Staatspresident behaag om kragtens die bevoegdheid hom verleen by artikel 3 (2) van die Grondwet van die Bantoetuislande, 1971 (Wet 21 van 1971), sy goedkeuring te heg aan onderstaande Wet.

Republiek van Suid-Afrika

GEBIED VAN DIE VENDA- WETGEWENDE VERGADERING

VENDA-WET OP DIE REGERINGSDIENS, 1972 (WET 3 VAN 1972)

WET

TOT REËLING VAN DIE AANSTELLING, DIENSVOORWAARDES, DIENSTERMYN, DISCIPLINE, AFTREDE, AFDANKING EN ONTSLAG VAN LEDE VAN DIE REGERINGSDIENS EN ANDER AANGELEENTHEDE WAT DAARMEE IN VERBAND STAAN

Daar word bepaal deur die Venda- Wetgewende Vergadering, soos volg:

Logboek symbols	Practical training
2.11	Knowledge of the use of transducers in the measurement of time, strain, thickness, pressure, number, etc., where facilities are available.
2.12	Elementary work on the knowledge of the following: Relay and switching circuits, photo-electric devices, electro-magnetic devices, oscillator devices, solid state switching devices, including monostable and bistable devices, flip-flop counter circuits, and knowledge of synchro- and servo-mechanisms.
2.13	Functional knowledge of direct read out counters and meters, digital voltmeters and simple memory devices, where facilities are available.
3	Revision and independent work.

All interested persons who have any objections to the above proposals are called upon to lodge such objections, in writing, with the Secretary, National Apprenticeship Committee for the Metal Industry, Private Bag X117, Pretoria, within 30 days from the date of publication of this notice.

M. VILJOEN, Minister of Labour.

No. R. 1415 11 August 1972
INDUSTRIAL CONCILIATION ACT, 1956
ARBITRATION AWARD FOR THE ROAD PASSENGER TRANSPORT INDUSTRY (CAPE)

I, Marais Viljoen, Minister of Labour, hereby in terms of section 49 (5) of the Industrial Conciliation Act, 1956, declare that the Arbitration Award for the Road Passenger Transport Industry, Cape, made by the Industrial Tribunal on 26 June 1970, shall cease to be binding with effect from the date of publication of this notice.

M. VILJOEN, Minister of Labour.

DEPARTMENT OF BANTU ADMINISTRATION AND DEVELOPMENT

No. R. 1376 11 August 1972
VENDA LEGISLATIVE ASSEMBLY
ACT 3 OF 1972 (VENDA PUBLIC SERVICE ACT, 1972)

The State President has been pleased, under and by virtue of the powers vested in him by section 3 (2) of the Bantu Homelands Constitution Act, 1971 (Act 21 of 1971), to approve the following Act.

Republic of South Africa

AREA OF THE VENDA LEGISLATIVE ASSEMBLY

VENDA PUBLIC SERVICE ACT, 1972 (ACT 3 OF 1972)

ACT

TO REGULATE THE APPOINTMENT, CONDITIONS OF EMPLOYMENT, TENURE OF OFFICE, DISCIPLINE, RETIREMENT AND DISCHARGE OF MEMBERS OF THE PUBLIC SERVICE AND OTHER INCIDENTAL MATTERS

Be it enacted by the Venda Legislative Assembly, as follows:

HOOFSTUK 1

INLEIDENDE BEPALINGS

Woordomskrywing

1. (1) In hierdie Wet, tensy uit die samehang anders blyk, beteken—

(i) "beampte" 'n persoon wat vas aangestel is, al is die aanstelling op proef, in 'n pos bedoel in artikel 3 (1) (a) en (b) en ook 'n persoon bedoel in artikel (3) (1) (c) en artikel 3 (2) (b) wat 'n voorgeskrewe pos beklee het wat as 'n nie-voorgeskrewe pos herklassifiseer is; (xvi)

(ii) "burger" 'n persoon wat kragtens die Wet op Burgerskap van Bantoetuislande, 1970 (Wet 26 van 1970), 'n burger is van Venda; (iii)

(iii) "departement" 'n departement, subdepartement of kantoor van die Regeringsdiens ingestel kragtens artikel 5 (2) van die Grondwet van die Bantoetuislande, 1971 (Wet 21 van 1971); (vi)

(iv) "departementshoof" of enige variasie daarvan, die beampte of toegewese beampte wat 'n pos met die benaming Direkteur van 'n departement op die vaste diensstaat beklee of daarin waarneem; (xii)

(v) "hoof van kantoor" die hoof van 'n kantoor, tak, inrigting, afdeling of werkplek en ook 'n departementshoof; (xiii)

(vi) "Inkomstefonds" die Inkomstefonds van Venda, ingestel kragtens artikel 6 van die Grondwet van die Bantoetuislande, 1971 (Wet 21 van 1971); (xxii)

(vii) "kalendermaand" 'n tydperk wat strek van 'n dag van 'n maand tot en met die dag wat die dag voorafgaan wat numeriek ooreenstem met daardie dag in die volgende maand; (ii)

(viii) "Kommissie" die Regeringsdienskommissie bedoel in artikel 4 van hierdie Wet; (iv)

(ix) "maand" 'n tydperk wat van die eerste tot en met die laaste dag van enige een van die 12 maande van die jaar strek; (xiv)

(x) "nie-voorgeskrewe pos" 'n pos as sodanig geklassifiseer kragtens artikel 3 (2); (xv)

(xi) "pensioenleeftyd" die leeftyd waarop 'n beampte kragtens artikel 15 (1) die reg het om uit die Regeringsdiens af te tree en daaruit afgedank moet word; (xvii)

(xii) "Raadslid" met betrekking tot 'n beampte of werknemer of persoon wat in diens is of was of wat in diens geneem gaan word, die Raadslid wat verantwoordelik is vir die departement waarin die beampte, werknemer of persoon in diens is of laas in diens was of in diens geneem gaan word; en met betrekking tot 'n beampte of werknemer of sodanige ander persoon wat in diens is of was of geneem gaan word in die kantoor van die Kommissie, die Raadslid vir die Departement van Gemeenskapsake; (v)

(xiii) "Regering" die Regering van Venda; (x)

(xiv) "Regering van die Republiek" die Regering van die Republiek van Suid-Afrika en ook 'n provinsiale administrasie, maar nie ook die Spoorwegadministrasie nie; (xi)

(xv) "Regeringsdiens" die Regeringsdiens bedoel in artikel 3; (xx)

(xvi) "regulasie" 'n regulasie kragtens artikel 26 van hierdie Wet uitgevaardig; (xxi)

(xvii) "skaal" met betrekking tot salaris, ook salaris teen 'n vaste bedrag; (xxiii)

CHAPTER 1

PRELIMINARY

Definitions

1. (1) In this Act, unless the context otherwise indicates—

(i) "allocated officer" means an officer of the Public Service of the Republic designated in terms of section 5 (4) of the Bantu Homelands Constitution Act, 1971 (Act 21 of 1971), to assist the Executive Council; (xviii)

(ii) "calendar month" means a period extending from a day in any month to the day preceding the day corresponding numerically to that day in the following month, both days inclusive; (vii)

(iii) "citizen" means any person who in terms of the Bantu Homelands Citizenship Act, 1970 (Act 26 of 1970), is a citizen of Venda; (ii)

(iv) "Commission" means the Public Service Commission referred to in section 4 of this Act; (viii)

(v) "Councillor" in relation to an officer or employee or person who is or has been employed or is to be employed, means the Councillor responsible for the department in which such officer, employee or person is or was last employed or is to be employed; and in relation to an officer or employee or such other person who is or has been or is to be employed in the office of the Commission, means the Councillor for the Department of Community Affairs; (xii)

(vi) "department" means a department, subdepartment or office of the Public Service, established in terms of section 5 (2) of the Bantu Homelands Constitution Act, 1971 (Act 21 of 1971); (iii)

(vii) "employee" means a person referred to in section 3 (1) (d); (xxiv)

(viii) "Executive Council" means the Executive Council constituted in terms of section 5 (1) of the Bantu Homelands Constitution Act, 1971 (Act 21 of 1971); (xix)

(ix) "fixed establishment" means the posts created for the normal and regular requirements of a department; (xx)

(x) "Government" means the Government of Venda; (xiii)

(xi) "Government of the Republic" means the Government of the Republic of South Africa and includes any provincial administration but does not include the Railways Administration; (xiv)

(xii) "head of department" or any variation thereof, means the officer or allocated officer holding or acting in a post on the fixed establishment and designated Director of a department; (iv)

(xiii) "head of office" means the head of an office, branch, institution, division or place of work and includes the head of a department; (v)

(xiv) "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; (ix)

(xv) "non-prescribed post" means a post classified as such in terms of section 3 (2); (x)

(xvi) "officer" means a person who has been appointed permanently, notwithstanding that such appointment may be on probation, to a post referred to in section 3 (1) (a) and (b), and includes a person referred to in section 3 (2) (b) who occupied a prescribed post that has been reclassified as a non-prescribed post; (i)

(xvii) "pensionable age" means the age at which, in terms of section 15 (1), an officer shall have the right to retire and shall be discharged from the Public Service; (xi)

(xviii) "toegewese beampte" 'n beampte van die Staatsdiens van die Republiek wat kragtens artikel 5 (4) van die Grondwet van die Bantoeuistande, 1971 (Wet 21 van 1971), aangewys is om die Uitvoerende Raad by te staan; (i)

(xix) "Uitvoerende Raad" die Uitvoerende Raad saamgestel kragtens artikel 5 (1) van die Grondwet vir die Bantoeuistande, 1971 (Wet 21 van 1971); (viii)

(xx) "vaste diensstaat" die poste geskep vir die normale en gereelde vereistes van 'n departement; (ix)

(xxi) "Venda" die gebied waarvoor die Venda- Wetgewende Vergadering ingestel is; (xxiv)

(xxii) "voorgeskrewe apparaat" enige apparaat (deur die Uitvoerende Raadslid vir Gemeenskapsake, op aanbeveling van die Kommissie, by kennisgewing in die *Staatskoerant* voorgeskryf) deur middel waarvan die asem van 'n persoon getoets of ontleed word om te bepaal of die alkoholinhoud van die bloed van bedoelde persoon 'n gegewe perk oorskry al dan nie; (xviii)

(xxiii) "voorgeskrewe pos" 'n pos as sodanig geklassifiseer kragtens artikel 3 (2); (xix)

(xxiv) "werknemer" 'n persoon in artikel 3 (1) (d) bedoel. (vii)

(2) Waar daar in hierdie Wet in verband met 'n beampte van 'n verlaging van 'n salarisskaal melding gemaak word, word dit sou uitgelê dat dit die toepassing van 'n salarisskaal insluit wat laer is as die skaal wat tevore toegepas is wat betref die maksimum of minimum van die skaal, of die tempo van vordering in die skaal; en so 'n vermelding van 'n verlaging in graad of dat 'n graad laer is as 'n ander graad, word in 'n ooreenstemmende sin uitgelê.

Toepassing van Wet

2. Behalwe waar uit die samehang anders blyk, is die bepalinge van hierdie Wet van toepassing op of ten opsigte van alle beamptes en werknemers in die Regeringsdiens.

HOOFTUK 2

ORGANISASIE EN ADMINISTRASIE

Die Regeringsdiens

3. (1) Die Regeringsdiens bestaan uit persone, uitsonderd die lede van die Wetgewende Vergadering, Raadslede en lede van die Kommissie—

(a) wat voorgeskrewe poste op die vaste diensstaat beklee;

(b) wat ander poste op die vaste diensstaat beklee as die poste in paragraaf (a) genoem;

(c) wat, nadat hulle opgehou het om poste op die vaste diensstaat in paragraaf (a) vermeld, te beklee en wat nie uit diens getree het of ontslaan is nie, bykomend by die vaste diensstaat in diens gehou word kragtens 'n aanbeveling gedoen ingevolge artikel 6 (2) (e), of wat geag word 'n voorgeskrewe pos te bly beklee onder die omstandighede in die voorbehoudsbepaling van subartikel (2) (b) bedoel;

(d) wat tydelik of onder 'n spesiale kontrak in 'n departement, hetsy in 'n voltydse of deeltydse hoedanigheid, bykomend by die vaste diensstaat, in diens gehou word ooreenkomstig 'n aanbeveling gedoen kragtens artikel 6 (2) (d).

(2) Die Kommissie het die bevoegdheid om te gelas dat—

(a) enige pos op die vaste diensstaat as 'n voorgeskrewe of nie-voorgeskrewe pos geklassifiseer word; en

(b) enige voorgeskrewe pos, as 'n nie-voorgeskrewe pos herklassifiseer word of enige nie-voorgeskrewe pos as 'n voorgeskrewe pos herklassifiseer word: Met dien verstande dat geen lasgewing kragtens hierdie paragraaf 'n beampte of werknemer verloor of 'n ander voorreg of reg wat sy bekleding van 'n voorgeskrewe of 'n nie-voorgeskrewe pos meegebring het, mag ontnem nie.

(xviii) "prescribed apparatus" means any apparatus (prescribed by the Executive Councillor for Community Affairs, on the recommendation of the Commission, by notice in the *Government Gazette*) by means of which the breath of any person is tested or analysed in order to determine whether or not the alcohol content of the blood of such person exceeds a given limit; (xxii)

(xix) "prescribed post" means a post classified as such in terms of section 3 (2); (xxiii)

(xx) "Public Service" means the Public Service referred to in section 3; (xv)

(xxi) "regulation" means a regulation made in terms of section 26 of this Act; (xvi)

(xxii) "Revenue Fund" means the Revenue Fund of Venda established in terms of section 6 of the Bantu Homelands Constitution Act, 1971 (Act 21 of 1971); (vi)

(xxiii) "scale" in relation to salary, includes salary at a fixed rate; (xvii)

(xxiv) "Venda" means the area for which the Venda Legislative Assembly has been established; (xxi)

(2) Where in this Act reference is made in relation to an officer to a reduction in a scale of salary, the reference shall be construed as including the application of a scale of salary which is lower than the scale previously applied as regards the maximum or minimum of the scale or the rate of progression in the scale; and any such reference to a reduction in grade or to a grade being lower than any other grade shall be correspondingly construed.

Application of Act

2. Save as the context otherwise indicates, the provisions of this Act shall apply to or in respect of all officers and employees of the Public Service.

CHAPTER 2

ORGANISATION AND ADMINISTRATION

The Public Service

3. (1) The Public Service shall consist of persons other than members of the Legislative Assembly, Councillors and members of the Commission—

(a) who hold prescribed posts on the fixed establishment;

(b) who hold posts on the fixed establishment other than posts referred to in paragraph (a);

(c) who, having ceased to hold posts on the fixed establishment referred to in paragraph (a), and not having retired or having been discharged are employed additional to the fixed establishment in accordance with a recommendation made in terms of section 6 (2) (e), or who are deemed to continue to hold prescribed posts in the circumstances contemplated by the proviso to subsection (2) (b);

(d) who are employed temporarily or under a special contract in a department, whether in a full-time or part-time capacity, additional to the fixed establishment, in accordance with a recommendation made in terms of section 6 (2) (d).

(2) It shall be competent for the Commission to direct that—

(a) any post on the fixed establishment be classified as a prescribed post or as a non-prescribed post; and

(b) any prescribed post be reclassified as a non-prescribed post or any non-prescribed post be reclassified as a prescribed post: Provided that no direction under this paragraph shall deprive an officer or employee of any leave or other privilege or right which flowed from the occupancy by him of a prescribed or non-prescribed post.

Regeringsdienskommissie: Aanstelling, besoldiging en ampstermyn

4. (1) In ooreenstemming met die bepalings van artikel 16 van die Grondwet van die Bantoetuislande, 1971 (Wet 21 van 1971), is daar 'n kommissie bekend as die Regeringsdienskommissie, met die bevoegdhede, werksaamhede en pligte wat by hierdie Wet of enige ander wetsbepaling voorgeskryf word.

(2) (a) Die Kommissie bestaan uit drie lede wat nie lede van die Wetgewende Vergadering is nie en wat deur die Uitvoerende Raad aangestel word.

(b) Die Uitvoerende Raad wys een lid as voorsitter en een lid as ondervoorsitter van die Kommissie aan.

(3) Behoudens die bepalings van subartikels (8), (9), (10) en (11), beklee 'n lid van die Kommissie sy amp vir 'n tydperk van drie jaar en kan hy by die verstryking van sy ampstyd heraangetel word: Met dien verstande dat 'n lid van die Kommissie wat behoorlik as 'n kandidaat vir verkiesing tot lid van die Wetgewende Vergadering genomineer is, sy amp as lid van die Kommissie met ingang van die datum waarop hy aldus genomineer is, neerleë.

(4) Die Uitvoerende Raad stel die salarisse en diensvoorwaardes van lede van die Kommissie vas: Met dien verstande dat die salaris van 'n lid nie gedurende sy ampstermyn verminder mag word nie, behalwe by 'n wet van die Wetgewende Vergadering.

(5) 'n Lid van die Kommissie mag nie sonder die toestemming van die Uitvoerende Raad besoldigde werk buite sy ampspligte verrig of hom verbind om dit te verrig nie of hom aktief met die politiek bemoei nie.

(6) (a) Gedurende die afwesigheid van die voorsitter van die Kommissie, om watter rede ook al, of as daar geen voorsitter is nie, moet die ondervoorsitter as voorsitter van die Kommissie optree.

(b) Gedurende die afwesigheid van enige een of meer as een van die drie lede van die Kommissie kan die Uitvoerende Raad 'n persoon of persone aanstel om waar te neem in die plek van sodanige afwesige lid of lede.

(c) Gedurende die afwesigheid van beide die voorsitter en ondervoorsitter van die Kommissie kan die Uitvoerende Raad 'n lid of waarnemende lid aanstel om op te tree as voorsitter van die Kommissie.

(7) 'n Lid van die Kommissie mag nie in sy amp geskors of daarvan onthef word nie, behalwe ooreenkomstig die bepalings van subartikels (8), (9) en (10).

(8) (a) Die Uitvoerende Raad kan 'n lid van die Kommissie in sy amp skors en, behoudens die bepalings van hierdie subartikel hom daarvan onthef—

(i) weens wangedrag;

(ii) weens ongeskiktheid vir sy ampspligte of onvermoë om hulle op bekwame wyse uit te voer; of

(iii) as om redes as sy eie ongeskiktheid of onvermoë sy ontheffing van sy amp doeltreffendheid of besuiniging sal bevorder.

(b) Elke skorsing van 'n lid van die Kommissie en die rede daarvoor moet aan die Wetgewende Vergadering binne 14 dae na die skorsing meegedeel word as die Wetgewende Vergadering dan sit of as die Wetgewende Vergadering nie dan sit nie, binne 14 dae na die aanvang van sy eersvolgende sessie.

(c) As aan die Uitvoerende Raad, binne 21 dae vanaf die datum waarop genoemde skorsing en die rede daarvoor aldus aan die Wetgewende Vergadering meegedeel is, 'n adres van die Wetgewende Vergadering voorgelê word waarin versoek word dat die lid van sy amp onthef word en waarin die rede vir die ontheffing genoem word, kan die Uitvoerende Raad hom dienoreenkomstig onthef.

(d) As geen sodanige adres binne die tydperk in paragraaf (c) genoem aan die Uitvoerende Raad voorgelê word nie, moet die lid in sy amp herstel word.

Public Service Commission: Appointment, remuneration and tenure of office

4. (1) In accordance with the provisions of section 16 of the Bantu Homelands Constitution Act, 1971 (Act 21 of 1971), there shall be a commission known as the Public Service Commission with such powers, functions and duties as are prescribed in this Act or in any other law.

(2) (a) The Commission shall consist of three members, not being members of the Legislative Assembly, to be appointed by the Executive Council.

(b) The Executive Council shall designate one member as chairman and one member as vice-chairman of the Commission.

(3) Subject to the provisions of subsections (8), (9), (10) and (11), a member of the Commission shall hold office for a period of three years, and shall be eligible for reappointment on the expiry of his period of office: Provided that a member of the Commission who has duly been nominated for election as a member of the Legislative Assembly shall relinquish his office as member of the Commission with effect from the date on which he was so nominated.

(4) The Executive Council shall determine the salaries and conditions of service of members of the Commission: Provided that the salary of a member shall not be reduced during his tenure of office, except by an act of the Legislative Assembly.

(5) A member of the Commission shall not without the permission of the Executive Council perform or engage himself to perform any remunerative work outside the duties of his office or actively engage in politics.

(6) (a) During the absence of the chairman of the Commission, for any reason whatsoever, or where there is no chairman, the vice-chairman shall act as chairman.

(b) During the absence of any one or more than one of the three members of the Commission the Executive Council may appoint a person or persons to act in the place of such absent person or persons.

(c) During the absence of both the chairman and vice-chairman the Executive Council may appoint a member or an acting member to act as chairman.

(7) A member of the Commission shall not be suspended or removed from office except in accordance with the provisions of subsections (8), (9) and (10).

(8) (a) The Executive Council may suspend a member of the Commission from office and subject to the provisions of this subsection, remove him from office—

(i) for misconduct;

(ii) for unfitness for the duties of his office or incapacity to carry them out efficiently; or

(iii) if for reasons other than his own unfitness or incapacity his removal from office will promote efficiency or economy.

(b) Every suspension of a member of the Commission and the reason therefor shall be communicated to the Legislative Assembly within 14 days of the suspension, if the Legislative Assembly is then in session, or, if the Legislative Assembly is not then in session, within 14 days of the commencement of its next session.

(c) If, within 21 days of the date on which the said suspension and the reason therefor have been so communicated to the Legislative Assembly, an address of the Legislative Assembly is presented to the Executive Council requesting the removal of the member from office and stating the reason for such removal, the Executive Council may remove him accordingly.

(d) If no such address is presented to the Executive Council within the period referred to in paragraph (c), the member shall be reinstated in office.

(9) As 'n lid van die Kommissie 'n blywende verstandelike of liggaamlike swakheid opdoen wat hom ongeskik maak vir die behoorlike vervulling van sy ampspligte, kan die Uitvoerende Raad—

(a) hom toelaat om sy amp neer te lê; of

(b) hom, behoudens die bepalings van subartikel (8), van sy amp op grond van onvermoë onthef.

(10) 'n Lid van die Kommissie moet minstens 40 jaar oud wees en moet aftree wanneer hy die leeftyd van 70 jaar bereik.

(11) As 'n beampte in die Regeringsdiens aangestel word om lid van die Kommissie te wees, moet hy uit sy betrekking in die Regeringsdiens bedank, en in die geval is hy geregtig op die pensioen waarop hy geregtig sou gewees het as hy weens die afskaffing van sy pos uit die Regeringsdiens ontslaan was.

Uitoefening en delegasie van die Kommissie se bevoegdhede en werksaamhede

5. (1) Behoudens die bepalings van subartikel (2), word 'n aanbeveling of lasgewing wat deur minstens twee lede van die Kommissie gegee is by die toepassing van hierdie Wet of enige ander wetsbepaling geag 'n aanbeveling of lasgewing te wees wat deur die Kommissie gegee is.

(2) Behoudens die bepalings van subartikel (3), kan enige bevoegdheid wat verleen of werksaamheid wat opgedra is aan die Kommissie by hierdie Wet of enige ander wetsbepaling (uitgesonderd die delegasiebevoegdheid wat hierby verleen word), met die instemming van die Kommissie uitgeoefen of verrig word—

(a) deur 'n lid of lede van die Kommissie ingevolge 'n algemene of spesiale delegasie van die Kommissie; of

(b) deur 'n beampte of toegewese beampte in diens in die kantoor van die Kommissie.

(3) Die Kommissie mag nie die bevoegdhede aan hom verleen by artikel 6 (2) (a), (g) en (n), of by artikels 15 (2), 15 (3), 15 (4) (a) tot en met (e), 15 (5) en 15 (7) of Hoofstuk 4 van hierdie Wet deleger nie.

(4) Die Kommissie kan enige persoon magtig om 'n ondersoek in te stel na enige aangeleentheid waaroor hy kragtens hierdie Wet of enige ander wetsbepaling die bevoegdheid het om 'n aanbeveling te doen of 'n lasgewing te gee.

(5) Enige delegasie of magtiging deur die Kommissie kragtens hierdie artikel verleen, kan te eniger tyd deur die Kommissie gewysig of ingetrek word.

Bevoegdhede, werksaamhede en pligte van die Kommissie

6. (1) Die Kommissie het die bevoegdheid—

(a) om die werksaamhede aan hom opgedra en die pligte aan hom toevertrou by hierdie Wet of by of kragtens enige ander wet, te verrig en uit te voer; en

(b) om aanbevelings te doen of lasgewings te gee oor alle aangeleenthede waarvoor daar nie uitdruklik in hierdie Wet of enige ander wet voorsiening gemaak is nie maar wat nie daarmee strydig is nie, met betrekking tot of voortspruitende uit die indiensneming van en die diensvoorwaardes in die algemeen van beamptes en werknemers.

(2) Die Kommissie moet—

(a) aanbevelings doen aangaande die skepping of afskaffing van departemente, subdepartemente, takke of kantore, die oordrag van werksaamhede van een departement aan 'n ander, of van 'n departement aan 'n ander liggaam of van 'n ander liggaam aan 'n departement;

(9) If a member of the Commission becomes afflicted with a permanent infirmity of mind or body which disables him from the proper discharge of the duties of his office, the Executive Council may—

(a) allow him to vacate his office; or

(b) subject to the provisions of subsection (8), remove him from office on the ground of incapacity.

(10) A member of the Commission shall be at least 40 years of age and shall retire when he reaches the age of 70 years.

(11) If an officer in the Public Service is appointed a member of the Commission he shall resign his post in the Public Service, in which case he shall be entitled to the pension to which he would have been entitled had he been discharged from the Public Service owing to the abolition of his post.

Exercise and delegation of powers and functions of the Commission

5. (1) Subject to the provisions of subsection (2), a recommendation or direction given by not less than two members of the Commission shall be deemed for the purpose of this Act or any other law to be a recommendation or direction given by the Commission.

(2) Subject to the provisions of subsection (3), any power conferred upon or function entrusted to the Commission by this Act or any other law (except the power of delegation conferred hereby), may, with the concurrence of the Commission, be exercised or performed—

(a) by any member or members of the Commission under a general or special delegation from the Commission; or

(b) by any officer or allocated officer employed in the office of the Commission.

(3) The Commission shall not delegate the powers conferred upon it by section 6 (2) (a), (g) and (n) or by section 15 (2), 15 (3), 15 (4) (a) to (e) inclusive, 15 (5) and 15 (7) or Chapter 4 of this Act.

(4) The Commission may authorise any person to conduct an inquiry into any matter upon which in terms of this Act or of any other law it is competent for the Commission to make a recommendation or give a direction.

(5) Any delegation or authorisation made or given by the Commission under this section may at any time be amended or revoked by the Commission.

Powers, functions and duties of the Commission

6. (1) The Commission shall have the power—

(a) to perform the functions entrusted to and to carry out the duties imposed upon it by this Act or by or under any other law; and

(b) to make recommendations or give directions on all matters not specifically provided for in this Act or any other law, but not inconsistent therewith, relating to or arising out of the employment of and the conditions of service generally of officers and employees.

