



STAATSKOERANT

VAN DIE REPUBLIEK VAN SUID-AFRIKA

REPUBLIC OF SOUTH AFRICA

GOVERNMENT GAZETTE

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No. 4992

PROKLAMASIES

van die Staatspresident van die Republiek van
Suid-Afrika

No. R. 31, 1976

MELKSKEMA.—WYSIGING

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

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

Gegee onder my Hand en Seël van die Republiek van Suid-Afrika te Kaapstad, op hede die Agtiende dag van Februarie Eenduisend Negehoenderd Ses-en-sewentig.

N. DIEDERICH, Staatspresident.

Op las van die Staatspresident-in-rade:

H. S. J. SCHOEMAN.

BYLAE

Die Melkskema, afgekondig by Proklamasie R. 225 van 1966, soos gewysig, word hierby verder gewysig deur in artikel 18 (1) paragraaf (b) te skrap.

No. R. 32, 1976

TOEPASSING VAN SEKERE BEPALINGS VAN DIE WET OP BANTOESELASTING, 1969, VIR DIE INVORDERING OF VERHAAL VAN SKULDE OF HUURGELDE VERSKULDIG AAN DIE SUID-AFRIKAANSE BANTOETRUST

Kragtens die bevoegdheid my verleen by artikel 45 van die Bantoeelasting en -grond Wet, 1936 (Wet 18 van 1936), verklaar ek hierby dat die bepalings van artikels 15, 17 (3) en, vir sover dit ter sake is, artikel 43 van die Wet op Bantoeelasting, 1969 (Wet 92 van 1969), *mutatis mutandis* van toepassing is vir doeleindes van die invordering of verhaal van enige skuld of huurgeld deur 'n Bantoe aan die Suid-Afrikaanse Bantoeelasting verskuldig ten opsigte van die koop, verhipotekering, omheining, okkupasie of gebruik van grond: Met dien verstande dat die boete of

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PROCLAMATIONS

by the State President of the Republic of
South Africa

No. R. 31, 1976

MILK SCHEME.—AMENDMENT

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

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

Given under my Hand and the Seal of the Republic of South Africa at Cape Town this Eighteenth day of February, One thousand Nine hundred and Seventy-six.

N. DIEDERICH, State President.

By Order of the State President-in-Council:

H. S. J. SCHOEMAN.

SCHEDULE

The Milk Scheme, published by Proclamation R. 225 of 1966, as amended, is hereby further amended by the deletion in section 18 (1) of paragraph (b).

No. R. 32, 1976

APPLICATION OF CERTAIN PROVISIONS OF THE BANTU TAXATION ACT, 1969, FOR THE COLLECTION OR RECOVERY OF DEBTS OR RENTS DUE TO THE SOUTH AFRICAN BANTU TRUST

Under and by virtue of the powers vested in me by section 45 of the Bantu Trust and Land Act, 1936 (Act 18 of 1936), I hereby declare that the provisions of sections 15, 17 (3) and, in so far as it is relevant, section 43 of the Bantu Taxation Act, 1969 (Act 92 of 1969), shall *mutatis mutandis* apply for purposes of the collection or recovery of any debt or rent due from any Bantu to the South African Bantu Trust in respect of the purchase, hypothecation, fencing, occupation or use of land: Provided that the

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gevangenisstraf by skuldigbevinding aan die misdryf van versuim om 'n bevel, uitgevaardig kragtens artikel 15 (1), na te kom, nie R50 of 90 dae oorskry nie.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Pretoria, op hede die Vyftiende dag van Desember Eenduisend Negehoonderd Vyf-en-sewentig.

N. DIEDERICH, Staatspresident.

Op las van die Staatspresident-in-rade:

M. C. BOTHA.

GOEWERMENTSKENNISGEWINGS

DEPARTEMENT VAN ARBEID

No. R. 317 27 Februarie 1976

WET OP NYWERHEIDSVERSOENING, 1956 ARBITRASIE TOEKENNING.—STADSRAAD VAN PAARL

Ek, Stephanus Petrus Botha, Minister van Arbeid, verklaar hierby kragtens artikel 49 (7) (a) van die Wet op Nywerheidsversoening, 1956, dat die Arbitrasietoekenning wat die Nywerheidshof op 10 Mei 1971 gemaak het in 'n geskil tussen die Suid-Afrikaanse Vereniging van Munisipale Werknemers (nie-Politiek) en Die Stadsraad van Paarl, in die munisipale gebied Paarl, ophou om bindend te wees vanaf die datum van publikasie van hierdie kennisgewing.

S. P. BOTHA, Minister van Arbeid.

No. R. 310 27 Februarie 1976

WET OP NYWERHEIDSVERSOENING, 1956 KATOENTEKSTIELNYWERHEID (KAAP).— WYSIGING VAN HOOFOOREENKOMS

Ek, Stephanus Petrus Botha, 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 Katoentekstielnywerheid betrekking het, met ingang van die tweede Maandag na die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 31 Desember 1976 eindig, bindend is vir die werkgewersorganisasie en die vakvereniging wat die Wysigingsooreenkoms aangegaan het en vir die werkgewers en werknemers wat lede van genoemde organisasie of vereniging is;

(b) kragtens artikel 48 (1) (b) van genoemde Wet, dat die bepalings van die Wysigingsooreenkoms, uitgesonderd dié vervat in klousule 1 (1), met ingang van die tweede Maandag na die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 31 Desember 1976 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 gebiede gespesifiseer in klousule 1 (2) van die Wysigingsooreenkoms; en

(c) kragtens artikel 48 (3) (a) van genoemde Wet, dat die bepalings van die Wysigingsooreenkoms, uitgesonderd dié vervat in klousule 1 (1), met ingang van die tweede Maandag na die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 31 Desember 1976 eindig, in die gebiede gespesifiseer in klousule 1 (2) van die Wysigingsooreenkoms *mutatis mutandis*

fine or the period of imprisonment on conviction of the offence of failure to comply with an order made under section 15 (1) shall not exceed R50 or 90 days.

Given under my Hand and the Seal of the Republic of South Africa at Pretoria this Fifteenth day of December, One thousand Nine hundred and Seventy-five.

N. DIEDERICH, State President.

By Order of the State President-in-Council:

M. C. BOTHA.

GOVERNMENT NOTICES

DEPARTMENT OF LABOUR

No. R. 317 27 February 1976

INDUSTRIAL CONCILIATION ACT, 1956 ARBITRATION AWARD.—CITY COUNCIL OF PAARL

I, Stephanus Petrus Botha, Minister of Labour, hereby in terms of section 49 (7) (a) of the Industrial Conciliation Act, 1956, declare that the Arbitration Award which was made by the Industrial Tribunal on 10 May 1971 in a dispute between the South African Association of Municipal Employees (non-Political) and The City Council of Paarl, in the municipal area of Paarl, shall cease to be binding as from the date of publication of this notice.

S. P. BOTHA, Minister of Labour.

No. R. 310 27 February 1976

INDUSTRIAL CONCILIATION ACT, 1956

COTTON TEXTILE MANUFACTURING INDUSTRY (CAPE).—AMENDMENT OF MAIN AGREEMENT

I, Stephanus Petrus Botha, 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 Cotton Textile Manufacturing Industry, shall be binding, with effect from the second Monday after the date of publication of this notice and for the period ending 31 December 1976, upon the employers' organisation and the trade union which entered into the Amending Agreement and upon the employers and employees who are members of the said organisation or union;

(b) in terms of section 48 (1) (b) of the said Act, declare that the provisions of the Amending Agreement, excluding those contained in clause 1 (1), shall be binding, with effect from the second Monday after the date of publication of this notice and for the period ending 31 December 1976, upon all employers and employees other than those referred to in paragraph (a) of this notice, who are engaged or employed in the said Industry in the areas specified in clause 1 (2) of the Amending Agreement; and

(c) in terms of section 48 (3) (a) of the said Act, declare that in the areas specified in clause 1 (2) of the Amending Agreement and with effect from the second Monday after the date of publication of this notice and for the period ending 31 December 1976, the provisions of the Amending Agreement, excluding those contained

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.

S. P. BOTHA, Minister van Arbeid.

BYLAE

NYWERHEIDSRAAD VIR DIE KATOENTEKSTIELNYWERHEID (KAAP)

OOREENKOMS

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

Textile Workers' Industrial Union (South Africa)

(hierna die "werknemers" of die "vakvereniging" genoem), aan die een kant, en die

Western Province Cotton Textile Manufacturers' Association (hierna die "werkgewers" of die "Vereniging" genoem), aan die ander kant,

wat die partye is by die Nywerheidsraad vir die Katoentekstielnywerheid (Kaap),

om die Hoofooreenkoms van die Raad, gepubliseer by Goewermentskennisgewing R. 1607 van 13 September 1974, soos gewysig by Goewermentskennisgewing R. 1171 van 13 Junie 1975, te wysig.

1. TOEPASSINGSBESTEK

Hierdie Ooreenkoms moet in die Katoentekstielnywerheid nagekom word—

(1) deur alle werkgewers wat lede van die Vereniging is en deur alle werknemers wat lede van die vakvereniging is;

(2) in die landdrosdistrikte Paarl, Wellington, Worcester, Bellville en Goodwood, maar uitgesonderd enige gedeeltes van die landdrosdistrikte Bellville en Goodwood wat voor die publikasie van Goewermentskennisgewing 173 van 9 Februarie 1973 binne die landdrosdistrikte Wynberg geval het.

2. KLOUSULE 8.—JAARLIKSE VERLOF

Skrap die voorbehoudsbepaling van subklausule (1) (iii).

3. KLOUSULE 11.—BEEÏNDIGING VAN DIENSKONTRAK

Vervang hierdie klausule deur die volgende:

"11. BEEÏNDIGING VAN DIENSKONTRAK

(1) *Kennisgewing of betaling in plaas van kennisgewing.*—'n Werkgever of sy werknemer, uitgesonderd 'n los werknemer, moet minstens 24 uur kennis gee gedurende die eerste vier weke diens, en daarna minstens, in die geval van 'n weekliks besoldigde werknemer, een week skriftelike kennis, en in die geval van 'n maandeliks besoldigde werknemer, een maand skriftelike kennis van die voorneme om die dienskontrak te beëindig, of in plaas daarvan moet hy die volgende betaal of verbeur:

(a) Een dag se loon in die geval van 24 uur kennisgewing;

(b) een week se loon in die geval van 'n week kennisgewing;

(c) een maand se loon in die geval van 'n maand kennisgewing;

Met dien verstande dat dit nie onderstaande raak nie:

(i) Die reg van 'n werkgever of 'n werknemer om die dienskontrak sonder kennisgewing om enige regsgeldige rede te beëindig;

(ii) die reg van die werkgever om die werknemer se dienskontrak as beëindig te beskou, waar sodanige werknemer afwesig was van sy werk sonder voorafgaande toestemming vir 'n tydperk van vyf werkdade, tensy die werknemer binne sodanige tydperk aan die werkgever 'n mediese sertifikaat verstrek waarin gesertifiseer word dat hy nie in staat was om sy gewone werk te verrig nie. Beëindiging kragtens hierdie voorbehoudsbepaling word geag beëindiging sonder kennisgewing deur die werknemer te wees vir die doeleindes van verbeuring van lone ingevolge hierdie subklausule.

(2) *Ooreenkoms aangaande kennisgewing.*—'n Werkgever kan 'n skriftelike ooreenkoms met 'n werknemer aangaan waarin voorsiening gemaak word vir 'n tydperk van kennisgewing wat langer is as dié wat in subklausule (1) genoem word, maar sodanige ooreenkoms moet bepaal dat die kennisgewing, hetsy deur die werkgever of die werknemer gegee, ewe lank is en dat die betaling of verbeuring in plaas van kennisgewing eweredig moet wees aan die tydperk van kennisgewing waarvoor ooreengekom is.

in clause 1 (1), shall *mutatis mutandis* be binding upon all Bantu employed in the said Industry 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.

S. P. BOTHA, Minister of Labour.

SCHEDULE

INDUSTRIAL COUNCIL FOR THE COTTON TEXTILE MANUFACTURING INDUSTRY (CAPE)

AGREEMENT

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

Textile Workers' Industrial Union (South Africa)

(hereinafter referred to as the "employees" or the "Trade Union"), of the one part, and the

Western Province Cotton Textile Manufacturers' Association

(hereinafter referred to as the "employers" or the "Association"), of the other part,

being parties to the Industrial Council for the Cotton Textile Manufacturing Industry (Cape),

to amend the Main Agreement of the Council, published under Government Notice R. 1607 of 13 September 1974, as amended by Government Notice R. 1171 of 13 June 1975.

1. SCOPE OF APPLICATION

The terms of this Agreement shall be observed in the Cotton Textile Manufacturing Industry—

(1) by all employers who are members of the Association and by all employees who are members of the Trade Union;

(2) in the Magisterial Districts of Paarl, Wellington, Worcester, Bellville and Goodwood, but excluding any portions of the Magisterial Districts of Bellville and Goodwood which prior to the publication of Government Notice 173 of 9 February 1973 fell within the Magisterial District of Wynberg.

2. CLAUSE 8.—ANNUAL LEAVE

Delete the proviso to subclause (1) (iii).