(2) The Commission shall—

(a) make recommendations on the creation or abolition of departments, subdepartments, branches or offices, the transfer of functions from one department to another or from a department to any other body or from any other body to a department;

(b) aanbevelings doen aangaande die beheer, organisasie en herreëling van departemente, subdepartemente, takke of kantore;

(c) aanbevelings doen aangaande die getal, gradering, hergradering en omskepping van poste op die vaste diensstaat;

(d) aanbevelings doen aangaande die getal persone wat tydelik of onder 'n spesiale kontrak, hetsy in 'n voltydse of 'n deeltydse hoedanigheid, in diens geneem moet word—

(i) teen poste op die vaste diensstaat, wat nie permanent gevul is nie; of

(ii) bykomend by die vaste diensstaat, hetsy weens die afwesigheid of siekte van die bekleër van 'n pos, of wanneer dit nodig is om personeel te verskaf vir die verrigting van 'n klas werk waarvoor personeel nie onder gewone omstandighede op 'n permanente basis aangehou word nie, of wanneer dit om enige ander rede nodig is om die personeel van 'n departement tydelik te vergroot;

(e) wanneer hy dit nodig ag 'n aanbeveling doen vir die indiensneming van 'n beampte bykomend by die vaste diensstaat, of in 'n pos wat hoër of laer as sy eie graad gegradeer is;

(f) aanbevelings doen vir die bewerkstelling van besuiniging en die bevordering van doeltreffendheid in die bestuur en funksionering van departemente, subdepartemente, takke en kantore deur—

(i) verbeterde organisasie, prosedure en metodes;

(ii) verbeterde toesig;

(iii) vereenvoudiging van werk en die uitskakeling van onnodige werk;

(iv) koördinasie van werk;

(v) beperking van die getal beamptes en werknemers van departemente, subdepartemente, takke en kantore en die aanwending van die dienste van beamptes en werknemers op die voordeligste wyse;

(g) aanbevelings doen aangaande die skale van salarisse, lone en toelaes van al die verskillende klasse en grade van beamptes en werknemers;

(h) wanneer dit nodig is om 'n aanstelling of bevordering te doen in of tot 'n voorgeskrewe pos op die vaste diensstaat, hetsy dit nodig is weens die feit dat die pos vakant of hergradeer of omskep is, 'n aanbeveling doen aangaande die persoon wat aangestel of bevorder moet word;

(i) aantekening hou van beamptes wat in voorgeskrewe poste in diens geneem is;

(j) ondersoek instel na griewe van beamptes en, behoudens die bepalinge van hierdie Wet, die aanbevelings daaroor doen wat hy goedgevind;

(k) lasgewings gee aangaande die leeftyds-, opvoedkundige, taal- en ander kwalifikasies wat persone moet besit by aanstelling in, oorpasing na of bevordering in die Regeringsdiens, waar die kwalifikasies nie by of kragtens hierdie Wet of enige ander wet voorgeskryf is nie;

(l) waar hy dit nodig ag, eksamens afneem of laat afneem in vakke, insluitende tale, soos hy gelas, of soos voorgeskryf as 'n kwalifikasie wat persone by aanstelling in, oorpasing na of bevordering in die Regeringsdiens moet besit;

(m) die ander bevoegdhede uitoefen, die ander werksaamhede verrig en die ander pligte uitvoer wat nie met hierdie Wet strydig is nie en wat die Uitvoerende Raad aan hom opgedra of hom opgelê het;

(n) aanbevelings doen by die Uitvoerende Raad vir die uitvaardiging of wysiging van regulasies in artikel 26 van hierdie Wet bedoel;

(b) make recommendations on the control, organisation and readjustment of departments, subdepartments, branches or offices;

(c) make recommendations on the number, grading, regrading and conversion of posts on the fixed establishment;

(d) make recommendations on the number of persons to be employed temporarily or under a special contract, whether in a full-time or a part-time capacity—

(i) against posts on the fixed establishment which are not permanently filled; or

(ii) in addition to the fixed establishment, either by reason of the absence or illness of the incumbent of any post, or when it is necessary to provide staff for the performance of a class of work for which staff is not ordinarily maintained on a permanent basis, or when it is necessary for any other reason to increase temporarily the staff of any department;

(e) whenever it considers it necessary, make a recommendation for the employment of an officer additional to the fixed establishment, or in a post graded lower or higher than his own grade;

(f) make recommendations for effecting economy and promoting efficiency in the management and working of departments, subdepartments, branches, and offices by—

(i) improved organisation, procedure and methods;

(ii) improved supervision;

(iii) simplification of work and the elimination of unnecessary work;

(iv) co-ordination of work;

(v) limitation of the number of officers and employees of departments, subdepartments, branches and offices and the utilisation of the services of officers and employees to the best advantage;

(g) make recommendations on the scales of salaries, wages and allowances of all the various classes and grades of officers and employees;

(h) whenever it is necessary to make any appointment or promotion to a prescribed post on the fixed establishment, whether such necessity arises from the fact that the post is vacant or has been regraded or converted, make a recommendation on the person to be appointed or promoted;

(i) keep a record of officers employed in prescribed posts;

(j) inquire into the grievances of officers and, subject to the provisions of this Act, make such recommendations thereon as it may deem fit;

(k) give directions regarding the age, educational, language and other qualifications to be possessed by persons on appointment, transfer or promotion to or in the Public Service where such qualifications are not prescribed by or under this Act or any other law;

(l) where it deems it necessary, conduct examinations or cause examinations to be conducted in such subjects, including languages, as it may direct or as may be prescribed as a qualification to be possessed by persons on appointment, transfer or promotion to or in the Public Service;

(m) exercise such other powers, perform such other functions, and carry out such other duties, not repugnant to this Act, as may be entrusted to or conferred upon it by the Executive Council;

(n) make recommendations to the Executive Council for the promulgation or amendment of regulations referred to in section 26 of this Act;

(o) so spoedig doenlik na die 31ste dag van Desember van elke jaar 'n verslag opstel oor aangeleenthede wat die Kommissie gedurende die vorige jaar behandel het, asook spesiale verslae wat die Kommissie van tyd tot tyd wenslik ag.

(3) Die Uitvoerende Raad kan die bevoegdhede, werksaamhede en pligte wat by enige wet aan hom en/of 'n Raadslid verleen, opgedra of opgelê is ten opsigte van die aanstelling, gradering, bevordering, aftreding, dissipline, diensure, verlof en, in die algemeen, diensvoorwaardes van persone in diens van rade, dergelike inrigtings en ander instellings wat hul fondse geheel of gedeeltelik uit die Inkomstefonds verkry, aan die Kommissie deleger.

Uitvoering van aanbevelings van die Kommissie

7. (1) Elke aanbeveling wat deur die Kommissie ooreenkomstig hierdie Wet gedoen word en wat op 'n bepaalde persoon betrekking het—altyd behoudens die bepalings van subartikel (2)—

(a) kan voordat dit uitgevoer is, deur die Kommissie teruggetrek of gewysig word of deur die Uitvoerende Raad verwerp of gewysig word te eniger tyd binne 'n tydperk van ses kalendermaande na die datum waarop dit deur die Kommissie gedoen is of binne 'n tydperk van ses kalendermaande na die datum waarop dit deur die Kommissie gewysig is: Met dien verstande dat die Kommissie nie 'n aanbeveling wat deur die Uitvoerende Raad gewysig is, mag intrek of wysig nie;

(b) word, as dit deur die Uitvoerende Raad gewysig is, onverwyld deur die Raadslid, soos aldus gewysig, uitgevoer;

(c) word, as die Uitvoerende Raad geweier het om dit te wysig of te verwerp, onverwyld deur die Raadslid soos deur die Kommissie gedoen of gewysig, uitgevoer;

(d) word, as genoemde tydperk verstryk het en dit nie uitgevoer of deur die Kommissie teruggetrek of deur die Uitvoerende Raad verwerp of gewysig is nie, onverwyld deur die Raadslid soos deur die Kommissie gedoen of gewysig, uitgevoer.

(2) Elke aanbeveling van die Kommissie aangaande—

(a) die getal, gradering, hergradering en omskepping van poste op die vaste diensstaat;

(b) die indiensneming en indienshouding van beamptes en werknemers bykomend by die vaste diensstaat of teen poste wat laer of hoër gegradeer is as hulle eie gradering;

(c) die skale van salarisse, lone en toelaes van beamptes en werknemers;

(d) die betaling aan beamptes en werknemers of aan klasse beamptes of werknemers van salarisse teen hoër bedrae as die minimums van skale wat op hulle poste by aanstelling, oorpasing of bevordering van toepassing is;

(e) die spesiale vordering van beamptes en werknemers of van klasse beamptes of werknemers binne die salarisskale wat op hulle poste van toepassing is of die betaling aan hulle van salarisse ooreenkomstig hoër skale;

(f) die betaling aan beamptes en werknemers van ekstra besoldiging vir die verrigting van oortyd-diens;

(g) die bedrae aan bonusse, toekennings, gratifikasies, honorariums en enige ander ekstra betalings wat aan beamptes en werknemers gedoen moet word;

(h) die toekenning van beurse en hulptoelaes vir studie- en navorsingdoeleindes;

(i) die diensvoorwaardes, in die algemeen, van beamptes en werknemers;

en al die aanbevelings gedoen kragtens artikel 6 (2) (n) wat uitgawes deur die Inkomstefonds meebring, word aan die Direkteur van Owerheidsake en Finansies meegedeel en nie uitgevoer nie, tensy die Direkteur sodanige uitgawes goedgekeur het.

(o) as soon as practicable after the 31st day of December of each year compile a report on the matters dealt with by the Commission during the previous year, as well as special reports which the Commission may deem expedient from time to time.

(3) The Executive Council may delegate to the Commission the powers, functions and duties as are by any law granted or entrusted to or imposed upon the Executive Council and/or a Councillor in connection with the appointment, grading, promotion, retirement, discipline, hours of attendance, leave and conditions of service in general, of persons in the employment of councils, similar institutions and other establishments which obtain their funds from the Revenue Fund, wholly or in part.

Implementation of recommendations of the Commission

7. (1) Subject to the provisions of subsection (2) every recommendation made by the Commission in accordance with this Act and relating to a particular person—

(a) may be withdrawn or varied by the Commission or may be rejected or varied by the Executive Council before it has been implemented, at any time within a period of six calendar months of the date upon which it was made by the Commission or within a period of six calendar months of the date upon which it was varied by the Commission: Provided that it shall not be competent for the Commission to withdraw or vary any recommendation which has been varied by the Executive Council;

(b) shall, if the Executive Council has varied it, forthwith be implemented by the Councillor as so varied;

(c) shall, if the Executive Council has refused to vary or reject it, forthwith be implemented by the Councillor as made or varied by the Commission;

(d) shall, if the said period has expired, and it has not been implemented or withdrawn by the Commission or rejected or varied by the Executive Council, forthwith be implemented by the Councillor as made or varied by the Commission.

(2) Every recommendation of the Commission on—

(a) the number, grading, regrading and conversion of posts on the fixed establishment;

(b) the employment and continued employment of officers and employees additional to the fixed establishment or against posts graded higher or lower than their own grading;

(c) the scales of salaries, wages and allowances of officers and employees;

(d) the payment to officers and employees or to classes of officers or employees of salaries at higher rates than the minima of the scales applicable to their posts on appointment, transfer or promotion;

(e) the special advancement of officers and employees or of classes of officers or employees within the scales of salary applicable to their posts or the payment to them of salaries in accordance with higher scales;

(f) the payment to officers and employees of extra remuneration for the performance of overtime duties;

(g) the amounts of bonuses, awards, gratuities, honoraria and any other extra payments to be made to officers and employees;

(h) the grant of bursaries and grants-in-aid for purposes of study and research;

(i) the conditions of service generally of officers and employees;

and every recommendation made in terms of section 6 (2) (n) involving expenditure from the Revenue Fund shall be communicated to the Director of Authority Affairs and Finance and shall not be implemented unless the Director has approved the expenditure involved.

(3) Waar 'n aanbeveling van die Kommissie deur die Uitvoerende Raad verwerp of gewysig is, handel die Raadslid in die aangeleentheid in verband waarmee die aanbeveling gedoen is, ooreenkomstig enige magtiging deur die Uitvoerende Raad verleen of ooreenkomstig die aanbeveling van die Kommissie, soos aldus gewysig, sonder om 'n verdere aanbeveling van die Kommissie te verkry.

(4) Vir die toepassing van die bepalings van subartikels (1) en (3) betreffende die verwerping of wysiging deur die Uitvoerende Raad van 'n aanbeveling van die Kommissie word 'n weiering deur of 'n versuim van die Kommissie om 'n aanbeveling te doen, geag 'n aanbeveling van die Kommissie te wees.

(5) Geen aansoek om die verwerping of wysiging van 'n aanbeveling word by die Uitvoerende Raad gedoen nie, tensy die Raadslid aan die Kommissie minstens 14 dae kennis gegee het van sy voorneme om aldus aansoek te doen en sodanige kennisgewing moet die gronde uiteensit waarop die Raadslid van voorneme is om die aansoek te baseer.

(6) Vir die toepassing van hierdie Wet of enige ander wet word 'n aanbeveling geag—

(a) gedoen te gewees het op die datum van die skriftelike mededeling waarin sodanige aanbeveling oorgedra word; en

(b) as dit op 'n bepaalde persoon betrekking het, deur die Raadslid uitgevoer te gewees het op die datum van die skriftelike mededeling aan daardie persoon dat die Raadslid sodanige aanbeveling goedgekeur het.

(7) As die Uitvoerende Raad nie in staat of nie bereid is om 'n aanbeveling van die Kommissie wat ooreenkomstig hierdie Wet gedoen is, aan te neem nie, of dit verwerp of wysig, moet die Kommissie die aangeleentheid, hetsy deur middel van 'n spesiale verslag of in sy jaarverslag, volledig aan die Wetgewende Vergadering rapporteer.

Delegasie van bevoegdhede en werksaamhede

8. (1) (a) Enige bevoegdheid verleen aan 'n Raadslid by hierdie Wet kan, met die instemming van die Raadslid uitgevoer of uitgeoefen word—

- (i) deur enige toegewese beampte; of
- (ii) deur enige beampte.

(b) 'n Raadslid mag nie die werksaamhede by artikel 7 (1) aan hom opgedra deleger nie.

(2) (a) Enige bevoegdheid wat kragtens hierdie Wet aan 'n departementshoof verleen is, kan deur hom aan 'n ander beampte of toegewese beampte, gedelegeer word op voorwaardes wat hy bepaal.

(b) 'n Departementshoof kan 'n delegasie wat kragtens hierdie artikel verleen is te eniger tyd terugtrek.

Die Kommissie kan departemente inspekteer en het insae in amptelike dokumente

9. Die Kommissie het die bevoegdheid om, vergesel van die Sekretaris van die Kommissie, enige departement te inspekteer, en moet insae gegee word in amptelike dokumente en stukke en moet voorsien word van alle inligting deur hoofde van departemente en ander beamptes en werknemers, wat na sy mening nodig is vir die uitoefening van sy bevoegdhede, die verrigting van sy werksaamhede en die uitvoering van sy pligte kragtens hierdie Wet of kragtens enige ander wet.

Personeel van die Kommissie, inspeksie van departemente en byeenroeping van Kommissie

10. (1) Daar word met inagneming van die bepalings van hierdie Wet 'n sekretaris vir die Kommissie en die aantal ander beamptes en werknemers aangestel as wat van tyd tot tyd nodig is om die Kommissie in staat te stel om op doeltreffende wyse sy bevoegdhede uit te oefen, sy werksaamhede te verrig en sy pligte uit te voer.

(3) Where a recommendation of the Commission has been rejected or varied by the Executive Council, the Councillor shall act in the matter in connection with which the recommendation was made, in accordance with any authority granted by the Executive Council or in accordance with the recommendation of the Commission as so varied, without obtaining a further recommendation of the Commission.

(4) For the purposes of the provisions of subsections (1) and (3), relating to the rejection or variation by the Executive Council of a recommendation of the Commission, any refusal or failure by the Commission to make a recommendation shall be deemed to be a recommendation of the Commission.

(5) No application for the rejection or variation of a recommendation shall be made to the Executive Council unless the Councillor has given the Commission at least 14 days notice of its intention so to apply and such notice shall set forth the grounds upon which the Councillor intends basing the application.

(6) For the purposes of this Act or any other law, a recommendation shall be deemed—

(a) to have been made on the date of the written communication conveying such recommendation; and

(b) if it relates to a particular person, to have been implemented by the Councillor on the date of the written communication to such person stating that the Councillor has approved such recommendation.

(7) If the Executive Council is unable or not prepared to accept a recommendation by the Commission in accordance with this Act, or rejects or varies it, the Commission shall report the matter fully to the Legislative Assembly, either by means of a special report or in its annual report.

Delegation of powers and functions

8. (1) (a) Any power conferred upon a Councillor by this Act may, with the concurrence of the Councillor, be exercised or carried out—

- (i) by any allocated officer; or
- (ii) by any officer.

(b) A Councillor shall not delegate the functions conferred upon him by section 7 (1).

(2) (a) Any power conferred upon a head of department by this Act may be delegated by him to another officer or allocated officer, on conditions determined by him.

(b) A head of department may at any time withdraw a delegation granted in terms of this section.

The Commission may inspect departments and has access to official documents

9. The Commission accompanied by the Secretary of the Commission shall have the power to inspect any department and shall be given access to official documents and records, and shall be furnished with all such information by heads of departments and other officers and employees as in its opinion may be necessary for the exercise of its powers, the performance of its functions and the carrying out of its duties under this Act or under any other law.

Staff of the Commission, inspection of departments and convening of the Commission

10. (1) There shall be appointed, subject to the provisions of this Act, a secretary to the Commission and so many other officers and employees as may from time to time be necessary to enable the Commission effectually to exercise its powers, to perform its functions and to carry out its duties.

(2) Die sekretaris in subartikel (1) bedoel, moet die opdragte nakom en die pligte uitvoer wat die Kommissie van tyd tot tyd aan hom gegee of hom opgelê het.

(3) Die Kommissie kan enige persoon magtig om die inspeksie van departemente namens die Kommissie uit te voer en enige persoon aldus gemagtig het die bevoegdhede wat by artikel 9 aan die Kommissie verleen is.

(4) Die sekretaris in subartikel (1) bedoel of 'n beamppte of toegewese beamppte deur hom daartoe gemagtig, moet die Kommissie, na oorlegpleging met die voorsitter of waarnemende voorsitter, byeenroep: Met dien verstande dat niks die voorsitter of waarnemende voorsitter van die Kommissie verhinder om op enige tyd 'n vergadering van die Kommissie te belê nie: Met dien verstande voorts dat die Kommissie minstens een keer per maand moet vergader.

(5) Die sekretaris in subartikel (1) bedoel of 'n beamppte of toegewese beamppte wat deur hom daartoe gemagtig is, moet alle vergaderings van die Kommissie bywoon.

HOOFTUK 3

AANSTELLINGS, BEVORDERINGS, OORPLASINGS, AFTREDINGS, AFDANKINGS EN ONTSLAG

Deur wie aanstellings en bevorderings gedoen word

11. Ondanks die bepalinge van enige wet wat voor die inwerkingtreding van hierdie Wet aangeneem is en sonder om afbreuk te doen aan die werksaamhede wat deur die Kommissie kragtens hierdie Wet verrig moet word, word die aanstelling of bevordering van enige persoon in die Regeringsdiens deur die Raadslid gedoen.

Voorwaardes vir die vulling van poste

12. (1) Behoudens die bepalinge van hierdie artikel en artikel 13, word aanstellings, oorplasings en bevorderings in die Regeringsdiens gedoen op die wyse en onder die voorwaardes deur die Kommissie gelas of aanbeveel, insluitende die besit van kennis van amptelike tale, tale wat kragtens artikel 108 van die Grondwet van die Republiek van Suid-Afrika, 1961 (Wet 32 van 1961) as addisionele amptelike tale van Venda erken is, of ander tale.

(2) Niemand word vas aangestel, of oorgeplaas en vas aangestel, hetsy op proef al dan nie, in enige pos op die vaste diensstaat van die Regeringsdiens nie, tensy so iemand—

(a) 'n burger is;

(b) van goeie karakter is; en

(c) na die mening van die Kommissie vry van enige verstandelike of liggaamlike gebrek, siekte of swakheid is, wat waarskynlik die behoorlike uitvoering van sy pligte sal belemmer, of sy aftreding uit die Regeringsdiens voordat hy die pensioenleeftyd bereik, nodig sal maak en die Kommissie aldus verklaar het:

Met dien verstande dat 'n persoon aldus op proef aangestel kan word, ondanks die bepalinge van paragraaf (c), as die Kommissie die verklaring daarin bedoel, agterweë hou en as 'n voorwaarde van die aanstelling aanbeveel dat dit bekragtig kan word slegs nadat die Kommissie sodanige verklaring uitgereik het.

(3) By die vulling van 'n pos in die Regeringsdiens moet daar behoorlik rekening gehou word met die kwalifikasies, betreklike verdienstelikheid, bekwaamheid en geskiktheid van die persone wat vir bevordering, oorplasing of aanstelling in aanmerking kom.

(2) The secretary referred to in subsection (1) shall observe such directions and carry out such duties as may from time to time be given to or imposed upon him by the Commission.

(3) The Commission may authorise any person to carry out an inspection of departments on behalf of the Commission and any person so authorised shall have the powers conferred upon the Commission by section 9.

(4) The secretary referred to in subsection (1) or an officer or an allocated officer authorised by him shall, after consultation with the chairman or acting chairman convene the Commission: Provided that nothing shall prevent the chairman or acting chairman of the Commission from convening a meeting of the Commission at any time: Provided further that the Commission shall meet at least once a month.

(5) The secretary referred to in subsection (1) or an officer or an allocated officer authorised by him shall attend all meetings of the Commission.

CHAPTER 3

APPOINTMENTS, PROMOTIONS, TRANSFERS, RETIREMENTS AND DISCHARGES

By whom appointments and promotions are made

11. Notwithstanding the provisions of any law passed before the commencement of this Act and without derogation from the functions to be performed by the Commission under this Act, the appointment or promotion of any person in the Public Service shall be made by the Councillor.

Conditions for the filling of posts

12. (1) Subject to the provisions of this section and of section 13, appointments, transfers and promotions in the Public Service shall be made in such manner and subject to such conditions as the Commission may direct or recommend, including the possession of knowledge of the official languages, languages which are recognised in terms of section 108 of the Republic of South Africa Constitution Act, 1961 (Act 32 of 1961) as additional official languages for Venda, or other languages.

(2) No person shall be appointed permanently, or be transferred and appointed permanently, whether on probation or not, to any post on the fixed establishment of the Public Service unless such person is—

(a) a citizen;

(b) of good character; and

(c) in the opinion of the Commission, free from any mental or physical defect, disease or infirmity which would be likely to interfere with the proper carrying out of his duties or to render necessary his retirement from the Public Service before reaching the pensionable age and the Commission has so declared:

Provided that a person may be so appointed on probation, notwithstanding the provisions of paragraph (c), if the Commission withholds the declaration referred to therein and recommends, as a condition of the appointment, that it may be confirmed only after the Commission has issued such declaration.

(3) In the filling of any post in the Public Service due regard shall be had to the qualifications, relative merit, efficiency and suitability of the persons who are eligible for promotion, transfer or appointment.

(4) Vir die vulling van 'n voorgeskrewe pos op die vaste diensstaat moet die Kommissie, behoudens die bepalings van subartikel (3), of—

(a) die oorplasing of bevordering van 'n beampte aanbeveel; of

(b) as die pos nie op bevredigende wyse deur sodanige oorplasing of bevordering gevul kan word nie, die aanstelling van 'n persoon wat nie 'n beampte is nie, aanbeveel:

Met dien verstande dat binne een kalendermaand na die aanvang van elke gewone sessie van die Wetgewende Vergadering, die Raadslid van die Departement van Gemeenskapsake in die Wetgewende Vergadering 'n opgewaagde taak moet lê waarin opgegee word—

(a) die naam van elke persoon wat sedert die aanvang van die vorige gewone sessie van die Wetgewende Vergadering in 'n pos hoër as 'n toetredingsrang aangestel is en wat onmiddellik voor sodanige aanstelling nie 'n beampte was nie;

(b) die pos waarin daardie persoon aangestel is;

(c) die salarisskaal aan daardie pos verbonde;
en

(d) die spesiale kwalifikasies van daardie persoon vir die pos en die spesiale redes vir sy aanstelling.

Aanstellings, oorplasinge en bevorderings op proef

13. (1) Aanstellings in, oorplasinge na en bevorderings tot poste op die vaste diensstaat geskied op proef as—

(a) in die geval van voorgeskrewe poste, die Kommissie aldus aanbeveel; of

(b) in die geval van nie-voorgeskrewe poste, die persoon wat die bevoegdheid het om aanstellings, oorplasinge en bevorderings goed te keur, magtiging daartoe verleen.

(2) Die proeftyd aldus aanbeveel of waartoe magtiging aldus verleen is, is minstens twaalf kalendermaande: Met dien verstande dat as 'n beampte wat diens op proef doen, oorgeplaas word na of bevorder word tot 'n ander pos, 'n korter diens tyd op proef in die nuwe pos aanbeveel kan word of magtiging daartoe verleen kan word wat, saam met die proeftyd in diens in die vorige pos, minstens twaalf kalendermaande is: Met dien verstande voorts dat die proeftyd van 'n beampte verleng word met die getal dae verlof wat hy gedurende die proeftyd of enige verlenging daarvan geneem het.

(3) As die hoof van die kantoor, tak, subdepartement of departement sertifiseer dat gedurende die proeftyd, of verlengde proeftyd, die betrokke beampte ywerig en sy gedrag deurgaans bevredigend was en dat hy in alle opsigte geskik is vir die pos wat hy beklee, kan die Raadslid, as die beampte voldoen het aan al die voorwaardes waaraan sy aanstelling, oorplasing of bevordering onderworpe was, die aanstelling, oorplasing of bevordering bekragtig; maar as die aanstelling, oorplasing of bevordering op proef nie aldus bekragtig word nie—

(a) moet die departementshoof in die geval van 'n beampte wat 'n voorgeskrewe pos beklee die redes vir die nie-bekragtiging aan die Kommissie rapporteer wat behoudens die bepalings van subartikel (5) 'n aanbeveling wat hy goeddink oor die aangeleentheid kan doen;

(b) kan die Raadslid die proeftyd verleng of optree soos in subartikel (4) as die beampte 'n nie-voorgeskrewe pos beklee.

(4) Ondanks andersluidende bepalings in subartikel (2) of in Hoofstuk 4 vervat, maar behoudens die bepalings van subartikel (5), kan 'n beampte wat op proef in diens

(4) For the filling of any prescribed post on the fixed establishment the Commission shall, subject to the provisions of subsection (3), recommend either—

(a) the transfer or promotion of an officer; or

(b) if the post cannot be satisfactorily filled by such transfer or promotion, the appointment of a person who is not an officer:

Provided that within one calendar month from the commencement of each ordinary session of the Legislative Assembly the Councillor for the Department of Community Affairs shall lay upon the Table of the Legislative Assembly a return showing—

(a) the name of every person who has, since the commencement of the preceding ordinary session of the Legislative Assembly, been appointed to a post higher than an entry grade and who was, immediately prior to such appointment, not an officer;

(b) the post to which such person has been appointed;

(c) the salary scale attached to such post; and

(d) the special qualifications of such person for the post and the special reasons for his appointment.

Appointments, transfers and promotions on probation

13. (1) Appointments, transfers or promotions to posts on the fixed establishment shall be made on probation if—

(a) in the case of prescribed posts the Commission recommends accordingly; or

(b) in the case of non-prescribed posts, the person holding power to approve appointments, transfers and promotions therein, so authorises.

(2) The period of probation so recommended or authorised shall not be less than 12 calendar months: Provided that if an officer who is serving on probation is transferred or promoted to any other post, a lesser period of service on probation in the new post may be recommended or authorised, which, together with the period of probation served in the former post, shall total at least 12 calendar months: Provided further that the probationary period of an officer shall be extended by the number of days leave taken by him during the period of probation or any extension thereof.

(3) If the head of the office, branch, subdepartment or department certifies that during the period of probation or extended period of probation the officer concerned has been diligent and his conduct uniformly satisfactory and that he is in all respects suitable for the post which he holds, the Councillor may, if the officer has complied with all the conditions to which his appointment, transfer or promotion was subject, confirm the appointment, transfer or promotion; but if the probationary appointment, transfer or promotion is not so confirmed—

(a) the head of department shall, in the case of an officer holding a prescribed post, report the reasons for the non-confirmation to the Commission which, subject to the provisions of subsection (5) make such recommendation in the matter as it may deem fit;

(b) the Councillor may extend the period of probation or act as is provided in subsection (4) if the officer holds a non-prescribed post.

(4) Notwithstanding anything to the contrary in subsection (2) or in Chapter 4 contained, but subject to the provisions of subsection (5), an officer who is serving

is, deur die Raadslid uit die Regeringsdiens ontslaan word, hetsy gedurende of by of na die verstryking van die proeftyd—

- (a) deur een maand kennis te gee; of
- (b) onverwyld as sy gedrag onbevredigend is:

Met dien verstande dat voordat 'n beampte wat 'n voorgeskrewe pos beklee aldus ontslaan word, die Kommissie eers 'n aanbeveling gedoen het.

(5) Ondanks andersluidende bepalings in artikels 14 en 23 keer 'n persoon wat onmiddellik voor sy oorplasing of bevordering op proef 'n beampte was, maar wat nie 'n beampte op proef was nie, terug na die pos wat hy tevore beklee het, of na 'n pos van gelyke gradering, en na die salaris wat hy in sy vorige pos sou bereik het, as sy oorplasing of bevordering op proef nie bekragtig word nie: Met dien verstande dat, in die geval van 'n beampte wat 'n voorgeskrewe pos beklee, die Kommissie eers 'n aanbeveling moet doen.

Oorplasing en sekondering van beamptes en werknemers

14. (1) Behoudens die bepalings van hierdie Wet kan elke beampte en werknemer, wanneer die openbare belang dit vereis, oorgeplaas word uit die pos of betrekking wat hy beklee na enige ander pos of betrekking in dieselfde of in enige ander departement, hetsy sodanige pos of betrekking van 'n laer of hoër graad is al dan nie: Met dien verstande dat—

(a) by oorplasing 'n beampte of werknemer se salarisskaal nie sonder sy toestemming verlaag mag word nie, behalwe in ooreenstemming met die bepalings van Hoofstuk 4;

(b) 'n beampte wat oorgeplaas is na of in diens is in 'n pos van 'n laer of hoër graad as sy eie graad sonder 'n verandering in sy salarisskaal, deur die Kommissie aanbeveel moet word vir oorplasing na 'n pos waarby sy salarisskaal pas sodra 'n geskikte vakature ontstaan;

(c) 'n beampte of werknemer wat oorgeplaas is na of in diens is in 'n pos wat hoër as sy eie graad gegradeer is, of wat hergradeer is na, of omskep is in 'n pos van 'n hoër graad as sy eie graad, nie uit hoofde alleen van sodanige oorplasing of diens op die hoër salarisskaal of salaris wat op die pos van toepassing is, geregtig is nie.