3. CLAUSE 11.—TERMINATION OF CONTRACT OF EMPLOYMENT

Substitute the following for this clause:

"11. TERMINATION OF CONTRACT OF EMPLOYMENT

(1) *Notice or payment in lieu of notice.*—An employer or his employee, other than a casual employee, shall give not less than 24 hours' notice during the first four weeks of employment, and thereafter not less than, in the case of a weekly paid employee, one week's notice in writing, and in the case of a monthly paid employee, one month's notice, in writing, of the intention to terminate the contract of employment, or in lieu thereof shall pay or forfeit—

(a) one day's wage in the case of 24 hours' notice;

(b) one week's wage in the case of a week's notice;

(c) one month's wage in the case of a month's notice;

Provided that this shall not affect—

(i) the right of an employer or an employee to terminate the contract without notice for any cause recognised by law as sufficient;

(ii) the right of the employer to regard the employee's contract of employment as terminated, where such an employee is absent from work without prior permission for a period of five work-days unless within such period the employee furnishes the employer with a medical certificate certifying his inability to perform his usual work. Termination in terms of this proviso shall be regarded as termination by the employee without notice for purposes of forfeiture of wages in terms of this subclause.

(2) *Agreement as to notice.*—An employer may enter into a written agreement with an employee providing for a period of notice longer than that stated in subclause (1), but such agreement must provide for the notice, whether given by employer or employee, to be of equal duration and the payment or forfeiture in lieu of notice must be proportionate to the period of notice agreed upon.

(3) *Inwerkingtreding van kennisgewing.*—Tensy ander skrifte-lik ooreenkomsig subklousule (2) bepaal, tree die kennisgewing in subklousule (1) bedoel, in werking vanaf die datum waarop dit gegee word: Met dien verstande dat die tydperk van kennisgewing nie mag saamval nie met en ook nie gegee mag word nie gedurende—

(i) die werknemer se afwesigheid met jaarlikse verlof, gelcentheidsverlof of die tydperk van siekteverlof waarop die werknemer ooreenkomsig die siektebystandfondsooreenkoms van die Raad op besoldiging geregtig is;

(ii) die werknemer se afwesigheid terwyl hy militêre opleiding ingevolge die Verdedigingswet, 1957, ondergaan.

(4) Indien die geld wat 'n werkgever aan lone verskuldig is aan 'n werknemer minder is as die volle bedrag van die verbeuring soos in subklousule (1) van hierdie klousule bedoel, is die werkgever, ondanks andersluidende bepalings in hierdie Ooreenkoms, daarop geregtig om sodanige bedrag af te trek van ander voordele (as daar is) wat sodanige werknemer ten tyde van die beëindiging van sy dienskontrak toekom. Vir die toepassing van hierdie subklousule word enige betaling wat ingevolge klousule 8 van hierdie Ooreenkoms aan 'n werknemer verskuldig is, ook geag 'n voordeel te wees wat hom toekom."

Namens die partye op hede die 8ste dag van Desember 1975 in Kaapstad onderteken.

R. W. KNOBEL, Voorsitter.

N. DANIELS, Ondervoorsitter.

J. D. F. COLINESE, Sekretaris.

No. R. 316

27 Februarie 1976

WET OP NYWERHEIDSVERSOENING, 1956

KLERASIENYWERHEID, KAAP.—WYSIGING VAN VOORSORGFONDSOOREENKOMS

Ek, Stephanus Petrus Botha, 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 Klerasienywerheid betrekking het, met ingang van die tweede Maandag na die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 31 Desember 1978 eindig, bindend is vir die werkgewersorganisasies en die vakvereniging wat die Wysigingsooreenkoms aangegaan het en vir die werkgewers en werknemers wat lede van genoemde organisasies of vereniging is;

(b) kragtens artikel 48 (1) (b) van genoemde Wet, dat die bepalings van die Wysigingsooreenkoms, uitgesonderd dié vervat in klousule 1 (1) (a), met ingang van die tweede Maandag na die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 31 Desember 1978 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 gebiede gespesifiseer in klousule 1 (1) (b) van die Wysigingsooreenkoms; en

(c) kragtens artikel 48 (3) (a) van genoemde Wet, dat die bepalings van die Wysigingsooreenkoms, uitgesonderd dié vervat in klousule 1 (1) (a), met ingang van die tweede Maandag na die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 31 Desember 1978 eindig, in die gebiede gespesifiseer in klousule 1 (1) (b) van die Wysigingsooreenkoms *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.

S. P. BOTHA, Minister van Arbeid.

(3) *Effect of notice.*—Unless otherwise agreed in writing under subclause (2), the notice referred to in subclause (1) shall take effect from the date on which it is given; Provided that the period of notice shall not run concurrently with, nor shall it be given during—

(i) the employee's absence on annual leave, casual leave or the period of sick leave for which the employee is entitled to payment in terms of the Sick Benefit Fund Agreement of the Council;

(ii) the employee's absence whilst undergoing military training, in pursuance of the Defence Act, 1957.

(4) Notwithstanding anything to the contrary in this Agreement, should any money owing by an employer to an employee by way of wages be insufficient to meet the full amount of forfeiture referred to in subclause (1) of this clause, the employer shall be entitled to retain such amount from other benefits (if any) which were in the process of accrual to such employee at the time of termination of his contract of employment. For the purpose of this subclause, any payment which may be due to an employee in terms of clause 8 of this Agreement shall also be regarded as a benefit in the process of accrual."

Signed at Cape Town on behalf of the parties this 8th day of December 1975.

R. W. KNOBEL, Chairman.

N. DANIELS, Vice-Chairman.

J. D. F. COLINESE, Secretary.

No. R. 316

27 February 1976

INDUSTRIAL CONCILIATION ACT, 1956

CLOTHING INDUSTRY, CAPE.—AMENDMENT OF PROVIDENT FUND AGREEMENT

I, Stephanus Petrus Botha, 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 Clothing Industry, shall be binding, with effect from the second Monday after the date of publication of this notice and for the period ending 31 December 1978, upon the employers' organisations and the trade union which entered into the Amending Agreement and upon the employers and employees who are members of the said organisations or union;

(b) in terms of section 48 (1) (b) of the said Act, declare that the provisions of the Amending Agreement, excluding those contained in clause 1 (1) (a), shall be binding, with effect from the second Monday after the date of publication of this notice and for the period ending 31 December 1978, upon all employers and employees other than those referred to in paragraph (a) of this notice, who are engaged or employed in the said Industry in the areas specified in clause 1 (1) (b) of the Amending Agreement; and

(c) in terms of section 48 (3) (a) of the said Act, declare that in the areas specified in clause 1 (1) (b) of the Amending Agreement and with effect from the second Monday after the date of publication of this notice and for the period ending 31 December 1978, the provisions of the Amending Agreement, excluding those contained in clause 1 (1) (a), shall *mutatis mutandis* be binding upon all Bantu employed in the said Industry 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.