(2) Die oorplasing van 'n beampte of werknemer uit een pos of betrekking na 'n ander pos of betrekking kan, behoudens die bepalings van subartikel (3), geskied op gesag van die Raadslid: Met dien verstande dat sodanige oorplasing van een departement na 'n ander nie mag geskied nie behalwe op gesag van die Raadslid wat verantwoordelik is vir elk van die twee betrokke departemente: Met dien verstande voorts dat die bepalings van hierdie subartikel nie die Kommissie belet om die oorplasing van 'n beampte of werknemer uit 'n voorgeskrewe pos op die vaste diensstaat na 'n ander voorgeskrewe pos op die vaste diensstaat aan te beveel nie.

(3) 'n Beampte mag nie uit een pos oorgeplaas word na 'n ander pos wat van 'n hoër of laer graad as sy eie graad is of 'n ander benaming het nie, tensy die Kommissie die oorplasing aanbeveel het; maar hierdie subartikel is nie van toepassing nie as elkeen van die twee poste 'n nie-voorgeskrewe pos is.

(4) 'n Beampte of werknemer kan met sy eie toestemming en op aanbeveling van die Kommissie op sodanige voorwaardes (benewens die by of kragtens enige wet voorgeskryf) as wat die Kommissie in oorleg met die Direkteur van Owerheidsake en Finansies bepaal of vir 'n bepaalde diens of tydperk, na die diens van die Regering van die Republiek of die regering van 'n gebied waarvoor 'n Wetgewende Vergadering kragtens die Grondwet van die Bantoetuislande, 1971 (Wet 21 van 1971)

on probation may be discharged from the Public Service by the Councillor either during or at or after the expiry of the period of probation—

- (a) by giving one month's notice; or
- (b) forthwith, if his conduct is unsatisfactory:

Provided that before an officer holding a prescribed post is so discharged the Commission shall first have made a recommendation.

(5) Notwithstanding anything contained in sections 14 and 23 a person who immediately prior to his transfer or promotion on probation was an officer not being a probationary officer, shall revert to the post formerly held by him or to a post of equivalent grading, and to the salary he would have attained in his former post, if his probationary transfer or promotion be not confirmed: Provided that in the case of an officer holding a prescribed post the Commission shall first have made a recommendation.

Transfer and secondment of officers and employees

14. (1) Subject to the provisions of this Act, every officer and employee shall, whenever the public interest so requires, be liable to be transferred from the post or appointment held by him to any other post or appointment in the same or any other department, whether or not such post or appointment is of a lower or higher grade: Provided that—

(a) upon transfer an officer or employee shall not suffer any reduction in his salary scale without his consent except in accordance with the provisions of Chapter 4;

(b) an officer who has been transferred to or is employed in a post of lower or higher grade than his own grade without a change in his salary scale shall be recommended by the Commission for transfer to a post to which his salary scale is appropriate as soon as a suitable vacancy occurs;

(c) an officer or employee who has been transferred to or is employed in a post which is graded higher than his own grade or which is regraded or converted to a post of a grade higher than his own grade, shall not by reason only of such transfer or employment be entitled to the higher scale or salary applicable to the post.

(2) The transfer of an officer or employee from one post or appointment to some other post or appointment may, subject to the provisions of subsection (3), be made on the authority of the Councillor: Provided that such transfer from one department to another shall not be made except on the authority of the Councillor responsible for each of the two departments concerned: Provided further that the provisions of this subsection shall not preclude the Commission from recommending the transfer of any officer or employee from a prescribed post on the fixed establishment to any other prescribed post on the fixed establishment.

(3) An officer shall not be transferred from one post to some other post which is of a higher or lower grade than his own grade or bears a different designation, unless the Commission has recommended the transfer; but this subsection shall not apply if each of the two posts is a non-prescribed post.

(4) An officer or employee may, with his own consent, and on the recommendation of the Commission upon such conditions (in addition to those prescribed by or under any law) as may be determined by it in consultation with the Director of Authority Affairs and Finance, be seconded either for a particular service or for a period of time, to the service of the Government of the Republic or the Government of an area for which a Legislative Assembly has been established in terms of the

ingestel is, of van 'n raad, inrigting of liggaam ingestel by of kragtens enige wet, of van enige ander liggaam of persoon, gesekondeer word en terwyl sodanige beampte of werknemer aldus gesekondeer is, bly hy onderworpe aan die wette wat op beamptes in die Regeringsdiens van toepassing is.

(5) 'n Burger wat 'n beampte of werknemer van die Staatsdiens van die Republiek is, of wat in diens van die Regering van die Republiek is, kan oorgeplaas word na die Regeringsdiens op die voorwaardes wat die Kommissie aanbeveel in oorleg met die Direkteur van Owerheidsake en Finansies nadat 'n ooreenkoms oor sodanige oorpasing met die Regering van die Republiek bereik is.

Aftreding, afduiking en ontslag van beamptes

15. (1) (a) Behoudens die bepalings van subartikels (2) en (3) en enige wet betreffende die pensioenregte van beamptes, het 'n beampte die reg om uit die Regeringsdiens af te tree wanneer hy die leeftyd van 60 jaar bereik en tree hy aldus af wanneer hy gemelde leeftyd bereik indien daardie dag op die eerste dag van 'n maand is of, indien daardie dag 'n latere dag is, op die eerste dag van die maand onmiddellik na die maand waarin hy die leeftyd van sestig jaar bereik het.

(b) 'n Beampte wat uit die Staatsdiens van die Republiek na die Regeringsdiens oorgeplaas word sonder 'n onderbreking in diens, het die reg om af te tree met ingang van die datum bepaal by artikel 14 van die Staatsdienswet, 1957 (Wet 54 van 1957), asof hy 'n beampte van die Staatsdiens van die Republiek gebly het.

(2) As dit in die openbare belang is om 'n beampte in sy pos in diens te hou na die leeftyd waarop hy ooreenkomstig subartikel (1) moet aftree, kan hy aldus van tyd tot tyd op aanbeveling van die Kommissie en met goedkeuring van die Raadslid vir verdere tydperke in diens gehou word wat, behalwe met die goedkeuring van die Wetgewende Vergadering, altesaam nie twee jaar te bowe mag gaan nie.

(3) (a) 'n Beampte [uitgesonderd 'n beampte genoem in subartikel (7)] wat die leeftyd van 55 jaar bereik het, kan, in elke geval behoudens die aanbeveling van die Kommissie, uit die Regeringsdiens afgedank word.

(b) 'n Beampte wat uit die Staatsdiens van die Republiek oorgeplaas is na die Regeringsdiens sonder 'n onderbreking in diens kan, op aanbeveling van die Kommissie, afgedank word met ingang van die datum bepaal in artikel 14 (5) van die Staatsdienswet, 1957 (Wet 54 van 1957), gelees met artikel 6 van die Regeringsdienspensioenwet, 1965 (Wet 62 van 1965), asof hy 'n beampte van die Staatsdiens van die Republiek gebly het.

(4) Elke beampte kan uit die Regeringsdiens ontslaan word—

(a) weens voortdurende swak gesondheid;

(b) weens die afskaffing van sy pos of vermindering of reorganisasie of herreëling van departemente of kantore;

(c) as, om ander redes as sy eie ongeskiktheid of onvermoë, sy ontslag doeltreffend of besuiniging in die departement of kantoor waarin hy in diens is, sal bevorder;

(d) weens ongeskiktheid vir sy pligte of onvermoë om hulle op bekwame wyse uit te voer;

(e) weens wangedrag;

(f) as, in die geval van 'n beampte wat op proef aangestel is, sy aanstelling nie bekragtig word nie.

(5) 'n Vroulike beampte wat in die huwelik tree, word geag vrywillig met die oog op die huwelik uit die Regeringsdiens te getree het, met ingang van die datum

Bantu Homelands Constitution Act, 1971 (Act 21 of 1971), or of any board, institution or body established by or under any law, or of any other body or person, and such officer or employee while so seconded shall remain subject to the laws governing officers in the Public Service.

(5) A citizen who is an officer or employee of the Public Service of the Republic or is employed by the Government of the Republic, may be transferred to the Public Service on conditions recommended by the Commission in consultation with the Director of Authority Affairs and Finance, after an agreement regarding such transfer has been reached with the Government of the Republic.

Retirement and discharge of officers

15. (1) (a) Subject to the provisions of subsections (2) and (3) and any law governing the pension rights of officers, an officer shall have the right to retire from the Public Service on attaining the age of 60 years and shall be so retired on reaching the said age if that day is the first day of a month or, if that day is any later day, on the first of the month immediately following the month in which he attains the age of 60 years.

(b) An officer who has been transferred from the Public Service of the Republic to the Public Service without a break in service, shall have the right to be retired with effect from the date determined by section 14 of the Public Service Act, 1957 (Act 54 of 1957), as if he had remained an officer of the Public Service of the Republic.

(2) If it is in the public interest to retain an officer in his post beyond the age at which in accordance with subsection (1) he shall be retired, he may be so retained from time to time on the recommendation of the Commission and the approval of the Councillor for further periods which shall not, except with the approval of the Legislative Assembly, exceed in the aggregate two years.

(3) (a) An officer [except an officer referred to in subsection (7)] who has reached the age of 55 years may, subject in every case to the recommendation of the Commission, be retired from the Public Service.

(b) An officer who has been transferred from the Public Service of the Republic to the Public Service without a break in service, may be retired on the recommendation of the Commission with effect from the date determined in section 14 (5) of the Public Service Act, 1957 (Act 54 of 1957) read with section 6 of the Government Service Pensions Act, 1965 (Act 62 of 1965) as if he had remained an officer of the Public Service of the Republic.

(4) Every officer shall be liable to be discharged from the Public Service—

(a) on account of continued ill-health;

(b) owing to the abolition of his post or any reduction in or readjustments of departments or offices;

(c) if, for reasons other than his own unfitness or incapacity, his discharge will promote efficiency or economy in the department or office in which he is employed;

(d) on account of unfitness for his duties, or incapacity to carry them out efficiently;

(e) on account of misconduct;

(f) if, in the case of an officer appointed on probation, his appointment is not confirmed.

(5) A female officer who marries, shall be deemed to have retired voluntarily from the Public Service in contemplation of marriage with effect from the date of her

van haar huwelik, of as sy haar pligte op daardie dag vervul het, met ingang van die dag wat op die datum van haar huwelik volg, tensy die Kommissie aanbeveel dat sy in die Regeringsdiens in diens gehou word.

(6) 'n Beampte wat sonder verlof van die departementshoof of die hoof van sy kantoor vir 'n tydperk van meer as een kalendermaand van sy ampspligte wegbly, word geag uit die Regeringsdiens weens wangedrag 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 as sodanige beampte ander werk aanvaar, hy geag word ontslaan te gewees het soos voormeld, nieteenstaande dat genoemde tydperk nog nie verstryk het nie: Met dien verstande voorts dat as sodanige beampte hom te eniger tyd na die verstryking van sodanige tydperk vir diens aanmeld, die Kommissie, ondanks andersluidende wetsbepaling kan aanbeveel dat hy in die Regeringsdiens in sy vorige of enige ander pos of betrekking herstel word op die voorwaardes wat die Kommissie aanbeveel, en in so 'n geval word die tydperk van sy afwesigheid van sy ampspligte, geag afwesigheid met vakansieverlof sonder besolddiging of verlof op die ander voorwaardes wat die Kommissie aanbeveel, te wees.

(7) Die dienste van 'n beampte wat 'n nie-voorgeskrewe pos op die vaste diensstaat beklee, kan, ondanks die afwesigheid van enige rede vir ontslag ooreenkomstig subartikel (4), beëindig word na minstens een maand skriftelike kennisgewing: Met dien verstande dat, in die geval van 'n beampte met tien jaar of langer ononderbroke diens, die Kommissie eers die beëindiging van sy dienste moet aanbeveel.

(8) Die bevoegdheid om 'n beampte of werknemer te ontslaan berus by die Raadslid: Met dien verstande dat in die geval van 'n beampte wat 'n voorgeskrewe pos beklee die Kommissie eers sy ontslag moet aanbeveel.

HOOFSTUK 4

ONBEKWAAMHEID EN WANGEDRAG

Onbekwame beamptes

16. (1) As 'n departementshoof aan die Raadslid verslag doen dat 'n beampte wat 'n voorgeskrewe pos in sy departement beklee, na sy mening ongeskik is vir sy pligte of nie in staat is om hulle op bekwame wyse uit te voer nie, stel die Raadslid 'n beampte of 'n toegewese beampte aan om ondersoek na die inhoud van daardie verslag in te stel; en as enige sodanige verslag aan 'n departementshoof gedoen word deur 'n beampte of 'n toegewese beampte, wat ingevolge artikel 10 (3) gemagtig is om departemente te inspekteer, stuur genoemde departementshoof dit binne een kalendermaand na die datum waarop hy dit ontvang het deur na die Raadslid wat 'n beampte of toegewese beampte moet aanstel om ondersoek na die inhoud van daardie verslag in te stel.

(2) Die beampte of toegewese beampte wat die ondersoek moet instel, stel, in oorleg met die departementshoof, die tyd en die plek van die ondersoek vas en die departementshoof gee aan die betrokke beampte redelike skriftelike kennis van die tyd en plek aldus vasgestel en verstrekk aan hom 'n skriftelike uiteensetting van die redes op grond waarvan beweer word dat hy ongeskik is vir sy pligte of nie in staat is om hulle op bekwame wyse uit te voer nie.

(3) Die Departementshoof kan enige persoon magtig om by die ondersoek teenwoordig te wees en om getuigenis en argumente ter stawing van die bewerings in subartikel (2) bedoel, aan te voer en om enige persoon wat getuigenis afgelê het om daardie bewerings te weerlê, te kruisvra.

marriage, or if she has discharged her duties on that day with effect from the day following the date of her marriage, unless the Commission recommends that she be retained in the Public Service.

(6) An officer who absents himself from his official duties without the permission of the head of his department or the head of his office for a period exceeding one calendar month, shall be deemed to have been discharged from the Public Service on account of misconduct with effect from the date immediately succeeding his last day of attendance at his place of duty: Provided that if such officer assumes other employment he shall be deemed to have been discharged as aforesaid notwithstanding that the said period has not expired: Provided further that if such officer reports for duty at any time after the expiry of the said period the Commission may, notwithstanding anything to the contrary contained in this Act or any other law, recommend that he be reinstated in the Public Service in his former or any other post or appointment, on such conditions as the Commission may recommend, in which event the period of his absence from official duty shall be deemed to have been absence on vacation leave without pay or leave on such other conditions as the Commission may recommend.

(7) The services of an officer who occupies a non-prescribed post on the fixed establishment may, notwithstanding the absence of any cause of discharge under subsection (4), be terminated by the giving of not less than one month's notice in writing: Provided that in the case of an officer with 10 years' continuous service or longer, the Commission shall first make a recommendation for his discharge.

(8) The power of discharge of an officer or employee is vested in the Councillor: Provided that in the case of an officer who occupies a prescribed post the Commission shall first make a recommendation for his discharge.

CHAPTER 4

INEFFICIENCY AND MISCONDUCT

Inefficient officers

16. (1) If a head of a department reports to the Councillor that any officer who occupies a prescribed post in his department is, in his opinion, unfitted for his duties or incapable of carrying them out efficiently, the Councillor shall appoint an officer or an allocated officer to inquire into the subject matter of that report; and if any such report is made to a head of department by an officer or an allocated officer, who is authorised to inspect departments in terms of section 10 (3), the said head of department shall within one calendar month of the date on which he received it transmit it to the Councillor who shall appoint an officer or an allocated officer to inquire into the subject matter of that report.

(2) The officer or allocated officer who is to hold the inquiry shall, in consultation with the head of department, fix the time and place of the enquiry and the head of department shall give the officer concerned reasonable notice, in writing, of the time and place so fixed and shall furnish him with a written statement of the grounds on which it is alleged that he is unfitted for his duties or incapable of carrying them out efficiently.

(3) The head of department may authorise any person to attend the inquiry and to adduce evidence and arguments in support of the allegation referred to in subsection (2) and to cross-examine any person who has given evidence to rebut those allegations.

(4) (a) By die ondersoek het die betrokke beampte die reg om teenwoordig te wees en aangehoor te word, hetsy persoonlik of deur 'n verteenwoordiger, om enige persoon wat as getuie opgeroep is ter stawing van die bewerings in subartikel (2) bedoel, te kruisvra, om insae te hê in alle dokumente wat as getuienis voorgelê is, om self getuienis af te lê en om enige ander persoon as getuie op te roep.

(b) Die beampte of toegewese beampte wat die ondersoek instel, moet notule hou van die verrigtings by die ondersoek en van alle getuienis wat aldaar afgelê word.

(c) Die versuim van die betrokke beampte om by die ondersoek teenwoordig te wees, hetsy persoonlik of deur 'n verteenwoordiger, maak die verrigtings nie ongeldig nie.

(5) Na afloop van die ondersoek moet die beampte of toegewese beampte wat dit instel, bevind of die betrokke beampte ongeskik is vir sy pligte of nie in staat is om hulle op bekwame wyse uit te voer nie, die betrokke beampte van sy bevinding verwittig en oor die uitslag van die ondersoek aan die Raadslid verslag doen.

(6) As die beampte of toegewese beampte wat die ondersoek ingestel het, bevind het dat die betrokke beampte ongeskik is vir sy pligte of nie in staat is om hulle op bekwame wyse uit te voer nie, kan die betrokke beampte binne veertien dae na die datum waarop hy van die bevinding verwittig is, by die Kommissie daarteen appelleer deur aan die beampte of toegewese beampte wat die ondersoek ingestel het, skriftelik kennis van appêl te gee, waarin hy volledig die gronde waarop die appêl gebaseer word, moet uiteensit.

(7) As die beampte of toegewese beampte wat die ondersoek ingestel het, bevind het dat die betrokke beampte ongeskik is vir sy pligte of nie in staat is om hulle op bekwame wyse uit te voer nie, moet hy die notule van die verrigtings by die ondersoek en alle dokumentêre getuienis wat aldaar toegelaat is, 'n skriftelike uiteensetting van sy bevinding en sy redes daarvoor en enige opmerkings oor die saak wat hy wens te maak, aan die Kommissie stuur. As kennis van appêl ooreenkomstig die bepaling van subartikel (6) gegee is, moet hy saam met die notule die kennisgewing en gronde van appêl aanstuur en aan die betrokke beampte 'n afskrif van die redes vir sy bevinding verstrek.

(8) As die betrokke beampte binne sewe dae na die datum waarop hy 'n afskrif van die redes vir die bevinding ontvang het, by die Kommissie om 'n afskrif van die notule van die verrigtings by die ondersoek aansoek doen, moet die Kommissie sodanige afskrif aan hom verstrek.

(9) Die betrokke beampte kan binne 14 dae na die datum waarop hy die afskrif van die notule van die verrigtings ontvang het, of as hy nie om 'n afskrif van die notule aansoek gedoen het nie, binne een-en-twintig dae na die datum waarop hy die afskrif van die redes vir die bevinding ontvang het, aan die Kommissie skriftelike verhoë, in viervoud, ter stawing van sy appêl voorlê.

(10) Die Kommissie stuur 'n afskrif van die notule en dokumente in subartikel (7) bedoel en 'n afskrif van die verhoë in subartikel (9) bedoel aan die departementshoof.

(11) Die departementshoof kan binne 14 dae na die datum waarop hy die afskrifte in subartikel (10) bedoel, ontvang het, verhoë wat hy wens voor te lê ter stawing van die bevinding waarteen die appêl aangeteken is, in viervoud tot die Kommissie rig; en die Kommissie moet 'n afskrif van sodanige verhoë aan die betrokke beampte verstrek.

(4) (a) At the inquiry the officer concerned shall have the right to be present and to be heard either personally or through a representative, to cross-examine any person called as a witness in support of the allegations referred to in subsection (2), to inspect any documents produced in evidence, to give evidence himself and to call any other person as a witness.

(b) The officer or allocated officer holding the inquiry shall keep a record of the proceedings at the inquiry and of all evidence given thereat.

(c) The failure of the officer concerned to attend the inquiry, either personally or by a representative, shall not invalidate the proceedings.

(5) At the conclusion of the inquiry the officer or allocated officer holding it shall find whether or not the officer concerned is unfitted for his duties or incapable of carrying them out efficiently, shall inform the officer concerned of his finding and shall report the result of the inquiry to the Councillor.

(6) If the officer or allocated officer who held the inquiry has found that the officer concerned is unfitted for his duties or incapable of carrying them out efficiently, the officer concerned, may, within 14 days of the date upon which he was informed of the finding, appeal therefrom to the Commission by giving to the officer or allocated officer who held the inquiry a written notice of appeal wherein he shall set forth fully the grounds upon which the appeal is based.

(7) If the officer or allocated officer who held the inquiry has found that the officer concerned is unfitted for his duties or incapable of carrying them out efficiently, he shall forward to the Commission the record of the proceedings at the inquiry and any documentary evidence admitted thereat, a written statement of his finding and his reasons therefor and any observations on the case which he may desire to make. If notice of appeal has been given in accordance with the provisions of subsection (6), he shall forward with the record the notice and grounds of appeal, and shall furnish the officer concerned with a copy of the reasons for his findings.

(8) If the officer concerned applies to the Commission for a copy of the record of the proceedings at the inquiry within seven days of the date upon which he received a copy of the reasons for the finding, the Commission shall furnish him with such copy.

(9) The officer concerned may within 14 days of the date upon which he received the copy of the record of the proceedings, or if he did not apply for a copy of the record, within 21 days of the date upon which he received the copy of the reasons for the finding, submit to the Commission written representations, in quadruplicate, in support of his appeal.

(10) The Commission shall forward to the head of department a copy of the record and documents referred to in subsection (7) and a copy of the representations referred to in subsection (9).

(11) The head of department may, within 14 days of the date upon which he received the copies referred to in subsection (10), submit to the Commission, in quadruplicate, any representations which he desires to make in support of the finding against which the appeal is brought; and the Commission shall furnish the officer concerned with a copy of such representations.

(12) (a) Die betrokke beampte kan binne 14 dae na die datum waarop hy 'n afskrif van die vertoë in subartikel (11) bedoel, ontvang het, enige skriftelike repliek wat hy op sodanige vertoë wil lewer, in viervoud aan die Kommissie voorlê.

(b) Die Kommissie verstrek 'n afskrif van bedoelde repliek aan die departementshoof.

(c) Die departementshoof het nie die reg om verdere vertoë in antwoord op bedoelde repliek voor te lê nie, behalwe met verlof van die Kommissie.

(13) Na oorweging van bedoelde notule en dokumente kan die Kommissie die appèl in sy geheel of gedeeltelik handhaaf en die bevinding tersyde stel of wysig of die appèl van die hand wys en die bevinding in sy geheel of gedeeltelik bekrachtig, of kan die Kommissie, voordat hy tot 'n finale beslissing oor die appèl geraak, enige vraag in verband met die ondersoek na die beampte of toegewese beampte wat dit ingestel het, terugverwys, en hom gelas om verslag daaroor te doen of om 'n verdere ondersoek in te stel en tot 'n bevinding daaroor te geraak.

(14) As die Kommissie gelas dat 'n verdere ondersoek ingestel moet word, is die bepalinge van subartikels (3) en (4) van toepassing.

(15) Wanneer die Kommissie tot 'n finale beslissing oor 'n appèl geraak het, deel hy daardie beslissing skriftelik aan die appellante en aan die Raadslid mee.

(16) As die beampte of toegewese beampte wat die ondersoek ingestel het, bevind het dat die beampte ongeskik is vir sy pligte of nie instaat is om hulle op bekwame wyse uit te voer nie en die beampte nie teen die bevinding soos hierbo bepaal, geappelleer het nie, of as hy aldus geappelleer het en sy appèl van die hand gewys is, stuur die Kommissie die notule en alle ander dokumente wat op die ondersoek betrekking het, aan die Raadslid en beveel hy aan—

(a) dat geen verdere stappe in die saak gedoen word nie; of

(b) dat die betrokke beampte na 'n ander pos oorgeplaas of in diens gehou word bykomend tot die vaste diensstaat; of

(c) dat sy salaris of graad of sy salaris sowel as sy graad verlaag word in die mate wat aanbeveel word; of

(d) dat hy uit die Regeringsdiens ontslaan word met ingang van 'n datum deur die Raadslid bepaal.

As die Kommissie 'n aanbeveling ingevolge paragraaf (b) doen, kan hy ook 'n aanbeveling ingevolge paragraaf (c) doen.

(17) Die Raadslid kan die gedraglyne volg wat die Kommissie aanbeveel het of, behoudens die bepalinge van artikel 7 (1), enige ander gedraglyne wat die Kommissie wettiglik ingevolge subartikel (16) kon aanbeveel het.

Onbekwame departementshoofde

17. (1) As daar na die mening van die Raadslid redelike gronde bestaan om te vermoed dat 'n departementshoof wat 'n beampte is, ongeskik is vir sy pligte of nie in staat is om hulle op bekwame wyse uit te voer nie, doen die Raadslid dienooreenkomstig verslag aan die Uitvoerende Raad en die Uitvoerende Raad kan 'n persoon of persone aanstel om ondersoek na die inhoud van daardie verslag in te stel.

(2) Die bepalinge van artikel 16 (2) tot en met (17) is *mutatis mutandis* van toepassing op 'n ondersoek ingevolge subartikel (1) van hierdie artikel en vir doeleindes van sodanige toepassing word die verwysing in artikel 16 (17) na 'n Raadslid uitgelê as 'n verwysing na die Uitvoerende Raad, word elke verwysing na 'n departementshoof uitgelê as 'n verwysing na die Raadslid en word elke verwysing na die beampte of toegewese

(12) (a) The officer concerned may within 14 days of the date upon which he received a copy of the representations referred to in subsection (11), submit to the Commission, in quadruplicate, any reply in writing he may wish to make to such representations.

(b) The Commission shall furnish the head of department with a copy of such reply.

(c) The head of department shall have no right to submit further representations in answer to such reply, except by leave of the Commission.

(13) After consideration of the aforesaid record and documents, the Commission may allow the appeal wholly or in part and set aside or alter the finding, or dismiss the appeal and confirm the finding wholly or in part, or the Commission may, before arriving at a final decision on the appeal, remit any question in connection with the inquiry to the officer who held it, and direct him to report thereon or to hold a further inquiry and arrive at a finding thereon.

(14) If the Commission directs the holding of a further inquiry, the provisions of subsections (3) and (4) shall apply.

(15) When the Commission has arrived at a final decision on an appeal, it shall convey that decision in writing to the appellant and to the Councillor.

(16) If the officer or allocated officer who held the inquiry has found that the officer is unfitted for his duties or incapable of carrying them out efficiently and the officer has not appealed against the finding as hereinbefore provided, or if he has appealed and his appeal has been dismissed, the Commission shall forward the record and all documents relating to the inquiry to the Councillor and recommend—

(a) that no further action be taken in the matter; or

(b) that the officer concerned be transferred to another post or be employed additional to the fixed establishment; or

(c) that his salary or grade or both his salary and grade be reduced to an extent recommended; or

(d) that he be discharged from the Public Service from a date to be specified by the Councillor.

If the Commission makes a recommendation in terms of paragraph (b), it may also make a recommendation in terms of paragraph (c).

(17) The Councillor may adopt the course recommended by the Commission or, subject to the provisions of section 7 (1) any other course which the Commission could lawfully have recommended under subsection (16).

Inefficient heads of departments

17. (1) If in the opinion of the Councillor there are reasonable grounds for believing that a head of department who is an officer is unfitted for his duties or incapable of carrying them out efficiently the Councillor reports accordingly to the Executive Council and the Executive Council may appoint a person or persons to inquire into the subject matter of that report.

(2) The provisions of section 16 (2) to (17), inclusive, shall *mutatis mutandis* apply to any inquiry under subsection (1) of this section; and for the purposes of such application the reference in section 16 (17) to a Councillor shall be construed as a reference to the Executive Council, every reference to a head of department shall be construed as a reference to the Councillor and every reference to the officer or allocated officer holding the

beampte wat die ondersoek instel, uitgelê as ook 'n verwysing na die persoon of persone wat ingevolge subartikel (1) van hierdie artikel aangestel is.