S. P. BOTHA, Minister of Labour.

BYLAE

NYWERHEIDSRAAD VIR DIE KLERASIENYWERHEID
(KAAP)

OOREENKOMS

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

Cape Clothing Manufacturers' Association
en die

Cape Knitting Industry Association

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

Garment Workers' Union of the Western Province

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

wat die partye is by die Nywerheidsraad vir die Klerasienywerheid (Kaap),

om die Voorsorgfondsooreenkoms, gepubliseer by Goewermentskennisgewing R. 628 van 19 April 1973, soos gewysig by Goewermentskennisgewings R. 1794 van 28 September 1973 en R. 1174 van 5 Julie 1974, te wysig.

1. TOEPASSINGSBESTEK

(1) Hierdie Ooreenkoms moet in die Klerasienywerheid nagekom word—

(a) deur die werkgewers en werknemers wat lede van onderskeidelik die werkgewersorganisasies en vakvereniging is;

(b) in die landdrostdistrikte Die Kaap, Wynberg, Simonstad, Bellville, Goodwood, Somerset-Wes, Strand, Worcester en George.

(2) Ondanks subklousule (1) is hierdie Ooreenkoms—

(a) slegs van toepassing ten opsigte van werknemers vir wie lone voorgeskryf word in die Hoofdooreenkoms, die George ooreenkoms, die Brei-afdelingsooreenkoms, of die Dameskous-ooreenkoms;

(b) nie van toepassing nie op handelsreisigers of werknemers en werkende direkteure wie se lone minstens R4 500 per jaar bedra.

(3) Ondanks subklousules (1) en (2) is hierdie Ooreenkoms van toepassing ten opsigte van werknemers en werkende direkteure wat bydraers was op die datum van die inwerkingtreding van hierdie Ooreenkoms.

2. KLOUSULE 1.—TOEPASSINGSBESTEK

In subklousules (2) en (3), vervang "R3 600" deur "R4 500".

3. KLOUSULE 3.—WOORDOMSKRYWINGS

In die woordomskriving van "bydraer", vervang "R3 600" deur "R4 500".

4. KLOUSULE 6.—BYDRAES

In subklousule (1), vervang "R3 600" deur "R4 500".

Namens die partye op hede die 4de dag van Desember 1975 te Kaapstad onderteken.

A. M. ROSENBERG, Voorsitter van die Raad.

L. A. PETERSEN, Ondervoorsitter van die Raad.

G. J. NEL, Sekretaris van die Raad.

SCHEDULE

INDUSTRIAL COUNCIL FOR THE CLOTHING INDUSTRY
(CAPE)

AGREEMENT

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

Cape Clothing Manufacturers' Association
and the

Cape Knitting Industry Association

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

Garment Workers' Union of the Western Province

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

being parties to the Industrial Council for the Clothing Industry (Cape),

to amend the Provident Fund Agreement, published under Government Notice R. 628 of 19 April 1973, as amended by Government Notices R. 1794 of 28 September 1973 and R. 1174 of 5 July 1974.

1. SCOPE OF APPLICATION

(1) The terms of this Agreement shall be observed in the Clothing Industry—

(a) by the employers and employees who are members of the employers' organisations and trade union, respectively;

(b) in the Magisterial Districts of The Cape, Wynberg, Simonstown, Bellville, Goodwood, Somerset West, Strand, Worcester and George.

(2) Notwithstanding the provisions of subclause (1), the terms of this Agreement shall—

(a) only apply in respect of employees for whom wages are prescribed in the Main Agreement, the George Agreement, the Knitting Division Agreement, or the Ladies' Hosiery Agreement;

(b) not apply to travellers or employees and working directors whose wages are not less than R4 500 per annum.

(3) Notwithstanding the provisions of subclauses (1) and (2), the terms of this Agreement shall apply in respect of employees and working directors who were contributors as at the date of coming into operation of this Agreement.

2. CLAUSE 1.—SCOPE OF APPLICATION

In subclauses (2) and (3), substitute "R4 500" for "R3 600".

3. CLAUSE 3.—DEFINITIONS

In the definition of "contributor", substitute "R4 500" for "R3 600".

4. CLAUSE 6.—CONTRIBUTIONS

In subclause (1), substitute "R4 500" for "R3 600".

Signed at Cape Town on behalf of the parties this 4th day of December 1975.

A. M. ROSENBERG, Chairman of the Council.

L. A. PETERSEN, Vice-Chairman of the Council.

G. J. NEL, Secretary of the Council.

DEPARTEMENT VAN BANTOE-ONDERWYS

No. R. 315

27 Februarie 1976

WYSIGING VAN DIE STATUUT VAN DIE
UNIVERSITEIT VAN FORT HARE

Kragtens die bevoegdheid hom verleen by artikel 33 (2) van die Wet op die Universiteit van Fort Hare, 1969 (Wet 40 van 1969), het die Minister van Bantoe-onderwys onderstaande wysiging van die Statuut, gepubliseer by Goewermentskennisgewing R. 2001 van 5 November 1971 en gewysig by Goewermentskennisgewings R. 2348 van 31 Desember 1971, R. 2049 van 2 November 1973, R. 930 van 7 Junie 1974, R. 1861 van 18 Oktober 1974 en R. 1696 van 5 September 1975, wat deur die

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DEPARTMENT OF BANTU EDUCATION

No. R. 315

27 February 1976

AMENDMENT OF THE STATUTE OF THE
UNIVERSITY OF FORT HARE

The Minister of Bantu Education has, by virtue of the powers vested in him by section 33 (2) of the University of Fort Hare Act, 1969 (Act 40 of 1969), approved the following amendment to the Statute published under Government Notice R. 2001, dated 5 November 1971, and amended by Government Notices R. 2348, dated 31 December 1971, R. 2049, dated 2 November 1973, R. 930, dated 7 June 1974, R. 1861, dated 18 October 1974 and

Raad van die Universiteit van Fort Hare ingevolge artikel 33 (1) (a) van genoemde Wet opgestel is, goedgekeur:

Paragraaf 45 (iii) word hierby gewysig deur die volgende graad by te voeg:

"In Personeelleiding:

Baccalaureus Artium in Personeelleiding.. B.A. (Personeelleiding)".

R. 1696, dated 5 September 1975, as framed by the Council of the University of Fort Hare in terms of section 33 (1) (a) of the said Act:

Paragraph 45 (iii) is hereby amended by the addition of the following degree:

"In Personnel Management:

Bachelor of Arts in Personnel Management.. B.A. (Personnel Management)".

DEPARTEMENT VAN DOEANE EN AKSYNS

No. R. 304

27 Februarie 1976

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE 1 (No. 1/1/391)

Kragtens artikel 48 van die Doeane- en Aksynswet, 1964, word Deel 1 van Bylae 1 by genoemde Wet hierby gewysig in die mate in die Bylae hiervan aangetoon.