Omskrywing van wangedrag

18. 'n Beampte is skuldig aan wangedrag en daar kan ooreenkomstig die bepalings van artikel 19 met hom gehandel word, as hy—

(a) 'n bepaling van hierdie Wet oortree of versuim om te voldoen aan 'n bepaling daarvan waaraan dit sy plig is om te voldoen; of

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

(c) 'n wettige bevel wat aan hom gegee is deur 'n persoon wat die bevoegdheid het om dit te gee, nie gehoorsaam nie, dit verontagsaam of opsetlik versuim om dit uit te voer, of deur woord of gedrag insubordinasie aan die dag lê; of

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

(e) sonder die toestemming van die Raadslid (verleen op aanbeveling van die Kommissie in die geval van 'n beampte wat 'n voorgeskrewe pos op die vaste diensstaat beklee; enige private agentskap of private werk in enige aangeleentheid in verband met die verrigting van sy amptelike werksaamhede of die uitvoering van sy ampspligte onderneem; of

(f) hom in die openbaar uitlaat oor die administrasie van enige departement; of

(g) lid van 'n politieke organisasie word of aktief aan politieke aangeleenthede deelneem; of

(h) probeer om uit politieke of buitebronne ingryping in verband met sy posisie en diensvoorwaardes in die Regeringsdiens te verkry. Met dien verstande dat niks in hierdie paragraaf vervat 'n beampte verhinder om herstel van 'n grief deur bemiddeling van die Wetgewende Vergadering te probeer verkry nie; of

(i) hom op 'n skandelijke, onbehoorlike of onbetaamlike wyse gedra, of terwyl hy diens doen, hom uiters onbeleeft teenoor 'n persoon gedra; of

(j) buitensporig gebruik maak van bedwelmende drank of gewoontevormende middels; of

(k) te eniger tyd gedurende die diensure wat deur of kragtens 'n regulasie ten opsigte van sy werk voorgeskryf is—

(i) onder die invloed van bedwelmende drank is; of

(ii) 'n bloedalkoholinhoud, uitgedruk in gram per honderd milliliter bloed, van minstens 70 milligram (0,07 persent) het; of

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

(m) in geldelike moeilikheid geraak, 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; of

(n) sonder dat hy eers die toestemming van sy departementshoof verkry het, inligting wat hy ingewin of waaraan hy gekom het as gevolg van sy werk in die Regeringsdiens, openbaar maak anders as in 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; of

inquiry shall be construed as including a reference to the person or persons appointed under subsection (1) of this section.

Definition of misconduct

18. Any officer shall be guilty of misconduct and may be dealt with in accordance with the provisions of section 19 if he—

(a) contravenes any provision of this Act or fails to comply with any provision thereof with which it is his duty to comply; or

(b) does, or causes or permits to be done, or connives at, any act which is prejudicial to the administration, discipline or efficiency of any department, office or institution of the Government; or

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

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

(e) undertakes, without the permission of the Councilor (granted on the recommendation of the Commission in the case of an officer who holds a prescribed post on the fixed establishment), any private agency or private work in any matter connected with the performance of his official functions or the carrying out of his official duties; or

(f) publicly comments upon the administration of any department; or

(g) becomes a member of any political organisation or takes active part in political matters; or

(h) attempts to secure intervention from political or outside sources in relation to his position and conditions of service in the Public Service: Provided that nothing in this paragraph contained shall preclude any officer from endeavouring to obtain redress of any grievance through the Legislative Assembly; or

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

(j) uses intoxicating liquor or habit-forming drugs excessively; or

(k) at any time during the hours of attendance prescribed by or under a regulation in respect of his employment—

(i) is under the influence of intoxicating liquor; or

(ii) has a blood alcohol content, expressed in grams per 100 millilitres of blood, of not less than 70 milligrams (0,07 per cent); or

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

(m) 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; or

(n) without first having obtained the permission of his head of department discloses, otherwise than in the discharge of his official duties, information gained by or conveyed to him through his employment in the Public Service, or uses such information for any purpose other than for the discharge of his official duties, whether or not he discloses such information; or

(o) sonder die toestemming van die Raadslid (verleen op aanbeveling van die Kommissie in die geval van 'n beamppte wat 'n voorgeskrewe pos op die vaste diensstaat beklee) enige kommissie, geld of beloning, geldelik of anders (wat nie die emolumente is wat ten opsigte van sy pligte aan hom betaalbaar is nie) aanneem of dit eis ten opsigte van die uitvoering van sy pligte of die versuim om sy pligte uit te voer, of versuim om aan sy departementshoof of, as hy die departementshoof is, wat 'n beamppte is, aan die Raadslid, die aanbod van sodanige kommissie, geld of beloning te rapporteer; of

(p) hom eiendom van die Regering wederregtelik toeëien of onbehoorlike gebruik daarvan maak onder sodanige omstandighede dat sy daad nie 'n kriminele misdryf uitmaak nie; of

(q) 'n kriminele misdryf begaan; of

(r) sonder verlof of geldige rede van sy kantoor of diens wegbly; of

(s) met die oog op die verkryging van enige voorreg of voordeel met betrekking tot sy amptelike posisie of sy pligte, of met die oog op die veroorsaking van enige nadeel of skade aan die Regering of 'n departement of die Regeringsdiens of 'n lid van die Regeringsdiens, 'n valse of onjuiste verklaring doen, wetende dat dit vals of onjuis is.

Procedure in gevalle van wangedrag

19. (1) Wanneer 'n beamppte (uitgesonderd 'n departementshoof van wangedrag beskuldig word, kan sy departementshoof of 'n beamppte of toegewese beamppte in daardie departement wat deur die departementshoof daartoe gemagtig is, behoudens die bepalings van subartikels (22) en (30) hom skriftelik onder sy handtekening van daardie wangedrag aankla.

(2) Die beamppte of toegewese beamppte wat die aanklag onderteken het, moet dit aan die aangeklaagde beamppte laat beteken.

(3) Die aanklag moet 'n aanseggings bevat of van 'n aanseggings vergesel gaan waarby die aangeklaagde beamppte aangesê word om binne 'n redelike tydperk van minstens 14 werksdae wat in die aanseggings vermeld word, aan 'n persoon wat ook daarin vermeld word, 'n skriftelike erkenning of ontkenning van die aanklag en, as hy dit verlang, 'n skriftelike verklaring van die wangedrag waarvan hy aangekla word te stuur, of by hom af te lewer.

(4) Die Raadslid of die departementshoof of, indien daartoe gemagtig deur die departementshoof, enige ander beamppte of toegewese beamppte in die departement, kan te eniger tyd voor of nadat daar met die beamppte ooreenkomstig die bepalings van hierdie artikel gehandel is, die beamppte in sy diens skors.

(5) 'n Beamppte wat ingevolge subartikel (4) in sy diens geskors is, is nie op enige emolumente vir die tydperk van sy skorsing geregtig nie: Met dien verstande dat die Raadslid na goeddunke kan gelas dat die geheel of 'n gedeelte van sy emolumente aan sodanige beamppte betaal word.

(6) As geen aanklag van wangedrag teen 'n beamppte wat in sy diens geskors is, ingebring word of hangende is nie word hy toegelaat om weer diens te aanvaar en word sy volle emolumente vir die tydperk van sy skorsing aan hom betaal.

(7) Die Raadslid of die departementshoof of ander beamppte of toegewese beamppte wat die beamppte geskors het, kan die skorsing te eniger tyd intrek, maar ondanks die intrekking van die skorsing kan die verrigtings in verband met die aanklag van wangedrag voortgesit word.

(8) As die aangeklaagde beamppte die aanklag ontken, kan die Raadslid, indien daar na sy oordeel voldoende grond vir verdere stappe bestaan, 'n beamppte of toegewese beamppte aanstel om ondersoek na die aanklag in te stel.

(o) without the permission of the Councillor (granted on the recommendation of the Commission in the case of an officer holding a prescribed post on the fixed establishment) accepts or demands in respect of the carrying out of or the 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 fails to report to his head of department or if he is the head of a department who is an officer, to the Councillor, the offer of any such commission, fee or reward; or

(p) misappropriates or improperly uses any property of the Government under such circumstances that his act does not constitute a criminal offence; or

(q) commits a criminal offence; or

(r) absents himself from his office or duty without leave or valid cause; or

(s) 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 Government or a department or the Public Service or a member of the Public Service, makes a false or incorrect statement knowing it to be false or incorrect.

Procedure in cases of misconduct

19. (1) When an officer (other than a head of department) is accused of misconduct, his head of department, or any officer or allocated officer in that department who has been authorised thereto by the head of department may, subject to the provisions of subsections (22) and (30) charge him in writing under his hand with that misconduct.

(2) The officer or allocated officer who signed the charge shall cause it to be served upon the officer charged.

(3) The charge shall contain or shall be accompanied by a direction calling upon the officer charged to transmit or deliver, within a reasonable period specified in the direction, which shall not be less than 14 working days, 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 Councillor or the head of department or, if authorised thereto by the head of department, any other officer or allocated officer in the department may at any time before or after the officer has been dealt with under this section suspend him from duty.

(5) An officer who has been suspended from duty in terms of subsection (4) shall not be entitled to any emoluments for the period of his suspension: Provided that the Councillor may, at his discretion, order payment to such officer of the whole or portion of his emoluments.

(6) If no charge of misconduct is preferred or is pending against an officer who has been suspended from duty, he shall be allowed to resume duty and be paid his full emoluments for the period of his suspension.

(7) The Councillor or the head of department or other officer or allocated officer who suspended the officer may at any time cancel the suspension but, notwithstanding the cancellation of the suspension, the proceedings on the charge of misconduct may be continued.

(8) If the officer charged denies the charge, the Councillor may, if in this opinion there is sufficient cause for further proceedings, appoint an officer or allocated officer to inquire into the charge.

(9) Die beampte of toegewese beampte wat die ondersoek instel, moet in oorleg met die beampte of toegewese beampte wat die aanklag onderteken het, die tyd en plek van die ondersoek vasstel, en die beampte of toegewese beampte wat die aanklag onderteken het, moet aan die aangeklaagde beampte redelike skriftelike kennis gee van die tyd en plek aldus vasgestel.

(10) Die beampte of toegewese beampte wat die aanklag onderteken het, kan enige persoon magtig om by die ondersoek teenwoordig te wees en om getuienis en argumente ter stawing van die aanklag aan te voer en om enige persoon wat as getuie vir die verweer opgeroep is, te kruisvra.

(11) (a) By die ondersoek het die aangeklaagde beampte die reg om teenwoordig te wees en om aangehoor te word, hetsy persoonlik of deur 'n verteenwoordiger, om enige persoon wat ter stawing van die aanklag opgeroep is, te kruisvra, om insae te hê in alle dokumente wat as getuienis voorgelê is, om self getuienis af te lê en ander persone as getuies op te roep.

(b) Die beampte of toegewese beampte wat die ondersoek instel, moet notule hou van die verrigtings by die ondersoek en van alle getuienis wat aldaar afgelê word.

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

(12) Na afloop van die ondersoek moet die beampte of toegewese beampte wat dit instel—

(a) bevind of die aangeklaagde beampte skuldig is of nie skuldig is nie aan die wangedrag waarvan hy aangekla is;

(b) die aangeklaagde beampte van sy bevinding verwoord; en

(c) aan die Raadslid verslag doen oor die uitslag van die ondersoek.

(13) As die aangeklaagde beampte ingevolge subartikel (4) in sy diens geskors is en die beampte of toegewese beampte wat die ondersoek instel, bevind dat hy nie skuldig is aan die wangedrag waarvan hy aangekla is nie, moet genoemde beampte toegelaat word om dadelik weer diens in sy pos te aanvaar en moet aan hom sy volle emolumente vir die tydperk van sy skorsing betaal word.

(14) As die beampte of toegewese beampte wat die ondersoek instel, die aangeklaagde beampte skuldig bevind aan die wangedrag waarvan hy aangekla is, is die bepaling van artikel 16 (6) *mutatis mutandis* van toepassing.

(15) As die beampte of toegewese beampte wat die ondersoek ingestel het, die aangeklaagde beampte skuldig bevind het aan die wangedrag waarvan hy aangekla is, moet hy die notule van die verrigtings by die ondersoek en enige dokumentêre getuienis wat aldaar toegelaat is, 'n uiteensetting van sy bevinding en sy redes daarvoor, en enige opmerkings oor die saak wat hy wens te maak, aan die Kommissie stuur. Met dien verstande dat as die beampte wat aan wangedrag skuldig bevind is 'n nie-voorgeskrewe pos beklee en nie ooreenkomstig die bepaling van artikel 16 (6), soos toegepas by subartikel (14) van hierdie artikel, kennis van appél teen die bevinding gegee het nie, die beampte of toegewese beampte wat die ondersoek ingestel het, genoemde notule en ander dokumente nie aan die Kommissie nie maar aan die hoof van die departement waarin die beampte wat aan wangedrag skuldig bevind is, in diens is, moet stuur.

(16) As die beampte wat aan wangedrag skuldig bevind is, kennis van appél ooreenkomstig voormelde bepaling, soos aldus toegepas, gegee het, moet die beampte of toegewese beampte wat die ondersoek ingestel het, saam met die notule en ander dokumente genoem in subartikel (15),

(9) The officer or allocated officer who is to hold the inquiry shall, in consultation with the officer or allocated officer who signed the charge, fix the time and place of the inquiry and the officer or allocated officer who signed the charge shall give the officer charged reasonable notice in writing of the time and place so fixed.

(10) The officer or allocated officer who signed the charge may authorise any person to attend 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 officer charged shall have the right to be present and 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, to give evidence himself and call other persons as witnesses.

(b) The officer or allocated officer holding the inquiry shall keep a record of the proceedings at the inquiry and of all evidence given thereat.

(c) The failure of the officer charged to attend the inquiry, either personally or by a representative, shall not invalidate the proceedings.

(12) At the conclusion of the inquiry the officer or allocated officer holding it shall—

(a) find whether the officer charged is guilty or not guilty of the misconduct with which he has been charged;

(b) inform the officer charged of his finding; and

(c) report the result of the inquiry to the Councillor.

(13) If the officer charged is under suspension from duty under subsection (4) and the officer or allocated officer holding the inquiry finds that he is not guilty of the misconduct with which he has been charged, the said officer shall be allowed forthwith to resume duty in his post and be paid his full emoluments for the period of his suspension.

(14) If the officer or allocated officer holding the inquiry finds the officer charged guilty of the misconduct with which he has been charged, the provisions of section 16 (6) shall *mutatis mutandis* apply.

(15) If the officer or allocated officer who held the inquiry has found the officer charged guilty of the misconduct with which he has been charged, he shall forward to the Commission the record of the proceedings at the inquiry and any documentary evidence admitted thereat, a statement of his finding and his reasons therefor and any observations on the case which he may desire to make: Provided that if the officer found guilty of misconduct holds a non-prescribed post and he has not given notice of appeal in accordance with the provisions of section 16 (6), as applied by subsection (14) of this section, the officer or allocated officer who held the inquiry shall forward the said record and other documents not to the Commission but to the head of department in which the officer found guilty of misconduct is employed.

(16) If the officer found guilty of misconduct has given notice of appeal in accordance with the provisions aforesaid, as so applied, the officer or allocated officer who held the inquiry shall forward to the Commission,

die appellant se kennisgewing en gronde van appèl aan die Kommissie stuur en 'n afskrif van die redes vir die bevinding waarteen die appèl aangeteken is, aan die appellant verstrek.

(17) As kennis van appèl ooreenkomstig voormelde bepalings, soos aldus toegepas, gegee is, is die bepalings van artikel 16 (8) tot en met (15) *mutatis mutandis* van toepassing.

(18) As die Kommissie die appèl van 'n appellant wat in sy diens geskors is, toestaan, moet die appellant dadelik toegelaat word om weer sy diens te aanvaar en moet sy volle emolumente vir die tydperk van sy skorsing aan hom betaal word.

(19) As die notule en dokumente genoem in subartikel (15) ingevolge daardie subartikel aan die hoof van die departement waarin die beamppte wat aan wangedrag skuldig bevind is, in diens is, gestuur is, of as gemelde notule en dokumente ingevolge daardie subartikel aan die Kommissie gestuur is en geen appèl teen die bevinding aangeteken is nie, of as 'n appèl aldus aangeteken is en die Kommissie die appèl in sy geheel of gedeeltelik van die hand gewys het, kan bedoelde departementshoof of die Kommissie, na gelang van die geval, by die Raadslid aanbeveel dat—

- (a) bedoelde beamppte gewaarsku of berispe word; of
- (b) 'n boete van hoogstens R400 hom opgelê word, en die boete kan verhaal word deur aftrekking van sy emolumente in die paaiemente wat deur die Raadslid vasgestel word; of
- (c) hy na 'n ander pos oorgeplaas of bykomend by die vaste diensstaat in diens gehou word; of
- (d) sy salaris of graad of sy salaris sowel as sy graad verlaag word in die mate wat aanbeveel word; of
- (e) hy ontslaan word of aangesê word om uit die Regeringsdiens te bedank met ingang van 'n datum wat deur die Raadslid bepaal word:

Met dien verstande dat—

- (i) behalwe waar 'n aanbeveling kragtens paragraaf (e) gedoen word, die Kommissie of departementshoof nie belet word om 'n aanbeveling kragtens meer as een van die voorgaande paragrawe te doen nie;
- (ii) die Kommissie of die departementshoof die doen van 'n aanbeveling vir 'n tydperk van hoogstens 12 kalendermaande kan uitstel; en
- (iii) as 'n beamppte wat aangesê is om uit die Regeringsdiens te bedank, versuim om aldus te bedank, hy geag word daaruit ontslaan te gewees het met ingang van 'n datum wat deur die Raadslid bepaal word.

(20) Die Raadslid kan die gedragslyn volg wat die Kommissie of departementshoof aanbeveel of enige ander gedragslyn wat die Kommissie of departementshoof wetlik ingevolge subartikel (19) kon aanbeveel het, maar altyd onderworpe aan die bepalings van artikel 7 (1) in die geval van 'n aanbeveling van die Kommissie.

(21) Die Kommissie of departementshoof, na gelang van geval, stuur saam met sy aanbeveling ingevolge subartikel (19) die notule van die verrigtings by die ondersoek en alle dokumente in sy besit wat op die ondersoek of op die appèl betrekking het, aan die Raadslid.

(22) As die wangedrag neerkom op 'n misdryf waaraan die beamppte deur 'n gereghof skuldig bevind is, is dit nie nodig om hom ingevolge subartikel (1) aan te kla nie maar word dit afdoende geag dat hy skuldig is aan daardie wangedrag, tensy die skuldigbevinding deur 'n hoër hof tersyde gestel of hy ten volle begenadig is.

(23) Die vryspreking van 'n beamppte deur 'n gereghof op 'n aanklag van 'n kriminele misdryf, belet nie dat stappe ingevolge hierdie Wet op 'n aanklag van wangedrag teen hom ingestel word nie, ondanks die feit dat die feite uiteengesit in die aanklag van wangedrag, as dit bewys

with the record and other documents referred to in subsection (15), the appellant's notice and grounds of appeal and shall furnish the appellant with a copy of the reasons for the finding against which the appeal is brought.

(17) If notice of appeal has been given in accordance with the provisions aforesaid, as so applied, the provisions of section 16 (8) to (15), inclusive, shall *mutatis mutandis* apply.

(18) If the Commission allows the appeal of an appellant who was suspended from duty, he shall forthwith be allowed to resume his duties and be paid his full emoluments for the period of his suspension.

(19) If the record and documents referred to in subsection (15) have, in terms of that subsection, been forwarded to the head of the department in which the officer found guilty of misconduct is employed or if the said record and documents have, in terms of that subsection been forwarded to the Commission and no appeal was noted against the finding, or if an appeal was so noted and the Commission has dismissed such appeal wholly or in part, the Commission or the head of the department, as the case may be, may recommend to the Councillor that—

- (a) the said officer be cautioned or reprimanded; or
- (b) a fine not exceeding R400 be imposed upon him which fine may be recovered by deduction from his emoluments in such instalments as may be determined by the Councillor; or
- (c) he be transferred to some other post or be employed additional to the fixed establishment; or
- (d) his salary or grade or both his salary and grade be reduced to an extent recommended; or
- (e) he be discharged or be called upon to resign from the Public Service as from a date to be specified by the Councillor:

Provided that—

(i) except where a recommendation is made under paragraph (e), the Commission or the head of department shall not be precluded from making a recommendation under more than one of the foregoing paragraphs;

(ii) the Commission or the head of department may postpone, for a period not exceeding 12 calendar months, the making of a recommendation; and

(iii) if an officer, who has been called upon to resign from the Public Service, fails so to resign, he shall be deemed to have been discharged therefrom as from a date to be specified by the Councillor.

(20) The Councillor may adopt the course recommended by the Commission or head of department or any other course which the Commission or head of department could lawfully have recommended under subsection (19) but subject always to the provisions of section 7 (1) in the case of a recommendation of the Commission.

(21) The Commission or head of department, as the case may be, shall forward to the Councillor with its recommendation, in terms of subsection (19), the record of the proceedings at the inquiry and all documents in its possession which relate to the inquiry or to the appeal.

(22) If the misconduct amounts to an offence of which the officer has been convicted by a court of law, it shall not be necessary to charge him under subsection (1) but he shall be deemed conclusively to be guilty of that misconduct unless the conviction has been set aside by a superior court or he has been granted a free pardon.

(23) The acquittal of an officer by a court of law upon a charge of a criminal offence shall not be a bar to proceedings against him under this Act on a charge of misconduct notwithstanding the fact that the facts set forth in the charge of misconduct would, if proved, constitute

sou word, die misdryf sou uitmaak wat uiteengesit is in die kriminele aanklag waarop hy vrygespreek is of 'n ander misdryf waaraan hy, by sy verhoor op genoemde kriminele aanklag, skuldig bevind kon geword het.

(24) As die beampte wat ingevolge hierdie artikel aangekla is, die aanklag erken, word hy geag skuldig te wees aan die wangedrag waarvan hy aangekla is.

(25) As die beampte in subartikel (22), (24) of (30) bedoel 'n voorgeskrewe pos bekleed, stuur die departementshoof alle dokumente wat hy tot sy beskikking het en wat op die wangedrag betrekking het en enige opmerkings daaroor wat hy wens te maak, aan die Kommissie, en die Kommissie doen 'n aanbeveling ingevolge subartikel (19) by die Raadslid.

(26) As die beampte in subartikel (22), (24) of (30) bedoel 'n nie-voorgeskrewe pos bekleed, doen die departementshoof ingevolge subartikel (19) 'n aanbeveling by die Raadslid.

(27) Die bepaling van subartikel (20) is van toepassing ten opsigte van 'n aanbeveling ingevolge subartikel (25) of (26) asof die aanbeveling ingevolge subartikel (19) gedoen is.

(28) As daar met 'n beampte wat ingevolge subartikel (4) in sy diens geskors is, ooreenkomstig die bepaling van subartikel 19 (a), (b) of (d) of van die tweede voorbehoudsbepaling van daardie subartikel gehandel word, moet hy onverwylde toegelaat word om weer diens te aanvaar, en as daar met hom ooreenkomstig die bepaling van subartikel (19) (c) gehandel word, moet hy so gou doenlik toegelaat word om diens te aanvaar in die pos of pligte waarna hy oorgeplaas word, en in sodanige geval moet sy volle emolumente vir die tydperk van sy skorsing aan hom betaal word: Met dien verstande dat as sy graad ingevolge genoemde subartikel (19) (d) verlaag word, hy so gou doenlik toegelaat moet word om diens in 'n pos van die verlaagde graad te aanvaar, en moet aan hom vir die tydperk van sy skorsing die emolumente van daardie pos betaal word, maar as hoër emolumente as die emolumente van daardie pos aan hom gedurende die tydperk van sy skorsing ingevolge subartikel (5) betaal is, hy nie verplig is om die verskil terug te betaal nie.

(29) 'n Beampte wat ingevolge subartikel (4) in sy diens geskors is, of teen wie 'n aanklag ingevolge hierdie artikel ingebring is, en wat uit die Regeringsdiens bedank of ander werk aanvaar voordat sodanige aanklag finaal ooreenkomstig die bepaling van hierdie artikel afgehandel is, word geag weens wangedrag ontslaan te gewees het met ingang van 'n datum wat deur die Raadslid bepaal word, tensy hy voor die ontvangs van sy kennisgewing van bedanking of die datum van sy aanvaarding van ander werk, in kennis gestel is dat geen aanklag teen hom ingebring sal word nie of dat die aanklag wat teen hom ingebring is, teruggetrek is.

(30) (a) 'n Hoof van kantoor kan 'n beampte wat hy redelikerwys vermoed skuldig te wees aan wangedrag soos omskryf in artikel 18 (k) (i) of (ii), gelas om—

(i) in die voorgeskrewe apparaat uit te asem vir die tydperk wat hy mag bepaal; of

(ii) hom aan ondersoek deur 'n distriksgeneesheer of ander mediese praktisyn te onderwerp, met inbegrip van enige bloedtoets wat sodanige distriksgeneesheer of ander mediese praktisyn nodig mag ag om die alkoholinhoud van die bloed van bedoelde beampte te bepaal; of

(iii) in die voorgeskrewe apparaat uit te asem en om hom aan die in subparagraaf (ii) bedoelde ondersoek te onderwerp.

(b) Indien—

(i) 'n beampte versuim of weier om in die voorgeskrewe apparaat uit te asem of hom aan 'n ondersoek te onderwerp nadat hy aldus kragtens paragraaf (a) gelas is; of

the offence set forth in the criminal charge on which he was acquitted or some other offence of which he might have been convicted at his trial on the said criminal charge.

(24) If the officer charged in terms of this section admits the charge, he shall be deemed to be guilty of the misconduct with which he has been charged.

(25) If the officer referred to in subsection (22), (24) or (30) holds a prescribed post the head of department shall forward to the Commission all documents available to him which relate to the misconduct and any observations thereon which he may desire to make, and the Commission shall make a recommendation to the Councillor in terms of subsection (19).

(26) If the officer referred to in subsection (22), (24) or (30) holds a non-prescribed post the head of department shall make a recommendation to the Councillor in terms of subsection (19).

(27) The provisions of subsection (20) shall apply in respect of a recommendation under subsection (25) or (26) as if the recommendation had been made under subsection (19).

(28) If an officer who has been suspended from duty in terms of subsection (4) is dealt with in accordance with the provisions of subsection (19) (a), (b) or (d) or of the second proviso to that subsection, he shall forthwith be allowed to resume duty and, if he is dealt with in accordance with the provisions of subsection (19) (c), he shall as soon as practicable be allowed to assume duty in the post or duties to which he is transferred and, in any such case, he shall be paid his full emoluments for the period of his suspension: Provided that, if his grade is reduced in terms of the said subsection (19) (d), he shall as soon as practicable be allowed to assume duty in a post of the reduced grade and be paid, for the period of suspension, the emoluments of that post but, if emoluments in excess of the emoluments of that post were, during the period of his suspension, paid to him under subsection (5), he shall not be obliged to refund the excess.

(29) An officer who has been suspended from duty in terms of subsection (4) or against whom a charge has been preferred under this section and who resigns from the Public Service or assumes other employment before such charge has been dealt with to finality in accordance with the provisions of this section, shall be deemed to have been discharged on account of misconduct with effect from a date to be specified by the Councillor unless, prior to the receipt of his notification of resignation or the date of his assumption of other employment, he had been notified that no charge would be preferred against him or that the charge preferred against him had been withdrawn.

(30) (a) A head of office may require an officer whom he suspects on reasonable grounds to be guilty of misconduct as defined in section 18 (k) (i) or (ii)—

(i) to breathe into the prescribed apparatus for such period as he may direct; or

(ii) to undergo examination by a district surgeon or other medical practitioner, including any blood test which such district surgeon or other medical practitioner may deem necessary in order to determine the alcohol content of the blood of such officer; or

(iii) to breathe into the prescribed apparatus and to undergo the examination referred to in subparagraph (ii).

(b) If—

(i) any officer fails or refuses to breathe into the prescribed apparatus or to undergo any examination when so required under paragraph (a); or

(ii) die voorgeskrewe apparaat wys dat die alkoholinhoud van die bloed van 'n beampte 'n perk oorskry, wat, op aanbeveling van die Kommissie deur die Raadslid vir Gemeenskapsake by kennisgewing in die *Staatskoerant* met betrekking tot daardie besondere fabrikaat van voorgeskrewe apparaat gespesifiseer is;

word bedoelde beampte onweerlegbaar geag skuldig te wees aan wangedrag soos in artikel 18 (k) (i) omskryf.

(31) (a) Die bepalinge van artikel 239 (4) van die Strafproseswet 1955 (Wet 56 van 1955) is *mutatis mutandis* van toepassing met betrekking tot 'n ondersoek na 'n aanklag van wangedrag soos omskryf in artikel 18 (k) (i) of (ii).

(b) Waar daar by enige ondersoek na 'n aanklag van wangedrag soos omskryf in artikel 18 (k) (i) of (ii) getuienis aangevoer word van 'n ontleding van 'n monster van die bloed van enige persoon, word daar vermoed, tot dat die teendeel bewys word, dat enige spuit wat gebruik is om sodanige monsters te neem en die houer waarin sodanige monster geplaas is vir versending na 'n ontleder vry van enige stof of kontaminasie was wat die uitslag van sodanige ontleding kon geaffekteer het.