O. P. F. HORWOOD, Minister van Finansies.

DEPARTMENT OF CUSTOMS AND EXCISE

No. R. 304

27 February 1976

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE 1 (No. 1/1/391)

Under section 48 of the Customs and Excise Act, 1964, Part 1 of Schedule 1 to the said Act is hereby amended to the extent set out in the Schedule hereto.

O. P. F. HORWOOD, Minister of Finance.

BYLAE

I Tariefpos	II Statistiese Eenheid	III IV V Skaal van Reg		
		Algemeen	M.B.N.	Voorkeur
85.01 Deur subpos No. 85.01.13 deur die volgende te vervang: „85.01.13 Elektriese motore, ws., naamlik, motore gemerk of uitkenbaar as vlamvas of plofvry, dompel-, kommutator-, sinchroon- en repulsie-induksiemotore; elektriese motore met klepaandrywers toegerus	getal	5%		vry (V.K.)"

Opmerking.—Die uitwerking van hierdie kennisgewing is dat die skaal van reg op elektriese motore met klepaandrywers toegerus van verskeie skale van reg na 5% (Algemeen) en vry (Voorkeur) verlaag word.

SCHEDULE

I Tariff Heading	II Statistical Unit	III IV V Rate of Duty		
		General	M.F.N.	Preferential
85.01 By the substitution for subheading No. 85.01.13 of the following: „85.01.13 Electric motors, a.c., namely, motors marked or identifiable as flameproof or explosion-proof, submersible motors, commutator motors, synchronous motors and repulsion induction motors; electric motors fitted with valve actuators	no.	5%		free (U.K.)"

Note.—The effect of this notice is that the rate of duty on electric motors fitted with valve actuators is reduced from various rates of duty to 5% (General) and free (Preferential).

No. R. 305

27 Februarie 1976

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE 5 (No. 5/66)

Kragtens artikel 75 van die Doeane- en Aksynswet, 1964, word Bylae 5 by genoemde Wet hierby gewysig in die mate in die Bylae hiervan aangetoon.

O. P. F. HORWOOD, Minister van Finansies.

No. R. 305

27 February 1976

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE 5 (No. 5/66)

Under section 75 of the Customs and Excise Act, 1964, Schedule 5 to the said Act is hereby amended to the extent set out in the Schedule hereto.

O. P. F. HORWOOD, Minister of Finance.

BYLAE

I Item	II Tariefpos en Beskrywing	III Mate van Teruggawe
511.16	Deur na item 511.15 die volgende in te voeg: „511.16 TEKSTIELWEWERY 56.05 Garing van gefabriseerde vesels (diskontinu of afval), gebruik by die weef van Jacquard-patroonstowwe	Volle reg”

Opmerking.—Voorsiening word gemaak vir 'n teruggawe van die volle reg op garing van gefabriseerde vesels (diskontinu of afval), gebruik by die weef van Jacquard-patroonstowwe vir uitvoer.

SCHEDULE

I Item	II Tariff Heading and Description	III Extent of Drawback
511.16	By the insertion after item 511.15 of the following: “511.16 TEXTILE WEAVING 56.05 Yarn of man-made fibres (discontinuous or waste), used in the weaving of Jacquard figured fabrics	Full duty”

Note.—Provision is made for a drawback of the full duty on yarn of man-made fibres (discontinuous or waste), used in the weaving of Jacquard figured fabrics for export.

DEPARTEMENT VAN GESONDHEID

No. R. 327

27 Februarie 1976

DIE SUID-AFRIKAANSE GENEESKUNDIGE EN TANDHEELKUNDIGE RAAD

WYSIGING VAN DIE REÛLS BETREFFENDE DIE REGISTRASIE VAN SPESIALITEITE VAN GENEESHERE EN TANDARTSE, DIE VEREISTES WAARAAN VOLDOEN MOET WORD ALVORENS HULLE SPESIALITEITE GEREGISTREER KAN WORD, DIE VOORWAARDES WAT ENIGE PERSOON VAN SODANIGE VEREISTES VRYSTEL, EN DIE VOORWAARDES BETREFFENDE DIE PRAKTYK VAN GENEESHERE EN TANDARTSE WIE SE SPESIALITEITE GEREGISTREER IS

Die Minister van Gesondheid het kragtens artikel 61 (1) (p) van die Wet op Geneeshere, Tandartse en Aanvullende Gesondheidsdiensberoep, 1974 (Wet 56 van 1974), op aanbeveling van die Suid-Afrikaanse Geneeskundige en Tandheelkundige Raad, die reëls uitgevaardig by Goewermentskennissgewing R. 135 van 7 Februarie 1969, soos gewysig, verder gewysig deur reël 5 (c) deur die volgende te vervang:

“5 (c) dat hy bewys aan die Raad voorlê dat hy sedert registrasie as geneesheer minstens 12 maande ondervinding in geneeskundige praktyk opgedoen het behalwe in 'n erkende spesialiteit wat hy teenoor sy naam wil laat registreer;”.

DEPARTEMENT VAN LANDBOU-EKONOMIE EN -BEMARKING

No. R. 311

27 Februarie 1976

REGULASIES MET BETREKKING TOT DIE GRADERING, VERPAKKING EN MERK VAN VLEIS VIR UITVOER BEDOEL.—WYSIGING

Die Minister van Landbou het, kragtens die bevoegdheid hom verleen by artikel 4 van die Wet op Uitvoer van Landbouprodukte, 1971 (No. 51 van 1971), die regulasies afgekondig by Goewermentskennissgewing R. 362 van 15 Maart 1968, soos gewysig, verder gewysig soos in die Bylae hiervan uiteengesit.

DEPARTMENT OF HEALTH

No. R. 327

27 February 1976

THE SOUTH AFRICAN MEDICAL AND DENTAL COUNCIL

AMENDMENT OF THE RULES REGARDING THE REGISTRATION OF THE SPECIALITIES OF MEDICAL PRACTITIONERS AND DENTISTS, THE REQUIREMENTS TO BE SATISFIED BEFORE THEIR SPECIALITIES CAN BE REGISTERED, THE CONDITIONS WHICH SHALL EXEMPT ANY PERSON FROM SUCH REQUIREMENTS AND THE CONDITIONS GOVERNING THE PRACTICE OF MEDICAL PRACTITIONERS AND DENTISTS WHOSE SPECIALITIES HAVE BEEN REGISTERED

The Minister of Health has, in terms of section 61 (1) (p) of the Medical, Dental and Supplementary Health Service Professions Act, 1974 (Act 56 of 1974), on the recommendation of the South African Medical and Dental Council, further amended the rules published under Government Notice R. 135 of 7 February 1969, as amended, by the substitution for rule 5 (c) of the following:

“5 (c) to submit proof to the Council that, subsequent to having registered as a medical practitioner, he has spent at least 12 months in the practice of medicine other than in a recognised speciality which he wishes to have registered against his name;”.