Wangedrag van departementshoofde

20. (1) Wanneer 'n departementshoof, wat 'n beampte is, van wangedrag beskuldig word, kan die Raadslid die aangeleentheid aan die Uitvoerende Raad rapporteer wat die Raadslid kan gelas om hom van daardie wangedrag aan te kla; en as 'n ondersoek ingevolge artikel 19 (8), soos toegepas by subartikel (2) van hierdie artikel, nodig word, kan die Uitvoerende Raad 'n persoon of persone aanstel om die ondersoek in te stel.

(2) Die bepalinge van artikel 19 (2) tot en met (31) is *mutatis mutandis* van toepassing op verrigtings wat op 'n lasgewing ingevolge subartikel (1) van hierdie artikel volg; en vir doeleindes van sodanige toepassing word die verwysing in genoemde subartikels na die Raadslid uitgelê as 'n verwysing na die Uitvoerende Raad, word die verwysing in subartikel (25) na departementshoof uitgelê as 'n verwysing na die Raadslid en word elke verwysing in genoemde subartikels na die beampte of toegewese beampte wat die ondersoek instel, uitgelê, as ook 'n verwysing na 'n persoon of persone wat ingevolge subartikel (1) van hierdie artikel aangestel is.

Wyse waarop kennis, ens. gegee of verstrek word

21. Waar daar by artikel 16, 17, 19 of 20 bepaal word—

(a) dat enige kennis, verklaring of ander dokument aan 'n persoon gegee of verstrek of beteken moet word of dat enige aangeleentheid skriftelik aan 'n persoon meegedeel moet of kan word, kan die kennisgewing, verklaring, dokument of geskrif per pos in 'n geregistreerde brief aan hom gestuur word of aan hom afgelewer of by sy laaste bekende woonplek gelaat word; of

(b) dat 'n persoon van 'n beslissing of bevinding verwittig moet word, kan hy mondeling of per geskrif wat per pos in 'n geregistreerde brief aan hom gestuur word of aan hom afgelewer of by sy laaste bekende woonplek gelaat word, daarvan verwittig word.

HOOFSTUK 5

ALGEMEEN

Besoldiging van beamptes en werknemers

22. (1) Behoudens die bepalinge van artikel 7, word aan beamptes en werknemers salarisse, lone en toelaes betaal ooreenkomstig die skale wat by hulle grade pas, soos deur die Kommissie ingevolge artikel 6 (2) (g) aanbeveel.

(ii) the prescribed apparatus records that the alcohol content of the blood of an officer exceeds a limit specified, on the recommendation of the Commission, by the Executive Councillor for Community Affairs by notice in the *Government Gazette* in respect of that particular make of prescribed apparatus;

such officer shall be deemed conclusively to be guilty of misconduct as defined in section 18 (k) (i).

(31) (a) The provisions of section 239 (4) of the Criminal Procedure Act, 1955 (Act 56 of 1955), apply *mutatis mutandis* in relation to any inquiry into a charge of misconduct as defined in section 18 (k) (i) or (ii).

(b) Where in any inquiry into a charge of misconduct as defined in section 18 (k) (i) or (ii), evidence is tendered of the analysis of a specimen of the blood of any person it shall be presumed until the contrary is proved, that any syringe used for obtaining such specimen and the receptacle in which such specimen was placed for dispatch to an analyst, were free of any substance or contamination which could have affected the result of such analysis.

Misconduct of heads of departments

20. (1) When a head of department who is an officer is accused of misconduct, the Councillor may report the matter to the Executive Council who may instruct the Councillor to charge him with that misconduct; and if an inquiry becomes necessary under section 19 (8) as applied by subsection (2) of this section, the Executive Council may appoint a person or persons to hold the inquiry.

(2) The provisions of section 19 (2) to (31), inclusive, shall *mutatis mutandis* apply to any proceedings following upon a direction under subsection (1) of this section; and for the purposes of such application the reference in the said subsection to the Councillor shall be construed as a reference to the Executive Council, the reference in subsection (25) to head of department shall be construed as a reference to the Councillor and every reference in the said subsections to the officer or allocated officer holding the inquiry shall be construed as including a reference to a person or persons appointed under subsection (1) of this section.

Manner in which notice, etc., may be given or furnished

21. Whenever by section 16, 17, 19 or 20 it is provided—

(a) that any notice, statement or other document is to be given or furnished to or served upon any person or that any matter is to be or may be conveyed to any person in writing the notice, statement, document or writing may be sent by post in a registered letter or be delivered to him or left at his last known place of residence; or

(b) that any person is to be informed of any decision or finding, he may be informed thereof orally or in writing sent by post in a registered letter or delivered to him or left at his last known place of residence.

CHAPTER 5

GENERAL

Remuneration of officers and employees

22. (1) Subject to the provisions of section 7 officers and employees shall be paid salaries, wages and allowances in accordance with the scales, appropriate to their grades, as recommended by the Commission in terms of section 6 (2) (g).

2. Op aanbeveling van die Kommissie, maar behoudens die bepalinge van artikel 7—

(a) kan aan beamptes of werknemers of aan klasse beamptes of werknemers by aanstelling, oorpasing of bevordering salarisse of lone teen hoër bedrae as die minimums van die toepaslike skale betaal word; en

(b) kan aan beamptes of werknemers of aan klasse beamptes of werknemers spesiale vordering toegestaan word binne die skale wat op hulle van toepassing is; en

(c) kan aan 'n beampte of werknemer wat buitengewoon bekwaam is of wat spesiale kwalifikasies besit of wat verdienstelike diens gelewer het, en kan aan enige beampte of werknemer, as dit in die Regeringsdiens se belang is, spesiale vordering toegestaan word binne die skaal wat op hom van toepassing is of kan aan hom 'n salaris of loon ooreenkomstig 'n hoër skaal betaal of enige ander geskikte beloning toegeken word.

(3) Behoudens die bepalinge van artikel 7, kan aan geen beampte of werknemer ten opsigte van sy diens as sodanig enige besoldiging, toelae, honararium, toekenning of bonus van watter aard ook al betaal word nie behalwe die wat deur die Kommissie aanbeveel is.

Salarisse van beamptes mag nie verlaag word nie behalwe soos spesiaal bepaal

23. 'n Beampte se salaris of salarisskaal mag nie sonder sy eie toestemming verlaag word nie, behalwe in ooreenstemming met die bepalinge van Hoofstuk 4 of ingevolge 'n wet van die Wetgewende Vergadering.

Sessie van emolumente verbode

24. Geen beampte of werknemer mag sonder die skriftelike goedkeuring van die rekenpligtige amptenaar die geheel of 'n gedeelte van enige salaris of toelae wat aan hom betaalbaar is, seeder nie.

Beamptes en werknemers moet al hulle tyd ter beskikking van die Regeringsdiens stel

25. (1) Tensy anders in sy diensvoorwaardes bepaal word—

(a) moet elke beampte en werknemer al sy tyd ter beskikking van die Regering stel;

(b) mag geen beampte of werknemer besoldigde werk buite sy werk in die Regeringsdiens sonder die toestemming van die Raadslid verrig of hom verbind om dit te verrig nie, en die toestemming word in die geval van 'n beampte slegs op aanbeveling van die Kommissie verleen; en

(c) kan geen beampte of werknemer regtens aanspraak maak op addisionele besoldiging vir die verrigting van enige amptelike plig of werk wat hy deur 'n bevoegde owerheid aangesê is om te verrig nie.

(2) Die Raadslid of die hoof van 'n departement, tak, kantoor of inrigting is bevoeg om 'n beampte of werknemer onder sy beheer aan te sê om tydelik ander pligte te verrig as die wat gewoonlik aan sodanige beampte opgedra word of wat by die graad, benaming of indeling van sy pos pas.

(3) Enige besoldiging of toelae van watter aard ook al wat 'n beampte of werknemer ontvang anders as ooreenkomstig die bepalinge van hierdie Wet of 'n aanbeveling wat deur die Kommissie kragtens enige ander wet gedoen is, moet deur sodanige beampte of werknemer in die Inkomstefonds gestort word en as hy dit nie doen nie moet dit deur die Direkteur van Owerheidsake en Finansies deur middel van geregtelike stappe of op sodanige ander wyse as wat die Direkteur van Owerheidsake en Finansies goedgevind op die beampte of werknemer verhaal en in die Inkomstefonds gestort word.

(2) On the recommendation of the Commission but subject to the provisions of section 7—

(a) officers or employees or classes of officers or employees may, on appointment, transfer or promotion be paid salaries or wages at higher rates than the minima of the appropriate scales; and

(b) officers or employees or classes of officers or employees may be specially advanced within the scales applicable on them; and

(c) an officer or employee of exceptional ability or possessing special qualifications or who has rendered meritorious service may, and any officer or employee may, if it is in the interests of the Public Service, be specially advanced within the scale applicable to him or may be paid a salary or wage in accordance with a higher scale, or may be granted any other fitting reward.

(3) Subject to the provisions of section 7, no officer or employee shall in respect of his employment as such be paid any remuneration, allowance, honorarium, award or bonus of any kind whatsoever other than such as has been recommended by the Commission.

Salaries of officers not to be reduced except as specially provided

23. An officer's salary or salary scale shall not be reduced without his own consent except in accordance with the provisions of Chapter 4 or in terms of an act of the Legislative Assembly.

Session of emoluments prohibited

24. No officer or employee shall, without the written approval of the accounting officer, cede the whole or any part of any salary or allowance payable to him.

Whole time of officers to be at the disposal of the Public Service

25. (1) Unless it is otherwise provided in his conditions of service—

(a) every officer and employee shall place the whole of his time at the disposal of the Government;

(b) no officer or employee shall perform or engage himself to perform remunerative work outside his employment in the Public Service without the permission of the Councillor, which in the case of an officer shall be granted only on the recommendation of the Commission; and

(c) no officer or 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.

(2) It shall be competent for the Councillor or the head of a department, branch, office or institution to require any officer or employee under his control to perform duties other than those ordinarily assigned to such officer or appropriate to the grade, designation or classification of his post.

(3) Any remuneration or allowance whatsoever received by an officer or employee otherwise than in accordance with the provisions of this Act or a recommendation made by the Commission under any other law shall be paid by such officer or employee into the Revenue Fund, and if he does not do so, shall be recovered from him by the Director of Authority Affairs and Finance by legal proceedings or in such other manner as the Director of Authority Affairs and Finance may think fit and be paid into the Revenue Fund.

(4) Alle gelde wat 'n beampte of werknemer in sy amp-
telike hoedanigheid ontvang, moet in die Inkomstefonds
gestort word, tensy die Kommissie aanbeveel het dat hy
die geheel of 'n gedeelte van genoemde gelde as deel
van sy besoldiging kan behou.

(5) Waar die dienste van 'n beampte of werknemer
weens sy vakkundige, tegniese of ander spesiale kwalifi-
kasies tydelik ter beskikking van die Regering van die
Republiek of van 'n inrigting of liggaam ingestel by of
ingevolge 'n wet van die Wetgewende Vergadering of van
die Republiek of 'n ander persoon of liggaam geplaas
word, moet enige salaris, toelae, geld, bonus of honora-
rium wat ten opsigte van sy dienste betaalbaar is, in die
Inkomstefonds gestort word: Met dien verstande dat onder
spesiale omstandighede die Kommissie kan aanbeveel dat
'n bedrag wat gelyk is aan genoemde salaris, toelae, geld,
bonus of honorarium, of 'n gedeelte daarvan, aan die
beampte of werknemer betaal word.

Regulasies

26. (1) Behoudens die bepalinge van artikel 7 (2) van
hierdie Wet, kan die Uitvoerende Raadslid vir Gemeen-
skapsake, nadat die Kommissie 'n aanbeveling gedoen het,
regulasies met betrekking tot enigeen van die volgende
aangeleenthede uitvaardig:

(a) Die bevordering, oorplasing, dissipline, gedrag,
bevoegdhede en pligte, diensure en afwesigheidsverlof van
beamptes en werknemers en hulle ander diensvoorwaar-
des;

(b) die tarief van besoldiging vir uitsonderlike oortyd-
diens verrig deur beamptes en werknemers en van reis-
koste en verblyf- of ander toelae wat aan beamptes en
werknemers betaal moet word en die omstandighede
waaronder sodanige betalings gedoen moet word;

(c) die omstandighede waaronder 'n geneeskundige
ondersoek vereis word vir doeleindes van enige bepaling
van hierdie Wet, en die vorm van geneeskundige verslae
en sertifikate van ongesteldheid;

(d) die bepaalde klasse beamptes en werknemers van
wie dit vereis kan word om sekuriteit te gee, en die bedrag
en vorm daarvan;

(e) die prosedure wat gevolg moet word by die onder-
soek van en optrede in verband met beweerde wangedrag
waaraan beamptes hulle skuldig maak;

(f) alle aangeleenthede wat ingevolge hierdie Wet voor-
geskryf moet of kan word; en

(g) in die algemeen alle aangeleenthede wat hy nodig
of dienstig ag voor te skryf ten einde die doeleindes
van hierdie Wet te bereik;

en sodanige regulasies kan 'n gesag of meer as een gesag
voorskryf, asook die bevoegdhede van sodanige gesag om
ten opsigte van enige beampte of werknemer of klas
beamptes of werknemers van die bepalinge daarvan af
te wyk.

(2) Verskillende regulasies kan uitgevaardig word ten
opsigte van beamptes wat voorgeskrewe of nie-voor-
geskrewe poste op die vaste diensstaat beklee of om te
pas by die verskillende vereistes van bepaalde departe-
mente of takke van departemente, of van bepaalde klasse
beamptes of werknemers, of van bepaalde soorte diens
in die Regeringsdiens.

(3) Elke regulasie wat ingevolge hierdie Wet uitgevaar-
dig word, moet in die *Staatskoerant* gepubliseer word en
binne sewe dae nadat dit gepubliseer is, in die Wet-
gewende Vergadering ter tafel gelê word as die Wetge-
wende Vergadering dan sit, of as die Wetgewende
Vergadering nie dan sit nie, binne sewe dae na die aanvang
van sy eersvolgende sessie.

(4) All fees received by an officer or employee in his
official capacity shall be paid into the Revenue Fund
unless the Commission has recommended that he may
retain the whole or a portion of the said fees as part of
his remuneration.

(5) Where on account of his professional, technical or
other special qualifications the services of an officer or
employee are placed temporarily at the disposal of the
Government of the Republic or of an institution or body
established by or under any law of the Legislative Assem-
bly or of the Republic, or of any other person or body,
any salary, allowance, fee, bonus or honorarium which
may be payable in respect of his services shall be paid into
the Revenue Fund: Provided that in special circumstances
the Commission may recommend the payment to the
officer or employee of an amount equal to the said salary,
allowance, fee, bonus or honorarium or a portion thereof.

Regulations

26. (1) Subject to the provisions of section 7 (2) of
this Act, the Executive Councillor for Community
Affairs may, after the Commission has made a recommen-
dation, make regulations with respect to any of the fol-
lowing matters:

(a) The promotion, transfer, discipline, conduct, powers
and duties, hours of attendance and leave of absence of
officers and employees and their other conditions of
service;

(b) the rates of payment for exceptional overtime duty
performed by officers and employees and of any travelling
expenses and subsistence or other allowances to be paid to
officers and employees and the circumstances under which
such payment shall be made;

(c) the circumstances in which medical examination shall
be required for the purposes of any provision of this Act
and the form of medical reports and certificates of indis-
position;

(d) the particular classes of officers and employees who
may be required to give security, and the amount and
form thereof;

(e) the procedure to be observed in inquiring into and
dealing with alleged misconduct committed by officers;

(f) all matters which under this Act are required or per-
mitted to be prescribed; and

(g) generally, all matters which he considers necessary
or expedient to prescribe in order that the purposes of
this Act may be achieved;

and such regulations may prescribe an authority or more
than one authority and the powers of any such authority
to deviate, in respect of any officer or employee or class
of officers or employees, from the provisions thereof.

(2) Different regulations may be made in respect of
officers holding prescribed or non-prescribed posts on the
fixed establishment, or to suit the varying requirements of
particular departments or branches of departments, or of
particular classes of officers or employees, or of particular
kinds of employment in the Public Service.

(3) Every regulation made in terms of this Act shall
be published in the *Government Gazette* and shall be laid
upon the Table of the Legislative Assembly within seven
days of such publication if the Legislative Assembly is
then in session, or if the Legislative Assembly is then not
in session, within seven days of the commencement of its
next ensuing session.

(4) Elke regulasie wat ingevolge hierdie Wet uitgevaardig word, is van krag en regsgeldig, tensy en totdat, gedurende die sessie waarin dit in die Wetgewende Vergadering ter tafel gelê is soos in subartikel (3) bepaal, die Wetgewende Vergadering die regulasie by besluit afgekeur het, en in die geval verval die regulasie met ingang van 'n datum wat in die besluit vermeld word; maar die verval van die regulasie raak nie die geldigheid van enigiets wat ingevolge die regulasie voor die datum van die besluit gedoen is nie, en niks wat in hierdie subartikel vervat is, raak die bevoegdheid van die Uitvoerende Raadslid vir Gemeenskapsake om op aanbeveling van die Kommissie 'n nuwe regulasie aangaande die inhoud van daardie regulasie uit te vaardig nie.

Kommissie se verslae moet in die Wetgewende Vergadering ter tafel gelê word

27. Elke verslag wat die Kommissie ingevolge artikel 6 (2) (o) of artikel 7 (7) doen, word in die Wetgewende Vergadering ter tafel gelê binne sewe dae nadat hy dit ontvang het, as die Wetgewende Vergadering dan sit, of as die Wetgewende Vergadering nie dan sit nie, binne sewe dae na die aanvang van sy eersvolgende sessie.

Beperking van regsgedinge

28. (1) Geen regsgeding van watter aard ookal mag teen die Regering of 'n liggaam of persoon ten opsigte van enigiets wat ingevolge hierdie Wet gedoen of versuim is, ingestel word nie, tensy die geding ingestel word voor die verstryking van 'n tydperk van 12 kalendermaande na die datum waarop die eiser kennis van die beweerde daad of versuim gehad het of na die datum waarop redelikerwysse verwag kon word dat die eiser van genoemde daad of versuim bewus sou wees, na gelang van watter datum die eerste is.

(2) Geen sodanige geding mag ingestel word voor die verstryking van minstens een kalendermaand nadat 'n skriftelike kennisgewing van die voorneme om sodanige geding in te stel aan die Regering of die betrokke liggaam of persoon bestel is nie. In daardie kennisgewing moet besonderhede aangaande die beweerde daad of versuim duidelik en uitdruklik verstrek word.

Voorbehoud

29. Geen bepaling van hierdie Wet word so uitgelê dat dit enige bestaande, aankomende of voorwaardelike reg, aanspreeklikheid of verpligting van enige persoon wat uit enige ander wet voortvloei, ophef of afbreuk daaraan doen nie.

Herroeping van wette

30. (1) Behoudens die bepalings van subartikel (2) word die Venda-personeelregulasies, 1971, afgekondig by Goewermentskennisgewing R. 512 van 1971, hierby herroep.

(2) Totdat regulasies kragtens artikel 26 uitgevaardig word, bly die Venda-personeelregulasies, 1971, ondanks die herroeping daarvan, van krag vir sover hulle nie onbestaanbaar met die bepalings van hierdie Wet is nie en betrekking het op die aangeleenthede in artikel 26 bedoel.

Kort titel en inwerkingtreding

31. Hierdie Wet heet die Venda-wet op die Regeringsdiens 1972 en tree in werking op 'n datum wat die Uitvoerende Raadslid vir Gemeenskapsake by kennisgewing in die *Staatskoerant* bepaal.

(Lêer R206/4)

(4) Every regulation made under this Act shall be of force and effect unless and until, during the session in which it has been laid upon the Table of the Legislative Assembly as provided by subsection (3), the Legislative Assembly has by resolution disapproved of the regulation, in which event the regulation shall lapse as from the date to be specified in the resolution; but the lapsing of the regulation shall not affect the validity of anything done under the regulation before the date of the resolution, and nothing contained in this subsection shall affect the power of the Executive Councillor for Community Affairs to make, on the recommendation of the Commission, a new regulation as to the subject matter of that regulation.

Commission's reports to be tabled in the Legislative Assembly

27. Every report made by the Commission in pursuance of section 6 (2) (o) or section 7 (7), shall be laid upon the Table of the Legislative Assembly within seven days after it has received it if the Legislative Assembly is then in session, or if the Legislative Assembly is not then in session, within seven days of the commencement of its next ensuing session.

Limitation to action

28. (1) No legal proceedings of any nature shall be brought against the Government or any body or person in respect of anything done or omitted under this Act, unless the proceedings are brought before the expiry of a period of 12 calendar months after the date upon which the claimant had knowledge, or after the date upon which the claimant might reasonably have been expected to have knowledge, of the act or omission alleged, whichever is the earlier date.

(2) No such proceedings shall be commenced before the expiry of at least one calendar month after written notice of the intention to bring such proceedings has been served on the Government or the body or person concerned. In that notice particulars of the alleged act or omission shall be clearly and explicitly given.

Savings

29. No provision of this Act shall be construed as in any way abrogating or derogating from any existing, accruing or contingent right, liability or obligation of any person flowing from any other law.

Repeal of laws

30. (1) Subject to the provisions of subsection (2), the Venda Staff Regulations, 1971, published under Government Notice R. 512 of 1971, are hereby repealed.

(2) Until regulations have been made under section 26, the Venda Staff Regulations, 1971 shall, notwithstanding their repeal, continue to be of force and effect in so far as they are not inconsistent with the provisions of this Act and relate to the matters referred to in section 26.

Short title and commencement

31. This Act shall be called the Venda Public Service Act, 1972, and shall come into operation on a date to be fixed by the Executive Councillor for Community Affairs by notice in the *Government Gazette*.

(File R206/4)

DEPARTEMENT VAN JUSTISIE

No. R. 1395

11 Augustus 1972

AANWYSING VAN SEKERE BEAMPTES IN
DIENS BY STAATSLUGHAWES AS VREDES-
BEAMPTES

Kragtens die bevoegdheid my verleen by artikel 387 (6) van die Strafproseswet, 1955 (Wet 56 van 1955), verklaar ek, Petrus Cornelius Pelser, Minister van Justisie, hierby dat die volgende regulasie van toepassing is op alle beamptes daarin genoem:

REGULASIE

'n Lughawebestuurder, adjunk-lughawebestuurder, assistent-lughawebestuurder en eerste lughawe-assistent wat in besit is van 'n bewys van identiteit waarop 'n foto van hom en 'n verwysing na hierdie regulasie verskyn en wat deur die Sekretaris van Vervoer uitgereik is, word binne die grense van 'n staatslughawe waar hy so 'n pos beklee, geag 'n vredesbeampte te wees met betrekking tot 'n misdryf vermeld in die Staatslughaweregulasies, 1963, afgekondig by Goewermentskennissgewing R. 1974 van 20 Desember 1963.

P. C. PELSER, Minister van Justisie.

No. R. 1414

11 Augustus 1972

KENNISGEWING INGEVOLGE ARTIKEL 8 (4) VAN
DIE WET OP DIE ONDERDRUKKING VAN KOM-
MUNISME, 1950 (WET 44 VAN 1950)

Kennis word hierby ingevolge artikel 8 (4) van die Wet op die Onderdrukking van Kommunisme, 1950 (Wet 44 van 1950), gegee, dat die name vervat in die Bylae hiervan geskrap is van die lys wat by Goewermentskennissgewing R. 1907 van 16 November 1962, afgekondig is.

BYLAE

Mtembu, Violet.
Trotsi, Svadia.

DEPARTEMENT VAN LANDBOU-EKONOMIE
EN -BEMARKING

No. R. 1387

11 Augustus 1972

REGULASIES MET BETREKKING TOT DIE GRA-
DERING, VERPAKKING EN MERK VAN SLAG-
PLUIMVEE WAT IN DIE REPUBLIEK VAN SUID-
AFRIKA VERKOOP WORD.—WYSIGING

Die Minister van Landbou het, kragtens die bevoegdheid hom verleen by artikel 89 van die Bemerkingswet, 1968 (No. 59 van 1968), die regulasies afgekondig by Goewermentskennissgewing R. 2078 van 25 Julie 1969, soos gewysig, verder gewysig soos in die Bylae hiervan uitengesit.

BYLAE

Die Bylae van Goewermentskennissgewing R. 2078 van 25 Julie 1969, soos gewysig, word hierby verder gewysig deur—

(a) in regulasie 1 die omskrywing van "vryvoghoud" te skrap;

(b) in daardie regulasie na die omskrywing van "Departement" die volgende omskrywing in te voeg:

"'geabsorbeerde vog' vog wat deur 'n karkas (met inbegrip van die afval in die geval van 'n ontweide karkas) opgeneem word as gevolg van die was en verkoeling daarvan;" en

(c) die woord "vryvoghoud" oral waar dit voorkom deur die woorde "geabsorbeerde vog" te vervang.

DEPARTMENT OF JUSTICE

No. R. 1395

11 August 1972

DESIGNATION OF CERTAIN OFFICERS
EMPLOYED AT STATE AIRPORTS AS PEACE
OFFICERS

By virtue of the powers vested in me by section 387 (6) of the Criminal Procedure Act, 1955 (Act 56 of 1955), I, Petrus Cornelius Pelser, Minister of Justice, hereby declare that the following regulation shall apply to all officers mentioned therein:

REGULATION

Any airport manager, deputy airport manager, assistant airport manager and principal airport assistant in possession of a certificate of identity on which a photo of himself and a reference to this regulation appears and which has been issued by the Secretary for Transport, shall within the boundaries of a State airport where he is so employed, be deemed to be a peace officer in relation to any offence mentioned in the State Airport Regulations, 1963, promulgated under Government Notice R. 1974 of 20 December 1963.

P. C. PELSER, Minister of Justice.

No. R. 1414

11 August 1972

NOTICE IN TERMS OF SECTION 8 (4) OF THE
SUPPRESSION OF COMMUNISM ACT, 1950 (ACT
44 OF 1950)

Notice is hereby given in terms of section 8 (4) of the Suppression of Communism Act, 1950 (Act 44 of 1950), that the names contained in the Schedule hereto have been removed from the list published in Government Notice R. 1907, dated 16 November 1962.

SCHEDULE

Mtembu, Violet.
Trotsi, Svadia.

DEPARTMENT OF AGRICULTURAL ECONOMICS
AND MARKETING

No. R. 1387

11 August 1972

REGULATIONS RELATING TO THE GRADING,
PACKING AND MARKING OF TABLE POULTRY
INTENDED FOR SALE IN THE REPUBLIC OF
SOUTH AFRICA.—AMENDMENT

the Minister of Agriculture has, under the powers vested in him by section 89 of the Marketing Act, 1968 (No. 59 of 1968), further amended the regulations published by Government Notice R. 2078 of 25 July 1969, as amended, as set out in the Schedule hereto.

SCHEDULE

The Schedule to Government Notice R. 2078 of 25 July 1969, as amended, is hereby further amended by—

(a) the deletion in regulation 1 of the definition of "free moisture content";

(b) the insertion in that regulation before the definition of "Act" of the following definition:

"'absorbed moisture' means moisture absorbed by a carcass (including the giblets in the case of an eviscerated carcass) as a result of the washing and cooling thereof;" and

(c) the substitution for the words "free moisture content" wherever they appear of the words "absorbed moisture".

No. R. 1406

11 Augustus 1972

VERBOD OP DIE VERKOOP VAN WOL BEHALWE DEUR BEMIDDELING VAN DIE SUID-AFRIKAANSE WOLRAAD OF AAN SEKERE GEREГИSTREERDE PERSONE

Kragtens artikel 79 (b) van die Bemarkingswet, 1968 (No. 59 van 1968), maar ek, Dirk Cornelis Hermanus Uys, Minister van Landbou, hierby bekend dat die Suid-Afrikaanse Wolraad, ingestel by artikel 6 van die Wolskema, afgekondig by Proklamasie R. 155 van 1972 kragtens artikel 35 van daardie Skema, met my goedkeuring en met ingang van die datum van publikasie hiervan, die verbod in die Bylae hiervan uiteengesit, opgelê het.

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

BYLAE

1. In hierdie kennisgewing, tensy uit die samehang anders blyk, het 'n woord of uitdrukking waaraan in die Wolskema, afgekondig by Proklamasie R. 155 van 1972, 'n betekenis geheg is, 'n ooreenstemmende betekenis.

2. (1) Geen produsent van wol mag wol verkoop nie behalwe deur bemiddeling van die raad of aan 'n persoon wat by die Raad kragtens artikel 34 van die genoemde Skema geregistreer is.

(2) Die bepalinge van subklousule (1) is nie van toepassing nie op—

(a) wol aan velle;

(b) wol wat deur iemand van velle wat hy van iemand anders verkry het, verwyder word; en

(c) wol wat vanuit 'n ander land as 'n land wat aan die Republiek grens, in die Republiek ingevoer word.

No. R. 1407

11 Augustus 1972

WOLSKEMA

OPLEGGING VAN HEFFING EN SPESIALE HEFFING OP WOL

Kragtens artikel 79 (a) van die Bemarkingswet, 1968 (No. 59 van 1968), maak ek, Dirk Cornelis Hermanus Uys, Minister van Landbou, hierby bekend dat die Suid-Afrikaanse Wolraad ingestel by artikel 6 van die Wolskema, afgekondig by Proklamasie R. 155 van 1972, kragtens artikels 22 en 23 van daardie Skema, saamgelees met artikel 18 van die Wysigingswet op Bemarking, 1972 (No. 68 van 1972), met my goedkeuring en met ingang van die datum van publikasie hiervan, die heffing en spesiale heffing in die Bylae hiervan uiteengesit, opgelê het ter vervanging van die heffing afgekondig by Goewermentskennisgewing R 575 van 10 April 1970, wat hierby herroep word.

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

BYLAE

1. In hierdie kennisgewing, tensy uit die samehang anders blyk, het 'n woord of uitdrukking waaraan in die Wolskema, afgekondig by Proklamasie R. 155 van 1972 'n betekenis geheg is, 'n ooreenstemmende betekenis, en beteken—

“verwerking”, met betrekking tot velle, ook die verwydering van wol van velle.

2. 'n Heffing van 1,8c per kg en 'n spesiale heffing van 0,2c per kg word hierby opgelê op—

(a) wol wat deur bemiddeling van die Raad verkoop word;

(b) wol aan velle wat deur 'n verwerker van velle in die Republiek vir verwerking van die velle ontvang word;

(c) wol aan onverwerkte velle wat uit die Republiek ingevoer word.

No. R. 1406

11 August 1972

PROHIBITION OF THE SALE OF WOOL EXCEPT THROUGH THE SOUTH AFRICAN WOOL BOARD OR TO CERTAIN REGISTERED PERSONS

In terms of section 79 (b) of the Marketing Act, 1968 (No. 59 of 1968), I, Dirk Cornelis Hermanus Uys, Minister of Agriculture, hereby make known that the South African Wool Board, established by section 6 of the Wool Scheme, published by Proclamation R. 155 of 1972, has under section 35 of that Scheme, with my approval and with effect from the date of publication hereof, imposed the prohibition set out in the Schedule hereto.

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

SCHEDULE

1. In this notice, unless inconsistent with the context, any word or expression to which a meaning has been assigned in the Wool Scheme, published by Proclamation R. 155 of 1972, shall have a corresponding meaning.

2. (1) No producer of wool shall sell wool except through the Board or to a person registered with the Board under section 34 of the said Scheme.

(2) The provisions of subclause (1) shall not apply to—

(a) wool on skins;

(b) wool removed by a person from skins which he has acquired from another; and

(c) wool imported into the Republic from any country other than a country adjoining the Republic.

No. R. 1407

11 August 1972

WOOL SCHEME

IMPOSITION OF LEVY AND SPECIAL LEVY ON WOOL

In terms of section 79 (a) of the Marketing Act, 1968 (No. 59 of 1968), I, Dirk Cornelis Hermanus Uys, Minister of Agriculture, hereby make known that the South African Wool Board, established by section 6 of the Wool Scheme, published by Proclamation R. 155 of 1972, has, under sections 22 and 23 of that Scheme, read with section 18 of the Marketing Amendment Act, 1972 (No. 68 of 1972), with my approval and with effect from the date of publication hereof, imposed the levy and special levy as set out in the Schedule hereto in substitution for the levy published by Government Notice R 575 of 10 April 1970, which is hereby repealed.

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

SCHEDULE

1. In this notice, unless inconsistent with the context, any word or expression to which a meaning has been assigned in the Wool Scheme, published by Proclamation R. 155 of 1972, shall have a corresponding meaning, and—

“processing”, in relation to skins, includes the removal of wool from skins.

2. A levy of 1,8c per kilogram and a special levy of 0,2c per kilogram are hereby imposed on—

(a) wool sold through the Board;

(b) wool on skins received in the Republic by a processor of skins for processing of the skins;

(c) wool on unprocessed skins exported from the Republic.

No. R. 1408

11 Augustus 1972

TYD EN WYSE VAN BETALING VAN HEFFINGS OP WOL

Die Minister van Landbou het, kragtens die bevoegdheid hom verleen by artikel 89 van die Bemarkingswet, 1968 (No. 59 van 1968), saamgelees met artikel 18 van die Wysigingswet op Bemarking, 1972 (No. 68 van 1972), die regulasies in die Bylae hiervan uiteengesit, gemaak ter vervanging van die regulasies afgekondig by Goewerments-kennisgewing R. 935 van 1 Julie 1960, wat hierby herroep word.

BYLAE

1. In hierdie kennisgewing, tensy uit die samehang anders blyk het 'n woord of uitdrukking waaraan in die Wolskema, afgekondig by Proklamasie R. 155 van 1972 'n betekenis geheg is, 'n ooreenstemmende betekenis, en beteken—

“Maand” die tydperk wat strek van die eerste tot die laaste dag, albei dae ingesluit, van enigeen van die 12 maande van die jaar.

“Vleisraad”, die Raad van Beheer oor die Vee- en Vleisnywerhede, vermeld in artikel 3 van die Vleisskema, afgekondig by Proklamasie R. 200 van 1964.

2. 'n Heffing en spesiale heffing deur die Raad kragtens artikels 22 en 23 van die genoemde Wolskema opgelê op—

(a) wol wat deur bemiddeling van die Raad verkoop word, is aan die Raad betaalbaar op die tydstip waarop die wol aan die Raad vir verkoop gelewer word en kan deur die Raad verhaal word deur dit af te trek van die bedrag van enige voorskot wat kragtens artikel 36 (8) van daardie Skema ten opsigte van daardie wol betaalbaar is;

(b) wol aan velle wat deur 'n verwerker van velle in die Republiek vir verwerking van die velle ontvang word, moet aan die Vleisraad betaal word voor of op die laaste dag van die maand wat volg op die maand waarin die velle aldus ontvang is;

(c) wol aan onverwerkte velle wat uit die Republiek uitgevoer word, moet aan die Vleisraad betaal word voordat die velle uitgevoer word.

3. Die Vleisraad moet die opbrengs van 'n heffing of spesiale heffing deur hom kragtens regulasie 2 (b) of (c) gein, so spoedig doenlik aan die Raad oorbetal.

4. Iemand wat 'n bepaling van hierdie regulasies oortree of versuim om daaraan te voldoen, is aan 'n misdryf skuldig en by skuldigbevinding strafbaar met 'n boete van hoogstens R200.

No. R. 1409

11 Augustus 1972

AANSOEKE OM REGISTRASIE VAN PERSONE WAT MET WOL AS 'N BESIGHEID HANDEL

Kragtens artikel 79 (c) van die Bemarkingswet, 1968 (No. 59 van 1968), maak ek, Dirk Cornelis Hermanus Uys, Minister van Landbou, hierby bekend dat die Suid-Afrikaanse Wolraad, ingestel by artikel 6 van die Wolskema, afgekondig by Proklamasie R. 155 van 1972, kragtens artikel 34 van daardie Skema, met my goedkeuring en met ingang van die datum van publikasie hiervan, die voorskrifte in die Bylae hiervan uiteengesit, voorgeskryf het.

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

No. R. 1408

11 August 1972

TIME AND MANNER OF PAYMENT OF LEVIES ON WOOL

The Minister of Agriculture has, under the powers vested in him by section 89 of the Marketing Act, 1968 (No. 59 of 1968), read with section 18 of the Marketing Amendment Act, 1972 (No. 68 of 1972), made the regulations set out in the Schedule hereto, in substitution for the regulations published by Government Notice R. 935 of 1 July 1960, which is hereby repealed.

SCHEDULE

1. In this notice, unless inconsistent with the context, any word or expression to which a meaning has been assigned in the Wool Scheme, published by Proclamation R. 155 of 1972, shall have a corresponding meaning, and—

“Meat Board” means the Livestock and Meat Industries Control Board, referred to in section 3 of the Meat Scheme, published by Proclamation R. 200 of 1964;

“Month” the period extending from the first to the last day, both days inclusive, of any of the 12 months of the year.

2. A levy and special levy imposed by the Board under sections 22 and 23 of the said Wool Scheme on—

(a) wool sold through the Board, shall be payable to the Board at the time at which the wool is delivered to the Board for sale and may be recovered by the Board by deducting it from the amount of any advance payable in respect of that wool under section 36 (8) of that Scheme;

(b) wool on skins received in the Republic by a processor of skins for processing of the skins, shall be paid to the Meat Board before or on the last day of the month following the month in which the skins were so received;

(c) wool on unprocessed skins exported from the Republic, shall be paid to the Meat Board prior to the export of the skins.

3. The Meat Board shall as soon as may be possible remit to the Board the proceeds of any levy or special levy collected by it under regulation 2 (b) or (c).

4. Any person who contravenes or fails to comply with any provision of these regulations, shall be guilty of an offence and liable on conviction to a fine not exceeding R200.

No. R. 1409

11 August 1972

APPLICATIONS FOR REGISTRATION OF PERSONS DEALING IN THE COURSE OF TRADE WITH WOOL

In terms of section 79 (c) of the Marketing Act, 1968 (No. 59 of 1968), I, Dirk Cornelis Hermanus Uys, Minister of Agriculture, hereby make known that the South African Wool Board, established by section 6 of the Wool Scheme, published by Proclamation R. 155 of 1972, has in terms of section 34 of that Scheme, with my approval and with effect from the date of publication hereof, prescribed the requirements set out in the Schedule hereto.

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

BYLAE

1. In hierdie kennisgewing, tensy uit die samehang anders blyk, het 'n woord of uitdrukking waaraan in die Wolskema, afgekondig by Proklamasie R. 155 van 1972, 'n betekenis geheg is, 'n ooreenstemmende betekenis, en beteken—

“as 'n besigheid handel”, met betrekking tot wol, elke aankoop van wol van produsente daarvan indien die aldus aangekoopte wol of 'n hoeveelheid daarvan van die hand gesit word of bestem is om van die hand gesit te word deur die koper vir enige vergoeding hoegenaamd.

“wol” nie ook wol aan velle nie.

2. Iemand wat voornemens is om kragtens artikel 34 van die genoemde Skema registrasie as 'n persoon wat met wol as 'n besigheid handel, te bekom, kan by die Hoofbestuurder (Wolbemarking), Suid-Afrikaanse Wolraad, Posbus 2191, Port Elizabeth, om sodanige registrasie aansoek doen op die vorm in die Aanhangsel hiervan uiteengesit.

AANHANGSEL

Suid-Afrikaanse Wolraad
Posbus 2191
Port Elizabeth

AANSOEK OM REGISTRASIE AS 'N PERSOON WAT MET WOL AS 'N BESIGHEID HANDEL KRAGTENS ARTIKEL 34 VAN DIE WOLSKEMA, AFGEKONDIG BY PROKLAMASIE R. 155 VAN 1972

Naam van applikant.....

Adres.....

Verstrek die Landdrosdistrikte waarin applikant optree:

Verstrek die massa wol wat applikant gedurende die voorafgaande seisoen aangekoop het..... kg.

Is die onderneming 'n eenmansaak, vennootskap of maatskappy?

Indien die onderneming 'n vennootskap is, verstrek die volle name en adresse van al die vennote:

Indien die onderneming 'n maatskappy is, verstrek die volle name en adresse van al die direkteure:

Datum..... Handtekening.....
Hoedanigheid.....

No. R. 1410 11 Augustus 1972
OPGAWES WAT VERSTREK EN AANTEKENINGE
WAT GEHOU MOET WORD IN VERBAND MET
WOL

Kragtens artikel 79 (c) van die Bemarkingswet, 1968 (No. 59 van 1968), maak ek, Dirk Cornelis Hermanus Uys, Minister van Landbou, hierby bekend dat die Suid-Afrikaanse Wolraad, ingestel by artikel 6 van die Wolskema, afgekondig by Proklamasie R. 155 van 1972, kragtens artikel 30 van daardie Skema, met my goedkeuring en met ingang van die datum van publikasie hiervan, die voorskrifte in die Bylae hiervan uiteengesit, voorgeskryf het.

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

B—3488

SCHEDULE

1. In this notice, unless inconsistent with the context, any word or expression to which a meaning has been assigned in the Wool Scheme, published by Proclamation R. 155 of 1972, shall have a corresponding meaning, and—

“dealing in the course of trade”, in relation to wool means every purchase of wool from producers thereof, if the wool so purchased, or any quantity thereof, is or is intended to be disposed of by the purchaser for any consideration whatsoever.

“wool” excluding wool on skins.

2. Any person intending to obtain registration under section 34 of the said Scheme as a person dealing in the course of trade with wool, may apply for such registration to the General Manager (Wool marketing), South African Wool Board, P.O. Box 2191, Port Elizabeth, on the form set out in the Annexure hereto.

ANNEXURE

South African Wool Board
P.O. Box 2191
Port Elizabeth

APPLICATION FOR REGISTRATION AS A PERSON DEALING IN THE COURSE OF TRADE WITH WOOL IN TERMS OF SECTION 34 OF THE WOOL SCHEME, PUBLISHED BY PROCLAMATION R. 155 OF 1972

Name of applicant.....

Address.....

State the magisterial districts in which applicant operates:

State the mass of wool purchased by applicant during the preceding season..... kg.

Is the business a one-man concern, partnership or company?

If the business is a partnership, furnish the full names and addresses of all the partners:

If the business is a company, furnish the full names and addresses of all the directors:

Date..... Signature.....
Designation.....

No. R. 1410 11 August 1972
RETURNS TO BE RENDERED AND RECORDS TO
BE KEPT IN CONNECTION WITH WOOL

In terms of section 79 (c) of the Marketing Act, 1968 (No. 59 of 1968), I, Dirk Cornelis Hermanus Uys, Minister of Agriculture, hereby make known that the South African Wool Board, established by section 6 of the Wool Scheme, published by Proclamation R. 155 of 1972, has, under section 30 of that Scheme, with my approval and with effect from the date of publication hereof, prescribed the requirements set out in the Schedule hereto.

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

2—3629

BYLAE

Woordomskrywing

1. In hierdie kennisgewing, tensy uit die samehang anders blyk, het 'n woord of uitdrukking waaraan in die Wolskema, afgekondig by Proklamasie R. 155 van 1972, 'n betekenis geheg is, 'n ooreenstemmende betekenis, en beteken—

“boekjaar” die in artikel 29 van die genoemde Skema bedoelde boekjaar van die Raad.

“maand” die tydperk wat strek van die eerste tot die laaste dag, albei dae ingesluit, van enigeen van die 12 maande van die jaar.

“velontbloter” iemand wat wol verwyder van velle wat hy van iemand anders verkry het;

“wolkoper” iemand wat wol van die Raad koop.

Wolkopers

2. (1) Elke wolkoper moet juiste en leesbare aantekeninge in boekvorm in Afrikaans of Engels op sy besigheidsperseel hou wat die volgende besonderhede moet aantoon:

(a) Die massa en koopprys van elke hoeveelheid wol deur hom van die Raad aangekoop;

(b) die massa van elke hoeveelheid wol deur hom anders as van die Raad aangekoop, die koopprys en die naam en adres van die persoon van wie die wol aldus aangekoop is;

(c) die massa van elke hoeveelheid wol deur hom—

(i) in die Republiek verkoop en die naam en adres van die koper;

(ii) in die Republiek aan 'n verwerker vir verwerking versend en die naam en adres van die verwerker;

(iii) uit die Republiek uitgevoer en die bestemming daarvan.

(2) 'n Wolkoper moet die in subklousule (1) bedoelde aantekeninge vir 'n tydperk van nie minder nie as twee jaar behou.

Invoerders

3. Elkeen wat wol in die Republiek invoer, moet binne 14 dae na die laaste dag van die maand waarin die wol aldus ingevoer is, aan die Raad 'n opgawe verstrek op die vorm in Aanhangsel A hiervan uiteengesit.

Uitvoerders

4. Elkeen wat wol uit die Republiek uitvoer, moet binne 14 dae na die laaste dag van die maand waarin die wol aldus uitgevoer is, aan die Raad 'n opgawe verstrek op die vorm in Aanhangsel B hiervan uiteengesit.

Persone wat Wol vir Verwerking in die Republiek Versend

5. Elkeen wat wol na 'n verwerker van wol in die Republiek vir verwerking versend, moet binne 14 dae na die laaste dag van die maand waarin die wol aldus versend is, aan die Raad 'n opgawe verstrek op die vorm in Aanhangsel C hiervan uiteengesit.

Verwerkers

6. Elkeen wat wol verwerk moet—

(a) binne 14 dae na die laaste dag van die maand waarin die wol verwerk is, aan die Raad 'n opgawe verstrek op die vorm in Aanhangsel D hiervan uiteen-

SCHEDULE

Definitions

1. In this notice, unless inconsistent with the context, any word or expression to which a meaning has been assigned in the Wool Scheme, published by Proclamation R. 155 of 1972, shall have a corresponding meaning, and—

“fellmonger” means a person who removes wool from skins which he has acquired from another;

“financial year” means the financial year of the Board referred to in section 29 of the said Scheme;

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

“wool buyer” means a person who buys wool from the Board.

Wool Buyers

2. (1) Each wool buyer shall keep at his business premises true and legible records in book form in Afrikaans or English reflecting the following particulars:

(a) The mass and purchase price of each quantity of wool purchased by him from the Board;

(b) the mass of each quantity of wool purchased by him from any person other than the Board, the purchase price and the name and address of the person from whom the wool was so purchased;

(c) the mass of each quantity of wool—

(i) sold by him in the Republic and the name and address of the purchaser;

(ii) consigned by him to a processor in the Republic for processing and the name and address of the processor;

(iii) exported by him from the Republic and the destination thereof.

(2) A wool buyer shall retain the records referred to in subclause (1) for a period of not less than two years.

Importers

3. Each person who imports wool into the Republic shall within 14 days after the last day of the month within which the wool was so imported, furnish the Board with a return on the form set out in Annexure A hereto.

Exporters

4. Each person who exports wool from the Republic shall within 14 days after the last day of the month within which the wool was so exported, furnish the Board with a return on the form set out in Annexure B hereto.

Persons who Consign Wool for Processing in the Republic

5. Each person who consigns wool to a processor of wool in the Republic of processing, shall within 14 days after the last day of the month within which the wool was so consigned, furnish the Board with a return on the form set out in Annexure C hereto.

Processors

6. Each person who processes wool shall—

(a) within 14 days after the last day of the month within which the wool was so processed, furnish the Board with a return on the form set out in Annexure D hereto.

(b) binne een maand na die einde van die boekjaar waarin die wol verwerk is, aan die Raad 'n opgawe verstrek op die vorm in Aanhangsel E hiervan uiteengesit:

Met dien verstande dat aparte opgawes verstrek moet word ten opsigte van wol vir eie rekening verwerk en wol ten behoeve van iemand anders verwerk.

Velontbloters

7. Elke velontbloter moet binne 14 dae na die laaste dag van elke maand waarin hy wol van velle verwyder aan die Raad 'n opgawe verstrek op die vorm in Aanhangsel F hiervan uiteengesit.

AANHANGSEL A

OPGAWE VAN INGEVOERDE WOL

Verstrek te word deur alle

PERSONE WAT WOL IN DIE REPUBLIEK INVOER

Naam van invoerder.....
Adres.....
Opgawe vir die maand van.....

Land van oorsprong	Vetwol, netto massa (kg)	Gewaste wol, netto massa (kg)
.....		
.....		
.....		
.....		
.....		
.....		
.....		
.....		
.....		

Datum.....
Plek..... Handtekening van invoerder

AANHANGSEL B

OPGAWE VAN WOL UITGEVOER

Verstrek te word deur uitvoerders van wol

Naam van uitvoerder.....
Adres.....
Opgawe vir die maand van.....

Datum en No. van inklarings-brief	Aantal bale	Beskrywing	Netto massa (kg)	V.A.B.-waarde	Bestemming
.....					
.....					
.....					
.....					
.....					
.....					
.....					
.....					
.....					

Datum.....
Handtekening van uitvoerder

AANHANGSEL C

OPGAWE VAN WOL VERSEND VIR VERWERKING IN DIE REPUBLIEK VAN SUID-AFRIKA

Verstrek te word deur persone wat wol versend aan 'n verwerker van wol vir verwerking in die Republiek

Naam van versender.....
Adres.....
Opgawe vir die maand van.....

Aantal bale	Beskrywing	Netto massa (kg)	Naam van verwerker aan wie versend
.....			
.....			
.....			
.....			
.....			
.....			
.....			
.....			
.....			

Datum.....
Handtekening van versender

(b) within one month after the end of the financial year within which the wool was processed, furnish the Board with a return on the form set out in Annexure E hereto:

Provided that separate returns shall be rendered in respect of wool processed for own account and wool processed on behalf of another person.

Fellmongers

7. Each fellmonger shall within 14 days after the last day of each month within which he removes wool from skins, furnish the Board with a return on the form set out in Annexure F hereto.

ANNEXURE A

RETURN OF IMPORTED WOOL

To be furnished by all

PERSONS WHO IMPORT WOOL INTO THE REPUBLIC

Name of importer.....
Address.....
Return for the month of.....

Country of origin	Grease net mass (kg)	Scoured net mass (kg)
.....		
.....		
.....		
.....		
.....		
.....		
.....		
.....		
.....		

Date.....
Place..... Signature of importer

ANNEXURE B

RETURN OF WOOL EXPORTED

To be furnished by exporters of wool

Name of exporter.....
Address.....
Return for the month of.....

Date and No. of clearance certificate	Number of bales	Description	Net mass (kg)	F.O.B. value	Destination
.....					
.....					
.....					
.....					
.....					
.....					
.....					
.....					
.....					

Date.....
Signature of exporter

ANNEXURE C

RETURN OF WOOL CONSIGNED FOR PROCESSING IN THE REPUBLIC OF SOUTH AFRICA

To be furnished by persons who consign wool to a processor of wool for processing in the Republic

Name of consignor.....
Address.....
Return for the month of.....

Number of bales	Description	Net mass (kg)	Name of processor to whom consigned
.....			
.....			
.....			
.....			
.....			
.....			
.....			
.....			
.....			

Date.....
Signature of consignor

Verstrek te word deur

Naam van verwerker.....
Adres.....
Opgawe vir die maand van.....

[illegible]

Datum.....

Handtekening van verwerker

Verstrek te word deur

Naam van verwerker.....
Adres.....
Opgawe vir die finansiële jaar geëindig 30 Junie.....

[illegible]

Datum.....

Handtekening van verwerker

To be furnished by

Name of processor.....
Address.....
Return for the month of.....

[illegible]

Date.....

Signature of processor

ANNEXURE E
RETURN OF WOOL TRANSACTIONS
 To be furnished by

PERSONS WHO PROCESS GREASY WOOL (a) ON BEHALF OF CLIENTS*; (b) FOR OWN ACCOUNT*

Name of processor.....
 Address.....
 Return for the financial year ending 30 June.....

Name and address of owner of wool	Received during year		Processed during year		Greasy wool returned or transferred during year	
	Karakul wool net mass (kg)	Other wool net mass (kg)	Karakul wool net mass (kg)	Other wool net mass (kg)	Karakul wool net mass (kg)	Other wool net mass (kg)
.....						
.....						
.....						
.....						
.....						
.....						
.....						
.....						
.....						

* Delete whichever is not applicable—separate returns must be rendered in respect of (a) and (b)

Date.....

Signature of processor.....

AANHANGSEL F
OPGAWE VAN VELWOL EN GESKEERDE WOL
 Verstrek te word deur alle velontbloters

Naam van velontbloter.....
 Adres.....
 Opgawe vir die maand van.....

	Velwol, netto massa (kg)	Geskeerde wol, netto massa (kg)
A. Massa wol in voorraad op eerste dag van maand.....		
B. Massa wol van velle verwyder gedurende die maand.....		
Totaal.....		
C. Massa wol gedurende die maand verkoop (spesifiseer name en adresse van persone aan wie verkoop).....		
Totale massa van wol gedurende die maand verkoop.....		
D. Massa van wol in voorraad op die laaste dag van maand.....		
Totaal.....		

Datum.....
 Plek..... Handtekening van velontbloter.....

ANNEXURE F
RETURN OF FELLMONGERED AND SHORN WOOL
 To be rendered by all fellmongers

Name of fellmonger.....
 Address.....
 Return for the month of.....

	Fell-mongered net mass (kg)	Shorn wool net mass (kg)
A. Mass of wool in stock on first day of month.....		
B. Mass of wool removed from skins during month.....		
Total.....		
C. Mass of wool sold during month (specify names and addresses of persons to whom sold).....		
Total mass of wool sold during month.....		
D. Mass of wool in stock on the last day of month.....		
Total.....		

Date.....
 Place..... Signature of fellmonger.....

DEPARTEMENT VAN LANDBOU-TEGNIESIE DIENSTE

No. R. 1375 11 Augustus 1972
REGULASIES MET BETREKKING TOT DIE REGISTRASIE EN VERKOOP VAN LANDBOU-MIDDELS

Die Minister van Landbou het, kragtens die bevoegdheid hom verleen by artikel 23 van die Wet op Misstawe, Veevoedsel, Landboumiddels en Veemiddels, 1947 (Wet 36 van 1947), die regulasies in die Aanhangsel hierby uitengesit, gemaak.

DEPARTMENT OF AGRICULTURAL TECHNICAL SERVICES

No. R. 1375 11 August 1972
REGULATIONS PERTAINING TO THE REGISTRATION AND SALE OF AGRICULTURAL REMEDIES

The Minister of Agriculture has, under the powers vested in him by section 23 of the Fertilizers, Farm Feeds, Agricultural Remedies and Stock Remedies Act, 1947 (Act 36 of 1947), made the regulations set out in the Annexure hereto.

AANHANGSEL

Woordomskrywing

1. In hierdie regulasies, tensy dit onbestaanbaar is met die samehang, beteken—

“die Wet”, die Wet op Misstawwe, Veevoedsel, Landboumiddels en Veemiddels, 1947 (Wet 36 van 1947);

“landboumiddel”, enige chemiese stof of biologiese middel of mengsel of kombinasie van so 'n stof of middel wat bestem is of aangebied word om gebruik te word—

(a) vir die vernietiging, beheer, afwering of voorkoming van enige ongewenste virus, bakterie, alg, nematode, swam, insek, plant, gewerweld dier, ongewerweld dier of enige produk daarvan, maar met uitsluiting van enige chemiese stof, biologiese middel of ander middel vir sover dit beheer word ingevolge die Wet op Geneesher, Tandartse en Aptekers, 1928 (Wet 13 van 1928), die Wet op Voedingsmiddels, Medisyne en Ontsmettingsmiddels, 1929 (Wet 13 van 1929), of die Wet op die Beheer van Medisyne, 1965 (Wet 101 van 1965), of enige preparaat wat deur 'n geneesheer of veearts vir 'n bepaalde pasiënt of groep pasiënte voorgeskryf is; of

(b) as plantgroeireguleerde, ontblaarder, uitdroogmiddel op peulplantentstof;

“teëmiddel” enige praktiese onmiddellike behandeling in geval van vergiftiging en sluit in eerstehulp.

Registrasie

2. (1) Elke aansoek om die registrasie van 'n landboumiddel word in drievoud in die vorm in die Tweede Bylae hiervan voorgeskryf, ingedien by die Registrasiebeampte van Landboumiddels, Departement van Landbou-tegniese Dienste, Privaatsak X116, Pretoria, en moet vergesel gaan van—

(¹) (a) drie getikte kopieë van die etiket, advertensie en ander literatuur wat gebruik word of bedoel is vir gebruik in verband met sodanige landboumiddel;

(b) twee monsters van die landboumiddel (nie minder as 4 onse/vl. onse elk);

(c) die registrasiegeld wat in die Eerste Bylae hiervan gespesifiseer word;

(²) (d) behalwe waar die Registrasiebeampte dit nie vereis nie, proefondervindelike data oor biologiese doeltreffendheid en reste verkry onder Suid-Afrikaanse omstandighede en farmaseutiese en toksikologiese data;

(e) volledige besonderhede oor giftigheid van die landboumiddel; en

(f) ontledingsmetode vir die bepaling van die persentasie aktiewe bestanddeel/dele.

(2) Geen aansoek word oorweeg nie tensy dit in alle opsigte aan die voorgeskrewe vereistes voldoen en tensy die applikant sodanige verdere inligting (insluitende geskikte monsters van die landboumiddel) aan die Registrasiebeampte verskaf as wat laasgenoemde mag verlang, om te kan bepaal of die landboumiddel geskik en doeltreffend genoeg is vir die doel waarvoor dit bestem is.

(3) Registrasie sal slegs geskied nadat gedrukte kopieë van die etiket, soos goedgekeur, voorgelê is.

(¹) *Opmerking.*—Daar word aanbeveel dat drie kopieë van elke etiket en advertensie wat bedoel is vir gebruik in verband met 'n landboumiddel van die Registrasiebeampte voorgelê word voordat dit gedruk word.

(²) *Opmerking.*—(i) Voordat applikante proewe uitlê om aansoek om registrasie van landboumiddels te steun, moet hulle die Registrasiebeampte nader en besonderhede verstrek om die aard en omvang van die beoogde proewe aan te dui; waar moontlik sal amptenare van die Departement die proewe besoek. Dit moet beamptes van die Departement vrystaan om die proewe te alle tye te besigtig ten einde op hoogte te kom met die eindresultate.