DEPARTMENT OF AGRICULTURAL ECONOMICS AND MARKETING

No. R. 311

27 February 1976

REGULATIONS RELATING TO THE GRADING, PACKING AND MARKING OF MEAT INTENDED FOR EXPORT.—AMENDMENT

The Minister of Agriculture has, under the powers vested in him by section 4 of the Agricultural Produce Export Act, 1971 (No. 51 of 1971), further amended the regulations published by Government Notice R. 362 of 15 March 1968, as amended, as set out in the Schedule hereto.

BYLAE

Die Bylae van Goewermentskennisgewing R. 362 van 15 Maart 1968, soos gewysig, word hierby verder gewysig deur subregulasie (4) van regulasie 31 deur die volgende subregulasie te vervang:

“(4) Daar moet aan die genoemde inspekteur ten opsigte van ’n appèl ’n bedrag van R4 vir elke afsonderlik toegedraaide gedeelte vleis betaal word, of as die betrokke vleis in houers vir uitvoer aangebied word, R4 per houer: Met dien verstande dat die betrokke bedrag minstens R35 of hoogstens R70 moet bedra.”.

No. R. 312

27 Februarie 1976

GRADERING EN MERK VAN VLEIS WAT IN SEKERE GEBIEDE VAN DIE REPUBLIEK VAN SUID-AFRIKA VERKOOP WORD.—WYSIGING

Die Minister van Landbou het, kragtens die bevoegdheid hom verleen by artikel 89 van die Bemarkingswet, 1968 (No. 59 van 1968), die regulasies afgekondig by Goewermentskennisgewing R. 2387 van 22 Desember 1972, gewysig soos in die Bylae hiervan uiteengesit.

BYLAE

Die Bylae van Goewermentskennisgewing R. 2387 van 22 Desember 1972, word hierby gewysig deur subregulasie (1) van regulasie 3 deur die volgende subregulasie te vervang:

“(1) Iemand wat hom deur ’n beslissing of optrede van ’n inspekteur veronreg ag, kan teen sodanige beslissing of optrede appèl aanteken deur voor die betrokke karkas gerolmerk of van die presiese plek van gradering verwyder is en voor sluit van diens op die dag van sodanige beslissing of optrede, skriftelike kennisgewing van appèl by sodanige inspekteur in te dien, en binne ’n tydperk van 24 uur by die inspekteur of by enige kantoor van die Afdeling Inspeksiedienste van die Departement ten opsigte van elke eienaar wat by dieselfde appèl betrokke is, die volgende deposito, te deponeer: Met dien verstande dat die betrokke bedrag minstens R35 moet bedra:

Bees.—R10 vir die eerste karkas plus R2 vir elke bykomende karkas.

Varke.—R6 vir die eerste karkas plus R1 vir elke bykomende karkas.

Kalf, skaap, lam, bok of boklam.—R4 vir die eerste karkas plus 50c vir elke bykomende karkas.

Indien skriftelike kennisgewings van appèl en die deposito nie binne die voorgeskrewe tydperk van 24 uur ingedien en gedeponeer word nie, verbeur die appellant sy reg van appèl ingevolge hierdie regulasie.”.

No. R. 324

27 Februarie 1976

MELKSKEMA.—HEFFING EN SPESIALE HEFFING OP MELK EN ROOM

Kragtens artikel 79 (a) van die Bemarkingswet, 1968 (No. 59 van 1968), maak ek, Hendrik Stephanus Johan Schoeman, Minister van Landbou, hierby bekend dat die Melkraad, genoem in artikel 3 van die Melkskema, afgekondig by Proklamasie R. 225 van 1966, soos gewysig, kragtens artikels 18 en 19 van daardie Skema, met my goedkeuring en met ingang van 1 Maart 1976, die heffing en spesiale heffing in die Bylae hiervan uiteengesit, opgelê het ter vervanging van die heffing en spesiale heffing afgekondig by Goewermentskennisgewing R. 2104 van 7 November 1975 wat hierby met ingang van dieselfde datum herroep word.

H. S. J. SCHOEMAN, Minister van Landbou.

SCHEDULE

The Schedule to Government Notice R. 362 of 15 March 1968, as amended, is hereby further amended by the substitution for subregulation (4) of regulation 31 of the following subregulation:

“(4) There shall be paid to the said inspector in respect of any appeal an amount of R4 for each separately wrapped portion of meat or if such meat was presented for export in containers, R4 per container: Provided that such amount shall not be less than R35 or more than R70.”.

No. R. 312

27 February 1976

GRADING AND MARKING OF MEAT SOLD IN CERTAIN AREAS OF 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), amended the regulations published by Government Notice R. 2387 of 22 December 1972, as set out in the Schedule hereto.

SCHEDULE

The Schedule to Government Notice R. 2387 of 22 December 1972, is hereby amended by the substitution for subregulation (1) of regulation 3 of the following subregulation:

“(1) Any person who feels aggrieved as a result of any decision or action taken by an inspector, may appeal against such decision or action by submitting written notice of appeal to an inspector before the carcass concerned is rollermarked or removed from the exact place of grading and before the close of duty on the day of such decision or action and depositing within 24 hours with such inspector, or at any office of the Division of Inspection Services of the Department, a deposit in respect of each owner concerned in the same appeal as follows: Provided that such amount shall not be less than R35:

Bovine.—R10 for the first carcass plus R2 for each additional carcass.

Pig.—R6 for the first carcass plus R1 for each additional carcass.

Calf, sheep, lamb, goat and kid.—R4 for the first carcass plus 50c for each additional carcass.

If written notice of appeal and the deposit are not submitted within the prescribed period of 24 hours the appellant shall lose his right of appeal in terms of this regulation.”.

No. R. 324

27 February 1976

MILK SCHEME.—LEVY AND SPECIAL LEVY ON MILK AND CREAM

In terms of section 79 (a) of the Marketing Act, 1968 (No. 59 of 1968), I, Hendrik Stephanus Johan Schoeman, Minister of Agriculture, hereby make known that the Milk Board, referred to in section 3 of the Milk Scheme, published by Proclamation R. 225 of 1966, as amended, has in terms of sections 18 and 19 of that Scheme, with my approval, and with effect from 1 March 1976, imposed the levy and special levy set out in the Schedule hereto, in substitution for the levy and special levy published by Government Notice R. 2104 of 7 November 1975 which is hereby repealed with effect from the same date.