(ii) Genoemde toetse moet, of deur die applikant of ander onafhanklike liggame onderneem word. Die Departement behou egter die reg voor om, waar moontlik en/of wenslik, self eers proewe uit te voer voordat registrasie geskied.

ANNEXURE

Definitions

1. In these regulations, unless inconsistent with the context—

“the Act”, means the Fertilizers, Farm Feeds, Agricultural Remedies and Stock Remedies Act, 1947 (Act 36 of 1947);

“agricultural remedy”, means any chemical substance or biological remedy or any mixture or combination of any such substance or remedy intended or offered to be used—

(a) for the destruction, control, repelling or prevention of any undesired virus, bacterium, alga, nematode, fungus, insect, plant, vertebrate, invertebrate or any product thereof, but excluding any chemical substance, biological remedy or other remedy in so far as it is controlled under the Medical, Dental and Pharmacy Act, 1928 (Act 13 of 1928), the Food, Drugs and Disinfectants Act, 1929 (Act 13 of 1929), or the Drugs Control Act, 1965 (Act 101 of 1965), or any preparation prescribed by a medical practitioner or veterinarian for a particular patient or group of patients; or

(b) as plantgrowth regulator, defoliant, desiccant or legume inoculant;

“antidote”, means any immediate practical treatment in case of poisoning and includes first-aid.

Registration

2. (1) Every application for the registration of an agricultural remedy shall be submitted in triplicate in the form prescribed in the Second Schedule hereto, to The Registering Officer of Agricultural Remedies, Department of Agricultural Technical Services, Private Bag X116, Pretoria, and shall be accompanied by—

(¹) (a) three typed copies of the label, advertisement and other literature used or intended to be used in connection with such agricultural remedy;

(b) two samples of the agricultural remedy (not less than 4 oz/fl. oz each);

(c) the registration fee as specified in the First Schedule hereto;

(²) (d) except when not required by the Registering Officer, experimental data on biological efficacy and residues obtained under South African conditions;

(e) full particulars on the pharmacology and toxicology of the agricultural remedy; and

(f) method of analysis for determining the percentage of active ingredient/s.

(2) No application will be considered unless it complies in all respects with the requirements prescribed, and unless the applicant furnishes the Registering Officer with such further information (including suitable samples of the agricultural remedy), as he may call for in order to determine whether the agricultural remedy is suitable and sufficiently effective for the purpose for which it is intended.

(3) Registration will only be effected upon receipt of printed copies of the approved label.

(¹) *Note.*—It is recommended that three typed copies of every label and advertisement intended for use in connection with any agricultural remedy be submitted to the Registering Officer before it is printed.

(²) *Note.*—(i) Before commencement of experimentation in support of applications for registration of agricultural remedies, applicants must approach the Registering Officer submitting particulars regarding the nature and extent of envisaged experimentation. If possible officials of the Department will visit these experiments. Such officials must be free to inspect experiments at all times with the view to acquainting themselves with the final results.

(ii) Such tests must be undertaken either by the applicant or by some other independent body. The Department, however, reserves the right to, where possible and/or desirable, first conduct tests prior to registration.

(4) Wanneer 'n landbouwmiddel geregistreer is, reik die Registrasiebeampte 'n registrasiesertifikaat aan die applikant uit, of laat hy een uitreik, wat geldig is vir 'n tydperk van hoogstens vier jaar en wat op 30 Junie 1974 verval.

(5) Van 1 Julie 1970 af sal die registrasie van landboumiddels slegs elke vier jaar, of vir 'n gedeelte van vier jaar, plaasvind: Die tydperke sal bereken word van 1 Julie 1970 af. Aansoek om registrasie moet gedoen word op die vorms voorgeskryf in subregulasie (1) van hierdie regulasies en moet vergesel gaan van die registrasiegelde vermeld in die Eerste Bylae hiervan.

(6) 'n Bestaande registrasie sal as 'n nuwe registrasie beskou word indien 'n wysiging daarvan die aktiewe bestanddeel/dele met meer as 5 persent beïnvloed.

(7) Geen landbouwmiddel mag in die Republiek van Suid-Afrika, met die doel om te verkoop, ingevoer word nie, tensy dit vooraf deur 'n verteenwoordiger, wat in die Republiek woon of in die Republiek sake doen, geregistreer is.

(8) (a) Invoer van landboumiddels vir eie gebruik mag slegs geskied met skriftelike toestemming van die Registrasiebeampte. Waar landboumiddels egter vir verkoopdoeleindes ingevoer word, sal die Registrasiebeampte die reg hê om 'n algemene permit onderhewig aan die verstrekking van die verlangde inligting elke jaar uit te reik, en sal belanghebbendes nie verplig word om aansoek vir individuele besendings te doen nie.

(b) Invoer van landboumiddels vir eksperimentele doeleindes mag slegs geskied met skriftelike toestemming van die Registrasiebeampte.

Aansoeke vir die invoer van proefbesendings moet, benewens 'n geskikte monster, van die volgende inligting vergesel wees:

- (i) Die land van oorsprong;
- (ii) die hawe van binnekoms;
- (iii) hoeveelheid wat ingevoer sal word;
- (iv) die doel waarvoor die middel aangewend gaan word;
- (v) waar die middel uitgetoets gaan word;
- (vi) farmakologiese en toksikologiese eienskappe; en
- (vii) ontledingsmetodes.

Appel

3. (1) Wanneer 'n aansoek om registrasie van die hand gewys is, of die registrasie ooreenkomstig die bepalinge van artikel 3 (3) van die Wet aan voorwaardes onderworpe gemaak is, of ooreenkomstig die bepalinge van artikel 4 van die Wet ingetrek is, moet die Registrasiebeampte die applikant van die redes vir die weiering, oplegging van voorwaardes of intrekking skriftelik in kennis stel en kan die applikant binne 56 dae nadat hy van die weiering, oplegging van voorwaardes of intrekking in kennis gestel is skriftelik by die Minister teen sodanige besluit appel aanteken en moet 'n uiteensetting van die gronde waarop die appel gebaseer is gelyktydig indien.

(2) Na oorweging van die appel verwittig die Minister of laat hy die applikant skriftelik van sy beslissings verwittig.

Handelsname en -merke

4. Geen landbouwmiddel mag geregistreer, ingevoer of verkoop word onder 'n handelsnaam of -merk wat in verband met 'n ander geregistreerde landbouwmiddel gebruik word, of wat nie geredelik onderskei kan word van 'n handelsnaam of -merk wat in verband met 'n ander geregistreerde landbouwmiddel gebruik word nie.

(4) Whenever an agricultural remedy is registered, the Registering Officer shall issue or cause to be issued to the applicant a registration certificate, which shall be valid for a period not exceeding four years and which shall expire on 30 June 1974.

(5) As from 1 July 1970, the registration of agricultural remedies shall only take place every fourth year, or part of four years, which period shall be calculated from 1 July 1970. Applications for registration shall be submitted on the forms prescribed by subregulation (1) of these regulations and shall be accompanied by the registration fees set out in the First Schedule hereto.

(6) An existing registration will be regarded as a new registration in case of an amendment thereto which will affect its active ingredient/s by more than five per cent.

(7) An agricultural remedy may not be imported into the Republic of South Africa for the purpose of sale unless it has been registered, prior to the importation thereof by a representative resident or carrying on business within the Republic.

(8) (a) Agricultural remedies may only be imported for private use with the written consent of the Registering Officer. Where, however, agricultural remedies are imported with the view to sale the Registering Officer shall have the right to issue a general permit subject to the annual submission of required information and in this case it will not be necessary for those concerned to apply for individual consignments.

(b) Agricultural remedies may only be imported for experimental purposes with the written consent of the Registering Officer. Applications for the importation of test consignments must be accompanied by a sample together with the following information:

- (i) The country of origin;
- (ii) the port entry;
- (iii) the quantity to be imported;
- (iv) the purpose for which the remedy will be used;
- (v) where the remedy will be tested;
- (vi) pharmacological and toxicological properties; and
- (vii) methods of analysis.

Appeals

3. (1) Whenever an application for registration is rejected, or a registration is made subject to conditions in terms of the provisions of section 3 (3) of the Act, or is cancelled in terms of the provisions of section 4 of the Act, the Registering Officer shall notify the applicant, in writing, of such rejection, imposition of conditions or cancellation, and the applicant may within 56 days of being notified of such rejection, imposition of conditions or cancellation appeal to the Minister, in writing, against such decision and shall simultaneously submit an explanation of the grounds on which the appeal is based.

(2) After consideration of the appeal the Minister shall or cause the applicant to be advised, in writing, of his decision.

Trade Names and Brands

4. No agricultural remedy shall be registered, imported or sold under any trade name or brand which is used in connection with any other agricultural remedy, or which is not readily distinguishable from any trade name or brand used in connection with any other agricultural remedy.

Etikettering van Houers

5. (1) Niemand mag 'n landbouwmiddel, uitgesonderd 'n peulplantentstof, verkoop nie, tensy daar duidelik en leesbaar op die houer waarin dit verkoop word, of op 'n etiket wat daaraan geheg is, gemerk of gedruk is—

(¹) (a) die handelsnaam en -merk (as daar is) van die landbouwmiddel;

(b) die netto gewig/volume in die houer;

(c) die persentasiesamestelling van die landbouwmiddel, in 'n vorm soos deur die Registrasiebeampte goedgekeur;

(d) in die geval van 'n landbouwmiddel met 'n beperkte doeltreffendheidsduur, die laaste datum waarop dit nog met welslae gebruik kan word, asook die toestand waaronder dit bewaar moet word;

(e) 'n verklaring in 'n vorm deur die Registrasiebeampte goedgekeur, oor die eienskappe en die doel waarvoor die landbouwmiddel bedoel is;

(²) (f) die gebruiksaanwysings en voorsorgmaatreëls (indien enige);

(g) die naam en adres van die persoon wat vir die registrasie van die landbouwmiddel verantwoordelik is;

(h) die registrasienommer en die Wet waarkragtig die landbouwmiddel geregistreer is, bv., Reg. No. L..... kragtig Wet 36 van 1947, soos gewysig;

(i) die doodshoof en gekruisde dybene in die geval van 'n baie giftige landbouwmiddel; in hierdie opsig moet aan die voorskrifte van die Wet op Geneeshere, Tandartse en Aptekers, 1928 (Wet 13 van 1928), soos gewysig, voldoen word;

(j) ingeval van vergiftiging die simptome;

(k) die naam van 'n doeltreffende teëmiddel; en

(l) enige ander vereistes wat deur die Wet op Voedingsmiddels, Medisyne en Ontsmettingsmiddels, 1929 (Wet 13 van 1929), gestel word.

(2) Niemand mag 'n landbouwmiddel wat 'n peulplantentstof is, verkoop nie tensy daar duidelik en leesbaar op die houer waarin dit verkoop word, of op 'n etiket wat daaraan geheg is, gemerk of gedruk is—bo en behalwe die vereistes gestel in items (a), (f), (g) en (h) van regulasie 5 (1)—

(a) die naam en adres van die vervaardiger en die distribueerder in Suid-Afrika;

(b) die naam van die spesifieke peulplant(e) waarvoor die entstof bedoel is;

(c) die hoeveelheid saad (pond, gewig) wat behandel kan word ten opsigte van elke peulplant waarvoor die entstof bedoel is;

(d) die verpakkingsnommer deur middel waarvan die bron van die entstof in die proses van vervaardiging opgespoor kan word;

(³) (e) die vervaardigings- en die vervaldatum; en

(f) 'n waarskuwing, in die geval van deurskynende houers: "Hou in 'n koel (1° tot 24° C. of 34° tot 75° F.), droë, donker plek"; in die geval van ondeurskynende houers kan die woord "donker" weggelaat word.

(¹) *Opmerking.*—Die naam moet van 'n beskrywende aard wees en die generiese naam van die aktiewe bestanddeel moet in hakies direk onder die naam van die landbouwmiddel aangegee word.

(²) *Opmerking.*—Voorsorgmaatreëls of waarskuwings moet meer prominent op die etiket verskyn as die gebruiksaanwysings.

(³) *Opmerking.*—Die tydperk tussen genoemde twee datums

Labelling of Containers

5. (1) No person shall sell any agricultural remedy, other than a legume inoculant, unless there is clearly and legibly marked or printed on the container in which it is sold or on a label affixed thereto—

(¹) (a) the trade name and brand (if any) of the agricultural remedy;

(b) the net weight/volume of the substance in such container;

(c) the percentage composition of the agricultural remedy, in a form approved by the Registering Officer;

(d) in the case of an agricultural remedy which is liable to deterioration in storage, the last date on which it can still be effectively used, and the conditions under which it must be stored;

(e) a declaration in a form approved by the Registering Officer specifying the properties and the purpose for which the agricultural remedy is intended;

(²) (f) the directions for use and precautionary measures (if any);

(g) the name and address of the person responsible for the registration of the agricultural remedy;

(h) the registration number and the act in terms of which the agricultural remedy is registered, e.g. Reg. No. L..... in terms of Act 36 of 1947, as amended;

(i) the skull and cross bones in case of a very toxic agricultural remedy; here the requirements of the Medical, Dental and Pharmacy Act, 1928 (Act 13 of 1928), as amended, must be complied with;

(j) in case of poisoning the symptoms;

(k) the name of an effective antidote; and

(l) any other requirements under the Food, Drugs and Disinfectants Act, 1929 (Act 13 of 1929).

(2) No person shall sell any agricultural remedy which is a legume inoculant, unless there is clearly and legibly marked or printed on the container in which it is sold or on a label affixed thereto in addition to the requirements of items (a), (f), (g) and (h) of regulation 5 (1)—

(a) the name and address of the manufacturer and distributor in South Africa;

(b) the name of the specific legume(s) for which the inoculant is intended;

(c) the quantity of seed (pounds, weight) that can be treated in respect of each kind of legume for which the inoculant is intended;

(d) the pack number whereby the source of the inoculant in the process of manufacture can be traced;

(³) (e) the dates of manufacture and expiration;

(f) a warning in the case of transparent containers: "Store in cool (1° C to 24° C or 34° F to 75° F) dry and dark place"; in the case of non-translucent containers the word "dark" may be omitted.

(¹) *Note.*—The name must be descriptive and the generic name of the active ingredients must appear in brackets below the name of the agricultural remedy.

(²) *Note.*—Precautionary measures or warning statements must appear more prominently on the label than the directions for use.

(³) *Note.*—The time between these dates must not exceed six months.

(3) Behalwe soos anders bepaal by hierdie regulasies of enige ander wet, mag geen woorde of merke as dié waarvoor in subregulasies (1) en (2) voorsiening gemaak is en die woorde "Geregistreer ooreenkomstig die Wet op Misstowwe, Veevoedsel, Landboumiddels en Veemiddels, 1947", of "Wet 36 van 1947" voorkom op 'n houer waarin 'n landboumiddel verkoop word of op 'n etiket wat daaraan geheg is nie.

(4) Die inligting wat gemerk of gedruk is op 'n houer waarin 'n landboumiddel verkoop word, moet slegs op een etiket verskyn. Die gebruik van aparte plaketkette vir bykomende inligting word nie toegelaat nie.

Verpakking van Baie Giftige Landboumiddels

6. (1) Baie giftige landboumiddels moet verpak word (waar moontlik) volgens die Suid-Afrikaanse Buro vir Standaardse spesifikasies (SABS 601/614—1961), en in ooreenstemming met die vereistes gestel in die Wet op Geneeshere, Tandartse en Aptekers, 1928 (Wet 13 van 1928), soos gewysig, sodat die gevaar van voedselbesoedeling uitgeskakel word in die proses van hantering en opberging.

(2) Niemand wat 'n baie giftige landboumiddel verkoop mag dit in 'n kleiner maat opmaak as wat deur die vervaardiger aan hom voorsien is nie. Waar die hoofhouer egter in kleiner maat opgemaak is met die doel om die verkoper in staat te stel om kleiner hoeveelhede daarvan van die hand te sit, is die bepalings van regulasie 5 (1) *mutatis mutandis* van toepassing.

Advertensies

7. (1) In 'n advertensie van 'n landboumiddel mag niemand—

(a) woorde of uitdrukkings (behalwe die uitdrukking "Geregistreer ooreenkomstig die Wet op Misstowwe, Veevoedsel en Middels, 1947") gebruik wat daarop gemik is om by 'n koper die indruk te skep dat registrasie spesiale goedkeuring of 'n amptelike waarborg vir die doeltreffendheid daarvan van die kant van die Departement van Landbou-tegniese Dienste beteken nie; of

(b) aansprake maak ten opsigte van die landboumiddel, behalwe dié wat in die registrasiesertifikaat van sodanige landboumiddel goedgekeur is nie.

(2) Elke persoon wat begerig is om 'n advertensie van 'n landboumiddel uit te reik, moet 14 dae voor die eerste publikasie daarvan 'n getikte of gedrukte kopie daarvan by die Registrasiebeampte indien.

Monsters

8. (1) Die inspekteur of beampte wat 'n monster van 'n landboumiddel kragtens artikel 15 van die Wet neem, neem 'n hoeveelheid uit die voorraad waarvan die monster geneem word wat in drie dele verdeel kan word, waarvan elkeen groot genoeg is vir ontleding. Voordat die hoeveelheid aldus uitgeneem, verdeel word, word dit goed gemeng.

(2) Waar die landboumiddel in 'n houer is wat nie genoeg vir ontleding bevat as die middel verdeel word soos voormeld nie, moet bykomende houters wat op dieselfde wyse geëtiketteer is en na voorgegee word dieselfde landboumiddel bevat, verkry en die inhoud van twee of meer sodanige houters dan deeglik gemeng word voordat dit in drie dele verdeel word.

(3) *Opmerking.*—As die houer te klein is om 'n volledige etiket te dra, kan die nodige aanwysings op 'n aparte blad, wat saam met die houer verpak word, verstrekk word, mits die houer 'n verwysing dra dat dit nie sonder die meegaande blad verkoop mag word nie.

(3) Save as otherwise provided by these regulations or any other law, no words or markings, other than those provided for in subregulations (1) and (2) and the words "Registered in terms of the Fertilizers, Farm Feeds, Agricultural Remedies and Stock Remedies Act, 1947 (or Act 36 of 1947)", may appear on any container in which an agricultural remedy is sold, or on any label affixed thereto.

(4) The information marked or printed on a container in which an agricultural remedy is sold, shall appear on one label only. The use of separate "stickers" for additional information is not permitted.

Packing of Very Toxic Agricultural Remedies

6. (1) Very toxic agricultural remedies must be packed (where possible) according to the South African Bureau of Standard's specifications (SABS 601/614—1961) and in accordance with the requirements of the Medical, Dental and Pharmacy Act, 1928 (Act 13 of 1928), as amended, in order to eliminate the hazard of food contamination in the process of handling and storing.

(2) No person selling a very toxic agricultural remedy, may repack such a remedy in smaller quantities than that supplied to him. If, however, the main container is made up in smaller quantities with the view of allowing the seller to dispose of it in smaller quantities, the requirements of regulation 5 (1) shall apply *mutatis mutandis*.

Advertisements

7. (1) No person shall in an advertisement of an agricultural remedy—

(a) use any words or phrases (other than the phrase "Registered in terms of the Fertilizers, Farm Feeds and Remedies Act, 1947") which are calculated to lead a purchaser to believe that registration implies special approval or official guarantee of efficacy upon the part of the Department of Agricultural Technical Services; or

(b) make any claim in respect of such agricultural remedy, other than those approved of in the certificate of registration of such agricultural remedy.

(2) Every person who desires to issue an advertisement of an agricultural remedy shall, 14 days prior to the first publication thereof, submit a typed or printed copy thereof to the Registering Officer.

Samples

8. (1) The inspector or officer taking a sample of an agricultural remedy in terms of section 15 of the Act, shall extract from the bulk of which the sample is taken a quantity which can be divided into three parts, each being sufficiently large for the purpose of analysis. Before dividing the quantity thus extracted it shall be thoroughly mixed.

(2) When the agricultural remedy is in a container the contents of which are not sufficient for analysis if divided as aforesaid, additional containers, similarly labelled and purporting to contain a similar agricultural remedy, shall be procured and the contents of two or more such containers shall then be thoroughly mixed before being divided into three parts.

(3) *Note.*—If a container is too small to carry a complete label, the necessary directions may appear on a loose leaflet which must be packed with the container and reference must appear on the container to the effect that the product may not be sold without the said leaflet.

(3) Wanneer 'n landboumiddel in 'n houer bederfbaar is, of indien die oopmaak van die houer om die een of ander rede die ontleding van die landboumiddel sal belemmer tensy die ontleding by die oopmaak daarvan of onmiddellik daarna uitgevoer word, moet minstens drie houters verkry word wat op dieselfde wyse geëtiketteer is en na voorgegee word dieselfde landboumiddel bevat. Die houters wat aldus verkry is, word dan in drie groepe verdeel, waarvan elkeen een of meer onoorgemaakte houters bevat en wat verder behandel word soos by subartikel (2) van artikel 15 van die Wet voorgeskryf.

(4) Die sertifikaat wat een deel van die monster na die ontleder vergesel, soos vereis deur subartikel (2) van artikel 15 van die Wet en die sertifikaat waarop die resultaat van die ontleding of toets van 'n monster aangegeven is, soos vereis deur subartikel (3) van genoemde artikel, moet in die vorm wees wat onderskeidelik in die Deede en die Vierde Bylae hiervan voorgeskryf word.

Oortredings en Strafbepalings

9. Iemand wat 'n bepaling of vereiste van hierdie regulasies oortree of versuim om daaraan te voldoen is skuldig aan 'n misdryf en strafbaar met 'n boete van hoogstens R200 of gevangenisstraf vir 'n tydperk van hoogstens ses maande, of met sowel sodanige boete as sodanige gevangenisstraf.

Herroeping van Regulasies

10. Die regulasies gepubliseer in Goewermentskennisgewing R. 944 op 17 Junie 1966 en soos gewysig deur Goewermentskennisgewings R. 945 op 17 Junie 1966 en R. 1437 op 20 Augustus 1971 word hierby herroep.

"EERSTE BYLAE

REGISTRASIEGELDE—LANDBOUMIDDELS

1. Aansoek vir registrasie: R20.
2. Aansoek vir die wysiging van 'n bestaande registrasie: R10."

TWEDE BYLAE

DEPARTEMENT VAN LANDBOU-TEGNISE DIENSTE WET OP MISSTOWWE, VEEVOEDSEL, LANDBOUMIDDELS EN VEEMIDDELS, 1947 (WET 36 VAN 1947)

AANSOEK OM DIE REGISTRASIE VAN 'N LANDBOUMIDDEL

AANWYSING VIR VOLTOOIING EN INDIENING VAN AANSOEK

1. Die aansoek moet vergesel gaan van—

(a) drie afskrifte van elke etiket, advertensie en ander literatuur wat gebruik word of bedoel word vir gebruik in verband met die landboumiddel;

(b) die voorgeskrewe registrasiegeld;

(c) twee geskikte monsters van die landboumiddel;

(d) eksperimentele data oor biologiese toetse (o.a. reste) in die Republiek van Suid-Afrika.

2. (a) Onder "samestelling" (item 5 van die aansoekvorm) moet die naam van elke bestanddeel (aktief sowel as onaktief), tesame met die persentasie waarin so 'n bestanddeel voorkom, aangegee word.

(b) Die persentasie gespesifiseer moet die minimum wees tensy daar spesiaal om die maksimum gevra word. In die geval van giftige bestanddele soos omskryf in die Wet op Geneeshere, Tandartse en Aptekers, No. 13 van 1928, moet die maksimum sowel as die minimum persentasies aangegee word.

(c) In die geval van sowel vastestof- as vloeistoflandboumiddels moet die persentasie volgens gewig aangegee word.

(d) Slegs analitiese en farmaseutiese uitdrukkings wat in die U.S.P., N.F., U.S. Dispensatory, B.P., B.P.C., Martindale's Extra Pharmacopoeia, D.A.B. en bylae en byvoegsels daarvan vervat is, kan gebesig word om die samestelling aan te dui.

3. Onder geen omstandighede moet besonderhede wat op die aansoekvorm moet verskyn op los velle papier ingedien word nie.

4. Aansoeke om die registrasie van 'n landboumiddel moet in drievoud gerig word aan: Die Registrasiebeampte, Wet 36 van 1947, Departement van Landbou-tegniese Dienste, Privaatsak X116, Pretoria.

(3) Where an agricultural remedy in a container is of a perishable nature, or where for any reason the opening of the container would interfere with the analysis of the remedy, unless such analysis were effected at the time of opening or immediately thereafter, at least three containers, similarly labelled and purporting to contain a similar agricultural remedy, shall be procured. The containers thus procured shall be split up into three groups, each of which shall contain one or more unopened container and which shall further be dealt with as prescribed by subsection (2) of section 15 of the Act.

(4) The certificate accompanying one part of the sample to the analyst, as required by subsection (2) of section 15 of the Act, and the certificate stating the result of the analysis or test of a sample, as required by subsection (3) of the said section, shall be in the forms prescribed in the Third and Fourth Schedules hereto respectively.

Offences and Penalties

9. Any person who contravenes or fails to comply with any provision or requirement of these regulations shall be guilty of an offence and liable to a fine not exceeding R200 or imprisonment for a period not exceeding 12 months, or to both such fine and such imprisonment.

Repeal of Regulations

10. The regulations published in Government Notice R. 944 on 17 June 1966, and as amended by Government Notices R. 945 on 17 June 1966 and R. 1437 on 20 August 1971, are hereby repealed.

"FIRST ANNEXURE

REGISTRATION FEES—AGRICULTURAL REMEDIES

1. Application for registration: R20.
2. Application for amendment of existing registration: R10."

SECOND SCHEDULE

DEPARTMENT OF AGRICULTURAL TECHNICAL SERVICES FERTILIZERS, FARM FEEDS, AGRICULTURAL REMEDIES AND STOCK REMEDIES ACT, 1947 (ACT 36 OF 1947), AS AMENDED

APPLICATION FOR THE REGISTRATION OF AN AGRICULTURAL REMEDY

DIRECTIONS FOR COMPLETION AND SUBMISSION OF APPLICATION

1. The application must be accompanied by—

(a) three copies of every label, advertisement and other literature used or intended to be used in connection with the agricultural remedy;

(b) the prescribed fee;

(c) two suitable samples of the agricultural remedy;

(d) experimental data on biological tests (including residues) in the Republic of South Africa;

(e) pharmacological and toxicological data.

2. (a) Under "composition" (item 5 of application form) the name of every ingredient, together with the percentage in which such ingredient is present and the form in which it occurs, shall be stated.

(b) The percentage specified shall be the minimum unless the maximum is specifically called for. In the case of poisons as defined by the Medical, Dental and Pharmacy Act, No. 13 of 1928, both the maximum and minimum percentage shall be stated.

(c) In the case of both solid and liquid agricultural remedies the percentage shall be specified by weight.

(d) Only the analytical or pharmaceutical terms in common use such as those contained in the U.S.P., N.F., U.S. Dispensatory, B.P., B.P.C., Martindale's Extra Pharmacopoeia, D.A.B. and addenda and supplements thereof may be employed in stating the composition.

3. Particulars which must be reflected on the application form must under no circumstances be submitted separately.

4. Applications for the registration of an agricultural remedy shall be submitted in triplicate to: The Registering Officer, Act 36 of 1947, Department of Agricultural Technical Services, Private Bag X116, Pretoria.

DEEL I

1. Naam van applikant.....
2. (a) Posadres van applikant.....
(b) Besigheidsadres van applikant.....
3. Is applikant verantwoordelik vir die invoer..... vervaardiging
..... of verkoop..... van die landboumiddel/veemiddel?
(Vul in Ja of Nee).
4. (a) Beskrywende handelsnaam.....
(b) Geregistreerde handelsmerk.....
(c) Generiese naam van aktiewe bestanddeel/dele.....
5. Samestelling.....
6. Giftigheid:
(a) Voorsorgmaatreëls.....
(b) Simptome van vergiftiging.....
(c) Teëmiddel.....
7. Gebruiksaanwysings.....
8. Watter eienskappe die landboumiddel na beweer word besit?
9. Verpakking gebruik.....

Hiermee doen ek aansoek om die registrasie, kragtens Wet 36 van 1947, soos gewysig, van die landboumiddel waarvan die besonderhede hierbo verskyn en sertifiseer ek dat die besonderhede na die beste van my wete juis en korrek is.

Datum..... Handtekening van applikant.....

DEEL I

(Slegs vir amptelike gebruik)

No.....

Ek—

(a) sertifiseer hiermee dat die landboumiddel waarna in Deel I verwys word, geregistreer is; en

(b) keur die etikette, advertensie en ander literatuur waarvan afskrifte hierby aangeheg is, vir gebruik in verband met genoemde landboumiddel, goed.

Die registrasie vervel op.....
en is onderworpe aan die volgende voorwaardes.....