H. S. J. SCHOEMAN, Minister of Agriculture.

BYLAE

1. In hierdie kennisgewing, tensy uit die samehang anders blyk, het 'n woord of uitdrukking waaraan in die Melkskema, afgekondig by Proklamasie R. 225 van 1966, soos gewysig, 'n betekenis geheg is, 'n ooreenstemmende betekenis.

2. (1) Hierby word 'n heffing en spesiale heffing teen die koerse in subklousule (2) uiteengesit, opgelê op melk en room wat—

(a) ten behoeve van produsente deur bemiddeling van die Raad verkoop word; of

(b) deur produsente anders as deur bemiddeling van die Raad in 'n gebied verkoop word.

(2) Die koerse van die heffing en spesiale heffing vir die onderskeie gebiede is soos hieronder uiteengesit: Met dien verstande dat die toepaslike koers bepaal word, in die geval van 'n in subklousule (1) (a) bedoelde heffing en spesiale heffing, na gelang van die gebied ten opsigte waarvan die betrokke produsent ingevolge artikel 22 van die genoemde Skema geregistreer is, en, in geval van 'n in subklousule (1) (b) bedoelde heffing en spesiale heffing, na gelang van die gebied waarin die melk of room deur die betrokke produsent verkoop is:

Gebied	Heffing per liter op		Spesiale heffing per liter op	
	Melk	Room	Melk	Room
	c	c	c	c
(a) Pretoria.....	0,132	1,32	0,404	4,04
(b) Witwatersrand.....	0,150	1,50	0,338	3,38
(c) Kaapse Skiereiland.....	0,145	1,45	0,316	3,16
(d) Bloemfontein.....	0,154	1,54	0,426	4,26
(e) Wes-Transvaal.....	0,200	2,00	0,382	3,82

DEPARTEMENT VAN POS- EN TELEKOMMUNIKASIEWESE

No. R. 300

27 Februarie 1976

LYS VAN INTERNASIONALE TELEKOMMUNIKASIE-TARIEWE

Kragtens die bevoegdheid hom verleen by artikel 3 (2A) en (2B) van die Poswet, 1958 (Wet 44 van 1958), maak die Posmeester-generaal bekend dat die Lys van Internasionale Telekommunikasietariewe, afgekondig by Goewermentskennisgewing R. 1202 van 12 Julie 1974, soos gewysig, hierby soos volg verder gewysig word:

Item 7.1

Wysig die hoof "Oor seekabel voorsien:" tot "Oor seekabel en/of satelliet voorsien:".

DEPARTEMENT VAN SPOORWEE EN HAWENS

No. 319

27 Februarie 1976

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 dat die Tenderaadregulasies en -instruksies van die Suid-Afrikaanse Spoorweë en Hawens soos volg gewysig word:

REGULASIE 4

Vervang regulasie 4 deur die volgende regulasie:

4 (1) Tensy vrystelling ingevolge hierdie regulasies verkry is of tensy daar met die leweransie, diens of verkoop ingevolge die bepalings van subregulasie (2) van

SCHEDULE

1. In this notice, unless inconsistent with the context, any word or expression to which a meaning has been assigned in the Milk Scheme, published by Proclamation R. 225 of 1966, as amended, shall have a corresponding meaning.

2. (1) A levy and special levy at the rates set out in subclause (2) are hereby imposed on milk and cream—

(a) sold through the Board on behalf of producers; or

(b) sold in an area by producers otherwise than through the Board.

(2) The rates of the levy and special levy for the respective areas shall be as indicated hereunder: Provided that the appropriate rate shall be determined, in the case of a levy and special levy referred to in subclause (1) (a), according to the area in respect of which the producer in question has been registered under section 22 of the said Scheme, and in the case of a levy and special levy referred to in subclause (1) (b), according to the area in which the milk or cream is sold by the producer in question:

Area	Levy per litre on		Special levy per litre on	
	Milk	Cream	Milk	Cream
	c	c	c	c
(a) Pretoria.....	0,132	1,32	0,404	4,04
(b) Witwatersrand.....	0,150	1,50	0,338	3,38
(c) Cape Peninsula.....	0,145	1,45	0,316	3,16
(d) Bloemfontein.....	0,154	1,54	0,426	4,26
(e) Western Transvaal.....	0,200	2,00	0,382	3,82

DEPARTMENT OF POSTS AND TELECOMMUNICATIONS

No. R. 300

27 February 1976

LIST OF INTERNATIONAL TELECOMMUNICATION TARIFFS

By virtue of the powers vested in him by section 3 (2A) and (2B) of the Post Office Act, 1958 (Act 44 of 1958), the Postmaster General announces that the List of International Telecommunications Tariffs promulgated by Government Notice R. 1202 of 12 July 1974, as amended, is hereby further amended as follows:

Item 7.1

Amend the heading "Provided over submarine cable:" to "Provided over submarine cable and/or satellite:".

DEPARTMENT OF RAILWAYS AND HARBOURS

No. R. 319

27 February 1976

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 Tender Board Regulations and Instructions of the South African Railways and Harbours being amended as follows:

REGULATION 4

Substitute the following regulation for Regulation 4:

4 (1) Unless exemption has been obtained under these regulations or unless the supply, service or sale is being dealt with under the provisions of subregulation (2) of

hierdie regulasie of ingevolge die bepalings van regulasie no. 24, 25, 26 of 27 gehandel word, word alle dienste; leweransies; aankope en verkope van roerende goed; of handelskonsessies gereël deur middel van openbare tenders wat behoorlik bekend gemaak is in die *Staats-tenderbulletin*.

(2) Nieteenstaande enigiets wat in subregulasie (1) vervat is, kan die Hoofbestuurder na goeddunke vir die volgende reël:

- (a) Die dienste van professionele raadgevers;
 - (b) die oprig van geboue ingevolge die Huiseienaarskema;
 - (c) die huur en verhuur van onroerende goed onderworpe aan Spoorwegaadregulasie 3 (b);
 - (d) die magtiging van tariewe vir handelskonsessies en van die pryse van spoorbaanmateriaal wat vir private sylyne verkoop word;
 - (e) die aankoop en verkoop van goedere op vendusies;
 - (f) advertensies;
 - (g) die aankoop van die produkte van fabriek met beskutte arbeid wat onder beheer staan van die Departement van Arbeid asook die aankoop van die produkte van die werkwinkel vir blindes op Worcester met dien verstande dat indien die waarde van sodanige produkte wat in 'n boekjaar aangekoop is hoër as R50 000,00 is, het besonderhede daarvan aan die Raad gerapporteer moet word;
 - (h) die beskikking oor vliegtuigonderdele wat oortollig, verouderd of nie in aanvraag is nie, met dien verstande dat besonderhede van alle sodanige gevalle half-jaarliks aan die Raad gerapporteer moet word;
 - (i) inspeksiedienste in verband met die verkryging van voorrade, en om inspeksiedienste vir ander instansies te lewer;
 - (j) die lewering van dienste deur staatsdepartemente, provinsiale administrasies en plaaslike owerhede;
 - (k) die koop en verkoop van water en elektrisiteit onderworpe aan Spoorwegaadregulasie 3 (b);
 - (l) die aankoop van wapens en ammunisie vir die Suid-Afrikaanse Spoorwegpolisiemag.
- (3) Die vervreemding van onroerende eiendom sal geskied op die wyse soos deur die Minister gemagtig.