Datum..... Registrasiebeampte: Wet 36/1947

DERDE BYLAE

SERTIFIKAAT VAN INSPEKTEUR OF BEAMPTE WAT MONSTERS VAN 'N LANDBOUMIDDEL NEEM

[Kragtens artikel 15 (2) van die Wet op Misstawwe, Veevoedsel, Landboumiddels en Veemiddels, 1947]

Hierby sertifiseer ek dat die bygaande 'n monster van 'n landboumiddel is wat deur my geneem is op.....

te.....
(meld volledige adres) van voorrade onder toesig van.....

.....in die teenwoordigheid van.....

.....(meld naam en adres van getuie).
Die volgende besonderhede word ook in verband met die monster verstrek:

- (1) Handelsnaam en -merk van landboumiddel.....
- (2) Merke of nommer aan monster.....
- (3) Inligting verstrek op houer waaruit monster geneem is.....
- (4) Beraamde hoeveelheid landboumiddel deur monster verteenwoordig.....
- (5) Naam en adres van verkoper.....
- (6) Ander besonderhede.....

Inspekteur of beampte.....

Handtekening van getuie.....

Plek.....

Datum.....

Opmerking.—'n Kopie van die sertifikaat moet aan die eienaar of verkoper van die landboumiddel of sy agent oorhandig of gestuur word. 'n Derde kopie word deur die inspekteur of beampte gehou.

PART I

1. Name of applicant.....
2. (a) Postal address of applicant.....
(b) Business address of applicant.....
3. Is applicant responsible for the importation....., manufacture..... or sale..... of the agricultural remedy/stock remedy?
4. (a) Descriptive trade name.....
(b) Registered trade brand.....
(c) Generic name of active ingredient/s.....
5. Composition.....
6. Toxicity:
(a) Precautionary measures.....
(b) Symptoms of poisoning.....
(c) Antidote.....
7. Directions for use.....
8. What properties are claimed for the agricultural remedy?
9. Packaging used.....

I do hereby apply for the registration, in terms of Act 36 of 1947, as amended, of the agricultural remedy of which particulars are given above and I do hereby certify that these particulars are to the best of my knowledge true and correct.

Date..... Signature of applicant.....

PART II

(For official use only)

CERTIFICATE OF REGISTRATION

No.....

I do hereby—

(a) certify that the agricultural remedy referred to in Part I has been registered; and

(b) approve of the labels, advertisement and other literature copies of which are attached hereto and which are to be used in connection with the said agricultural remedy.

The registration expires on.....
and is subject to the following conditions.....

Date..... Registering officer: Act 36/1947

THIRD SCHEDULE

CERTIFICATE OF INSPECTOR OR OFFICER TAKING SAMPLE OF AN AGRICULTURAL REMEDY

[In terms of section 15 (2) of the Fertilizers, Farm Feeds, Agricultural Remedies and Stock Remedies Act, 1947]

I hereby certify that the accompanying is a sample of an agricultural remedy taken by me on.....at.....
(state full address) from stock in charge of.....
in the presence of.....
(state name and address of witness).

The following further particulars are given in connection with the sample:

- (1) Trade name and brand of agricultural remedy.....
- (2) Marks or number on sample.....
- (3) Information given on container from which sample is taken.....
- (4) Estimated quantity of agricultural remedy represented by sample.....
- (5) Name and address of seller.....
- (6) Other particulars.....

Inspector or officer.....

Signature of witness.....

Place.....

Date.....

Note.—A copy of this certificate shall be handed or forwarded to the owner or seller of the agricultural remedy or to his agent. A third copy shall be retained by the inspector or officer.

VIERDE BYLAE

CERTIFIKAAT DEUR ONTLEDER VAN RESULTAAT VAN ONTLEDING OF TOETS VAN MONSTER VAN LANDBOUMMIDDEL

[Kragtens artikel 15 (3) van die Wet op Misstawwe, Veevoedsel, Landboumiddels en Veemiddels, 1947]

Ek (volle naam).....
 'n behoorlik aangestelde ontleder kragtens artikel 14 van die Wet op Misstawwe, Veevoedsel, Landboumiddels en Veemiddels, 1947, verklaar hierby onder eed—

- (1) dat ek op.....
 'n monster van*.....
 van†.....
 vir ontleding en/of toets, ontvang het;
 (2) dat die monster geëtiketteer, verseël en gemerk was†.....
 (3) dat ek die monster ontleed en/of getoets het en gevind het (verstrek volle besonderhede van resultaat van ontleding en/of toets).....

Handtekening van ontleder

Beëdig voor my te..... op hede die.....
 dag van..... 19.....

Die verklaarder erken dat hy die inhoud van hierdie dokument verstaan.

Kommissaris van Ede

* Vul in naam van artikel soos op etiket aangedui.

† Vul in naam van persoon wat monster stuur en dui aan of dit "per hand", "per pos" of "per spoor" gelewer is, al na die geval.

‡ Vul in onderskeidingsmerk of nommer van monster.

DEPARTEMENT VAN SPOORWEE
EN HAWENS

No. R. 1388

11 Augustus 1972

DEPARTEMENT VAN DIE SUID-AFRIKAANSE SPOORWEE EN HAWENS.—WYSIGING IN DIE TENDERRAADREGULASIES EN -INSTRUKSIES

Die Minister van Vervoer het ingevolge artikel 3 (2) van Wet 73 van 1962 goedkeuring verleen om die volgende paragraaf by Instruksie 32 van die Suid-Afrikaanse Spoorweë en Hawens se Tenderraadregulasies en -instruksies te voeg:

(f) Maatskappye waarin die meerderheid aandele in die Republiek van Suid-Afrika gehou word.

DEPARTEMENT VAN DOEANE EN AKSYNS

No. R. 1381

11 Augustus 1972

DOEANE- EN AKSYNSWET, 1964.—WYSIGING VAN REGULASIES (No. MR/40)

Ek, Stefanus Louwrens Muller, Waarnemende Minister van Finansies, handelende kragtens die bevoegdheid my verleen by artikel 120 van die Doeane- en Aksynswet, 1964, maak hierby bekend dat die Tweede Bylae by die regulasies gepubliseer by Goewermentskennisgewing R. 555 van 13 April 1966 aangevul word deur vorms DA 23 A, DA 24 A, DA 25 A en DA 26 A deur die vorms in die Aanhangsels hierby aangetoon te vervang.

S. L. MULLER, Waarnemende Minister van Finansies.

Opmerking.—Die uitwerking van hierdie kennisgewing is om aan te dui hoe die betrokke vorms gedruk moet word.

FOURTH SCHEDULE

CERTIFICATE BY ANALYST OF RESULT OF ANALYSIS OR TEST OF SAMPLE OF AGRICULTURAL REMEDY

[In terms of section 15 (3) of the Fertilizers, Farm Feeds, Agricultural Remedies and Stock Remedies Act, 1947]

I (full name).....
 a duly appointed analyst, in terms of section 14 of the Fertilizers, Farm Feeds, Agricultural Remedies and Stock Remedies Act, 1947, hereby declare under oath—

- (1) that on..... I received a sample of*.....
 from†..... for analysis and/or test;
 (2) that the sample was labelled, sealed and marked†.....
 (3) that I have analysed and/or tested the sample and found that (state details or result of analysis and/or test).....

Signature of analyst

Sworn to before me at..... this.....
 day of..... 19.....

The deponent acknowledges that he understands the contents of this document.

Commissioner of Oaths

* Fill in name of article as stated on the label.

† Fill in name of person who sent the sample and state whether it was delivered "by hand", "by post" or "by rail", as the case may be.

‡ Insert distinguishing mark or number of sample.

DEPARTMENT OF RAILWAYS
AND HARBOURS

No. R. 1388

11 August 1972

DEPARTMENT OF THE SOUTH AFRICAN RAILWAYS AND HARBOURS—AMENDMENT OF THE TENDER BOARD REGULATIONS AND INSTRUCTIONS

The Minister of Transport has, in terms of section 3 (2) of Act 73 of 1962, approved of the amendment of the Tender Board Regulations and Instructions of the South African Railways and Harbours, by the addition to Instruction 32 of the following further paragraph:

(f) Companies in which the majority of shares is held in the Republic of South Africa.

DEPARTMENT OF CUSTOMS AND EXCISE

No. R. 1381

11 August 1972

CUSTOMS AND EXCISE ACT, 1964.—AMENDMENT OF REGULATIONS (No. MR/40)

I, Stefanus Louwrens Muller, Acting Minister of Finance, acting in terms of the powers vested in me by section 120 of the Customs and Excise Act, 1964, hereby announce that the Second Schedule to the regulations published in Government Notice R 555 of 13 April 1966, is supplemented by the substitution for forms DA 23 A, DA 24 A, DA 25 A and DA 26 A of the forms shown in the Annexures hereto.

S. L. MULLER, Acting Minister of Finance.

Note.—The effect of this notice is to indicate how the forms in question must be printed.

VERBETERINGSBEWYS – KLARINGSBRIEF – VIR UITVOER VAN SUID-AFRIKAANSE PRODUKTE (NIE EX PAKHUIS NIE)					DA 23 A
Klaringsplek				Uitvoerder Adres	
Skip/Vliegtuig/Spoor/Pad					
Land van finale bestemming					
Merke, nos., getal en beskrywing van pakke	Land van herkoms	Statistiese kodenommer	Statistiese hoeveelheid	Beskrywing en besonderhede van goedere	Uitvoerwaarde R
OORSPRONKLIK OP KB. NO.....VAN.....GEKLAAR AS.....					
Totale getal				Totaal	
namens Uitvoerder..... Datum.....				Kontroleur.....	No.

(Hierdie vorm moet met SWART ink op WIT papier gedruk word en die grootte daarvan moet 210 mm x 297 mm wees.)

VOUCHER OF CORRECTION – BILL OF ENTRY – FOR EXPORT OF SOUTH AFRICAN PRODUCTS (NOT EX WAREHOUSE)						DA 23 A
Place of entry				Exporter Address		
Ship/Aircraft/Rail/Road						
Country of final destination						
Marks, Nos., No. and description of packages	Country of origin	Statistical Code No.	Statistical quantity	Description and particulars of goods	Export value	
					R	
ORIGINALLY ENTERED ON B/E NO. OF AS						
Total No.				Total		No.
for Exporter..... Date.....				Controller		

(This form must be printed in BLACK ink on WHITE paper and the size thereof must be 210 mm x 297 mm.)

VERBETERINGSBEWYS – KLARINGSBRIEF – VIR UITVOER VAN INGEVOERDE GOEDERE (NIE EX PAKHUIS NIE)
DA 24A

Klaringsplek			Uitvoerder Adres		
Skip/Vliegtuig/Spoor/Pad					
Land van finale bestemming					
Merke, nommers, getal en beskrywing van pakke	Land van herkoms	Statistiese kode- nommer	Statistiese hoeveelheid	Beskrywing en besonderhede van goedere	Uitvoerwaarde R
OORSPRONKLIK OP KB. NO. VAN GEKLAAR AS					
Totale getal					Totaal
					No.
Namens uitvoerder.....		Datum	Kontroleur		

Hierdie vorm moet met SWART ink op GEEL papier gedruk word en die grootte daarvan moet 210 mm x 297 mm wees.

VOUCHER OF CORRECTION -- BILL OF ENTRY -- FOR EXPORT OF IMPORTED GOODS (NOT EX WAREHOUSE)					DA 24A	
Place of entry			Exporter			
Ship/Aircraft/Rail/Road			Address			
Country of final destination						
Marks, No., number and description of packages	Country of origin	Statistical code No	Statistical quantity	Description and particulars of goods	Export value	
					R	
ORIGINALLY ENTERED ON B/E NO. OF AS						
Total No.					Total	
					No.	
For exporter			Date		Controller	

This form must be printed in BLACK ink on YELLOW paper and the size thereof must be 210 mm x 297 mm.)

VERBETERINGSBEWYS – KLARINGSBRIEF – VIR UITVOER VAN SUID-AFRIKAANSE PRODUKTE (EX PAKHUIS)						DA 25 A	
Klaringsplek				Uitvoerder Adres			
Skip/Vliegtuig/Spoor/Pad							
Ex pakhuis (naam) No.							
Land van finale bestemming							
Kb. Opslag no. en datum	Merke, nommers, getal en beskrywing van pakke	Land van herkoms	Tariefitem en kortingitem	Statistiese hoeveelheid	Beskrywing en besonderhede van goedere vir belastingdoeleindes	Uitvoer- waarde R	Aksynswaarde/ verkoopreg- waarde R
OORSPRONKLIK OP KB. NO.....VAN.....GEKLAAR AS							
	Totale getal	V.O.W. no.	datum		Totale		
Namens uitvoerder..... Datum.....						No. Kontroleur	

Hierdie vorm moet met ROOI ink op WIT papier gedruk word en die grootte daarvan moet 210 mm x 297 mm wees.).

VOUCHER OF CORRECTION – BILL OF ENTRY – FOR EXPORT OF SOUTH AFRICAN PRODUCTS (EX WAREHOUSE)							DA 25 A	
Place of entry					Exporter Address			
Ship/Aircraft/Rail/Road								
Ex warehouse (Name) No.								
Country of final destination								
Whg. B/E No. and date	Marks, numbers, number and description of packages	Country of origin	Tariff item and rebate item	Statistical quantity	Description and particulars of goods for duty purposes	Export value	Excise value/ sales duty value	
						R	R	
ORIGINALLY ENTERED ON B/E NO. OF AS								
	Total number	R.I.B. No.	Date		Totals			
For exporter Date						No.		
								Controller

This form must be printed in RED ink on WHITE paper and the size thereof must be 210 mm x 297 mm.)

VERBETERINGSBEWYS—KLARINGSBRIEF—VIR UITVOER VAN INGEVOERDE GOEDERE (EX PAKHUIS)							DA 26A		
Klaringsplek					Uitvoerder Adres				
Skip/Vliegtuig/Spoor/Pad									
ex Pakhuis (naam)				No.					
Land van finale bestemming									
Kb. opslag no. en datum	Merke, nos., getal en beskrywing van pakke	Land van herkoms	Tariefpos/item en kortingitem	Statistiese hoeveelheid	Beskrywing en besonderhede van goedere vir belastingdoeleindes	Uitvoer- waarde	Prys v.a.b.	Binnelandse waarde/ver- koopregwaarde	
						R.	R.	R.	
OORSPRONKLIK OP KB. NO.....VAN.....GEKLAAR AS									
Totale getal		V.O.W. no.		Datum	Totale				
namens Uitvoerder..... Datum							No.		
							KONTROLEUR		

Hierdie vorm moet met ROOI ink op PIENK papier gedruk word en die grootte daarvan moet 210 mm x 297 mm wees.)

VOUCHER OF CORRECTION—BILL OF ENTRY—FOR EXPORT OF IMPORTED GOODS (EX WAREHOUSE)										DA 26A	
Place of entry		Ship/Aircraft/Rail/Road		No.		Description and particulars of goods for duty purposes		Export value		Domestic value/sales duty value	
Country of final destination		Wgt. B/L, No. and date		Marks, Nos., No. and description of packages		Country of origin		Tariff heading/Item and rebate item		Statistical quantity	
Ex warehouse (name)		No.		No.		No.		No.		No.	
ORIGINALY ENTERED ON B/E NO. OF AS											
Total No.		R.I.B. No.		Date		Totals					
for Exporter..... Date.....										CONTROLLER	
										No.	

This form must be printed in RED ink on PINK paper and the size thereof must be 210 mm x 297 mm.

No. R. 1382

11 Augustus 1972

DOEANE- EN AKSYNSWET, 1964.—WYSIGING
VAN REGULASIES (No. MR/41)

Ek, Stefanus Louwrens Muller, Waarnemende Minister van Finansies, handelende kragtens die bevoegdheid my verleen by artikel 120 van die Doeane- en Aksynswet, 1964, wysig hierby die Tweede Bylae by die regulasies soos gepubliseer by Goewermentskennisgewing R. 555 van 13 April 1966 deur Vorm DA 70 deur die vorm in die Aanhangel hierby aangetoon te vervang.

S. L. MULLER, Waarnemende Minister van Finansies.

Opmerking.—Die uitwerking van hierdie kennisgewing is dat die voorsiening vir die inskrywing van die kwitan-sienommer en datum verwyder word en dat voorsiening vir die inskrywing van die bedrag in woorde sowel as blokkies vir die bedrag in syfers, een syfer per blokkie, gemaak word.

No. R. 1382

11 August 1972

CUSTOMS AND EXCISE ACT, 1964.—AMENDMENT
OF REGULATIONS (No. MR/41)

I, Stefanus Louwrens Muller, Acting Minister of Finance, acting in terms of the powers vested in me by section 120 of the Customs and Excise Act, 1964, hereby amend the Second Schedule to the regulations published in Government Notice R. 555 of 13 April 1966, by the substitution for Form DA 70 of the form shown in the Annexure hereto.

S. L. MULLER, Acting Minister of Finance.

Note.—The effect of this notice is that the provision for recording the receipt number and date is removed and provision is made for recording the amount in words as well as squares for the amount in figures, one figure per square.

AANSOEK OM VOORLOPIGE BETALING TE DOEN					DA 70 (Bladsy 1)	
Bedrag	Rand	Sent	(Bedrag in woorde.....)			
Omstandighede van of rede vir aansoek (met inbegrip in die geval van 'n skulderkenning ingevolge artikel 91 van Wet 91 van 1964, van die artikel van die voornoemde Wet en die transaksie wat ter sake is).						
Kb. no.		Datum		Invoerder		
Leweransier		van (land)				
Merke, nommers, getal en beskrywing van pakke	Land van herkoms	Tariefpos/ -item	Beskrywing en besonderhede van goedere vir belastingdoeleindes	Waarde	Reg	
				R	R	c
Ek/ons. onderneem hierby om aan die vereistes van die departement ooreenkomstig die Doeane- en Aksynswet en die regulasies met betrekking tot die goedere of die omstandighede waarop hierdie betaling betrekking het, binne die ondervermelde tydperk deur die Kontroleur bepaal, te voldoen.						
Datum			Handtekening			
Skulderkenning kragtens artikel 91 van Wet 91 van 1964						
Ek/Ons erken hierby— * dat ek/ons die bepalings van die bogenoemde artikel van Wet 91 van 1964 oortree het. * dat ek/ons versuim het om aan die bepalings van die bogenoemde artikel van Wet 91 van 1964 te voldoen.						
Ek/Ons stem in om my/ons aan die Sekretaris se beslissing te onderwerp en doen aansoek om, hangende 'n sodanige beslissing, die bovermelde voorlopige betaling te doen. (* Skrap wat nie van toepassing is nie.)						
Datum			Handtekening			
SLEGS VIR AMPTELIKE GEBRUIK						
Die voorlopige betaling mag aanvaar word mits aan die betrokke vereistes binne (tydperk) voldoen word.						
Datum			Kontroleur van Doeane en Aksyns			
Toewysingsinstruksies						
Die bedrag van R moet in rekening bly.			mag terugbetaal word en die balans van R			(indien enige)
Datum			Kontroleur van Doeane en Aksyns			
Tjek No.		Datum		No.		

(Hierdie vorm moet met SWART ink op WIT papier gedruk word en die grootte daarvan moet 297 mm x 210 mm wees.)

DA 70
(Bladsy 2)**RAPPORT VAN BEAMPTTE**

(Hierdie vorm moet op die keersy van bladsy 1 van vorm DA 70 gedruk word.)

APPLICATION TO MAKE PROVISIONAL PAYMENT					DA 70 (Page 1)	
Rand Amount <table border="1" style="display: inline-table; width: 100px; height: 20px; vertical-align: middle;"></table> Cent <table border="1" style="display: inline-table; width: 40px; height: 20px; vertical-align: middle;"></table> (Amount in words.....)						
Place						
Circumstances of or reason for application (including, in the case of an admission of guilt in terms of section 91 of Act 91 of 1964, the section of the said Act and a description of the transaction involved).						
B/E No.		Date		Importer		
Supplier				of (country)		
Marks, Nos., No. and description of packages	Country of origin	Tariff heading/item	Description and particulars of goods for duty purposes	Value	Duty	
				R	R	c
I/We hereby undertake to comply with the requirements of the department in terms of the Customs and Excise Act and the regulations in respect of the goods or circumstances to which this payment relates within the understated period determined by the Controller.						
Date				Signature		
ADMISSION OF GUILT UNDER SECTION 91 OF ACT 91 OF 1964						
I/We hereby admit - * that I/we have contravened the provisions of the above-mentioned section of Act 91 of 1964. * that I/we have failed to comply with the provisions of the above-mentioned section of Act 91 of 1964. I/We agree to abide by the Secretary's decision and apply, pending such decision, to make provisional payment as indicated above. (* Delete which is not applicable)						
Date				Signature		
FOR OFFICIAL USE ONLY						
The provisional payment may be accepted provided the relative requirements are complied with within (period)						
Date				Controller of Customs and Excise		
Disposal Instructions The amount of R may be refunded and the balance of R (if any) must remain in the account. Date Controller of Customs and Excise						
Cheque No.		Date		No.		

(This form must be printed in BLACK ink on WHITE paper and the size thereof must be 297 mm x 210 mm.)

		DA 70 (Page 2)
OFFICER'S REPORT		

(This form must be printed on the reverse side of page 1 of form DA 70.)

No. R. 1383

11 Augustus 1972

**DOEANE- EN AKSYNSWET, 1964.—WYSIGING
VAN REGULASIES (No. MR/42)**

Ek, Stefanus Louwrens Muller, waarnemende Minister van Finansies, handelende kragtens die bevoegdheid my verleen by artikel 120 van die Doeane- en Aksynswet, 1964, wysig hierby die Tweede Bylae by die regulasies soos gepubliseer by Goewermentskennisgewing R 555 van 13 April 1966 deur Vorm DA 74 deur die vorm in die Aanhangsel hierby aangetoon te vervang.

L. MULLER, Waarnemende Minister van Finansies.

Opmerking.—Die uitwerking van hierdie kennisgewing is dat voorsiening vir die inskrywing van die naam van die skip en die nommer van die lossings-, aflewerings- en versendingsorder op Vorm DA 74 gemaak word.

No. R 1383

11 August 1972

**CUSTOMS AND EXCISE ACT, 1964.—AMENDMENT
OF REGULATIONS (No. MR/42)**

I, Stefanus Louwrens Muller, Acting Minister of Finance acting in terms of the powers vested in me by section 120 of the Customs and Excise Act, 1964, hereby amend the Second Schedule to the regulations published in Government Notice R. 555 of 13 April 1966, by the substitution for Form DA 74 of the form shown in the Annexure hereto.

S. L. MULLER, Acting Minister of Finance.

Note.—The effect of this notice is that provision is made for recording the name of the ship and number of the landing, delivery and forwarding order on Form DA 74.

AFLOSORDER VAN GOEDERE OORSPRONKLIK TERUGGEHOU		DA 74
DIE GOEDERESUPERINTENDENT,	Verwysingsno.	
	KANTOOR VAN DIE KONTROLEUR VAN DOEANE EN AKSYNS,	
Die volgende pak(ke) wat vir doeanedoeleindes teruggehou is, kan nou gelos word.		
Naam van skip	Lossings, aflewerings- en afsendingsorderno.	
Merke, nrs., getal en beskrywing van pakke	Invoerder	Klaringsbriefno. en -datum
		Datumstempel
		KONTROLEUR VAN DOEANE EN AKSYNS

(Hierdie vorm moet met SWART ink op WIT papier gedruk word en die grootte daarvan moet 148 mm x 210 mm wees.)

RELEASE ORDER OF GOODS ORIGINALLY DETAINED		DA 74
THE GOODS SUPERINTENDENT,	Ref. No.	
	OFFICE OF THE CONTROLLER OF CUSTOMS AND EXCISE,	
The following package(s) which was/were detained for Customs purposes, may now be released.		
Name of ship	Landing, delivery and forwarding order No.	
Marks, nos., no. and description of packages	Importer	B/E no. and date
		Date stamp
	CONTROLLER OF CUSTOMS AND EXCISE	

(This form must be printed in BLACK ink on WHITE paper and the size thereof must be 148 mm x 210 mm.)

INHOUD

No.	PROKLAMASIE	Bladsy
R. 197.	Datum van inwerkingtreding van die Algemene Regswysigingswet, 1972 ...	1
GOEWERMENSKENNISGEWINGS		
Arbeid, Departement van Goewermenskennisgewings		
R.1384.	Wet op Nywerheidsversoening, 1956: Bou- en Monumentklipmesselnywerheid, Bloemfontein: Wysiging van Ooreenkoms ...	1
R.1397.	Wet op Vakleerlinge, 1944, soos gewysig: Nasionale Vakleerlingskapkomitee vir die Metaalnywerheid: Voorgenome aanwysing van ambag en wysiging van leervoerwaardes ...	2
R.1415.	Wet op Nywerheidsversoening, 1956: Arbitrasietoekenning vir die Padpassasiersvervoerbedryf (Kaap) ...	6
Bantoe-administrasie en -ontwikkeling, Departement van Goewermenskennisgewing		
R.1376.	Venda- Wetgewende Vergadering: Wet 3 van 1972 ...	6
Doeane en Aksyns, Departement van Goewermenskennisgewings		
R.1381.	Doeane- en Aksynswet, 1964: Wysiging van regulasies (No. MR/40) ...	44
R.1382.	Doeane- en Aksynswet, 1964: Wysiging van regulasies (No. MR/41) ...	52
R.1383.	Doeane- en Aksynswet, 1964: Wysiging van regulasies (No. MR/42) ...	56
Justisie, Departement van Goewermenskennisgewings		
R.1395.	Aanwysing van sekere beamptes in diens by staatslughawes as vredesbeamptes ...	30
R.1414.	Kennisgewing ingevolge die Wet op die Onderdrukking van Kommunisme, 1950 ...	30
Landbou-ekonomie en -bemaking, Departement van Goewermenskennisgewings		
R.1387.	Regulasies met betrekking tot die gradering, verpakking en merk van slagpluimvee wat in die Republiek van Suid-Afrika verkoop word: Wysiging ...	30
R.1406.	Verbod op die verkoop van wol behalwe deur bemiddeling van die Suid-Afrikaanse Wolraad of aan sekere geregistreerde persone ...	31
R.1407.	Wolskema: Oplegging van heffing en spesiale heffing op wol ...	31
R.1408.	Tyd en wyse van betaling van heffings op wol ...	32
R.1409.	Aansoeke om registrasie van persone wat met wol as 'n besigheid handel ...	32
R.1410.	Opgawes wat verstrek en aantekeninge wat gehou moet word in verband met wol ...	33
Landbou-tegniese Dienste, Departement van Goewermenskennisgewing		
R.1375.	Regulasies met betrekking tot die registrasie en verkoop van landboumiddels ...	37
Spoorweë en Hawens, Departement van Goewermenskennisgewing		
R.1388.	Wysiging in die Tenderraadregulasies en -instruksies ...	44

CONTENTS

No.	PROCLAMATION	Page
R. 197.	Date of Commencement of the General Law Amendment Act, 1972 ...	1
GOVERNMENT NOTICES		
Agricultural Economics and Marketing, Department of Government Notices		
R.1387.	Regulations relating to the grading, packing and marking of table poultry intended for sale in the Republic of South Africa: Amendment ...	30
R.1406.	Prohibition of the sale of wool except through the South African Wool Board or to certain registered persons ...	31
R.1407.	Wool Scheme: Imposition of levy and special levy on wool ...	31
R.1408.	Time and manner of payment of levies on wool ...	32
R.1409.	Applications for registration of persons dealing in the course of trade with wool ...	32
R.1410.	Returns to be rendered and records to be kept in connection with wool ...	33
Agricultural Technical Services, Department of Government Notice		
R.1375.	Regulations pertaining to the registration and sale of agricultural remedies ...	37
Bantu Administration and Development, Department of Government Notice		
R.1376.	Venda Legislative Assembly: Act 3 of 1972 ...	6
Customs and Excise, Department of Government Notices		
R.1381.	Customs and Excise Act, 1964: Amendment of regulations (No. MR/40) ...	44
R.1382.	Customs and Excise Act, 1964: Amendment of regulations (No. MR/41) ...	52
R.1383.	Customs and Excise Act, 1964: Amendment of regulations (No. MR/42) ...	56
Justice, Department of Government Notices		
R.1395.	Designation of certain officers employed at State airports as peace officers ...	30
R.1414.	Notice in terms of the Suppression of Communism Act, 1950 ...	30
Labour, Department of Government Notices		
R.1384.	Industrial Conciliation Act, 1956: Building and Monumental Masonry Industries, Bloemfontein: Amendment of Agreement ...	1
R.1397.	Apprenticeship Act, 1944, as amended: National Apprenticeship Committee for the Metal Industry: Proposed designation of trade and amendment of conditions of apprenticeship ...	2
R.1415.	Industrial Conciliation Act, 1956: Arbitration award for the Road Passenger Transport Industry (Cape) ...	6
Railways and Harbours, Department of Government Notice		
R.1388.	Amendment of the Tender Board Regulations and Instructions ...	44