REGULASIE 5

Vervang die punt aan die einde van hierdie regulasie deur 'n komma en voeg by:

„tensy hy dit voordelig ag om openbare tenders vir sulke bepaalde artikels of produkte (nie dienste nie) in die *Staats-tenderbulletin* aan te vra.”

INSTRUKSIE 40

Vervang die eerste paragraaf deur:

„In gevalle waar daar ingevolge Tenderraadregulasie no. 5 nie openbare tenders aangevra word nie, sal elke tenderaar wie se naam op die goedgekeurde lys verskyn, gevra word om te tender”.

REGULASIE 24

In die opskrif, skrap die woorde:

„as die waarde hoogstens R20 000 is”.

In die agste reël van 24 (1) voeg in tussen “is”, en „en”: „of as die goedere vir toetsdoeleindes benodig word”.

Voeg in na die eerste paragraaf van 24 (1) die volgende nuwe subparagraaf:

„(a) as die waarde van die diens wat gelewer of van die voorraad of materiaal wat verkoop of verskaf moet word, nie meer as R20 000 is nie, magtiging verleen dat sodanige diens gelewer of sodanige voorraad of materiaal verkoop of verskaf word”.

this regulation or under the provisions of regulation Nos. 24, 25, 26 or 27, all services; supplies; purchases and sales of movable goods; or trading concessions shall be arranged through the medium of public tenders duly advertised in the *State Tender Bulletin*.

(2) Notwithstanding anything in subregulation (1) contained the General Manager may in his discretion arrange for the following:

- (a) The services of professional consultants;
- (b) the erection of buildings under the House Ownership Scheme;
- (c) the letting and hiring of immovable property subject to Railway Board Regulation 3 (b);
- (d) authorisation of tariffs for trading concessions and prices to be charged for permanent way material sold for use in private sidings;
- (e) the purchase and sale of goods at auction sales;
- (f) advertising;
- (g) the purchase of the products of sheltered employment factories under the control of the Department of Labour as well as the purchase of the products of the workshop for the blind at Worcester, provided that should the value of such products bought in a financial year exceed R50 000,00 particulars thereof shall be reported to the Board;
- (h) the disposal of aircraft spares that are surplus, obsolete or not required, provided that particulars of all such cases shall be reported to the Board half yearly;
- (i) inspection services in connection with the procurement of supplies, and to provide inspection services for other parties;
- (j) the rendering of services by Government departments, provincial administrations and local authorities;
- (k) the purchase and sale of water and electricity subject to Railway Board Regulation 3 (b);
- (l) the purchase of arms and ammunition for the South African Railways Police Force.

(3) The alienation of immovable property shall be effected in the manner as authorised by the Minister.

REGULATION 5

Replace fullstop at end of this regulation by a comma and add:

“unless he considers it advantageous to call for public tenders for such articles or products (not services) in the *State Tender Bulletin*.”

INSTRUCTION 40

Replace first paragraph by:

“In cases where in terms of Tender Board Regulation No. 5 public tenders are not invited, each tenderer who appears on the approved list shall be requested to tender”.

REGULATION 24

In the heading delete the words:

“Value not exceeding R20 000”.

In the fifth line of 24 (1) insert between “supply” (where it appears for the second time) and “and”: “or when the material is required for test purposes”.

Insert after first paragraph of 24 (1) the following new subparagraph:

“(a) when the value of the service or of the stores or materials to be sold or supplied, does not exceed R20 000 give authority for such service, sale or supply to be arranged”.

In die tweede reël van die bestaande subregulasie 24 (1) (a) voeg in tussen „word”, en „nie”: „meer as R20 000 maar”.

Subparagraaf 24 (1) (a) word 24 (1) (b).

Subparagraaf 24 (1) (b) word 24 (1) (c).

In die tweede reël van 24 (2) vervang „paragraaf (a) of ingevolge paragraaf (b)” deur „paragraaf (b) of ingevolge paragraaf (c)”.

In die eerste reël van 24 (3) vervang „(b)” deur „(c)”.

In die tweede reël van 24 (4) vervang „(a)” deur „(b)” en „(b)” deur „(c)”.

Voeg die volgende subregulasie by:

(5) Vir sover dit paragraaf (a) van subregulasie (1) aangaan kan die Hoofbestuurder na goeë dunde besluit—

(i) of die geval/gevalle na die Raad vir oorweging en aanbeveling verwys moet word voordat 'n kontrak aangegaan word;

(ii) of die geval/gevalle so gou moontlik vir die inligting van die Raad aan die Voorsitter gerapporteer moet word;

maar indien (i) of (ii) toegepas is, moet alle daaropvolgende veranderings aan die voorwaardes van die kontrak wat aangegaan is, so gou moontlik aan die Raad gerapporteer word.

REGULASIE 25

Vervang deur:

Die Hoofbestuurder kan aan die Voorsitter en sodanige amptenare van die Administrasie as wat hy mag bepaal sodanige staande magtiging verleen vir—

(1) die vra en aanneem van tenders;

(2) die verkry van dienste en leweraars; en

(3) die verkoop of vervreemding van voorrade of materiaal;

as wat die Hoofbestuurder van tyd tot tyd mag voorskryf nadat hy die aanbeveling van die Raad verkry het, met dien verstande dat staande magtiging wat ingevolge hierdie regulasie verleen word nie deur die gedelegeerde uitgeoefen word in enige geval waar die waarde van die diens of saak die bedrag bepaal in Regulasie 24 (1) (a) oorskryf nie. Hierdie beperking op die staande magtiging wat die Hoofbestuurder mag verleen, doen in geen opsig afbreuk aan enige ander magte wat die Hoofbestuurder ingevolge hierdie Tenderraadregulasie het of aan enige magtiging wat ingevolge Tenderraadregulasies 4, 5, 26 en 27 uitgeoefen mag word nie.

REGULASIE 27

Vervang deur die volgende:

UITSONDERINGS TEN OPSIGTE VAN PATENT-ARTIKELS EN DIE INSTANDHOUDING DAARVAN

(1) Onderworpe aan die voorbehoud in subregulasie (2), kan reserwedele vir patentfabrikate vliegtuie, voertuie, masjiene en soortgelyke toestelle, of patentmedisyne wat deur die Siekefonds gespesifiseer is deur die amptenaar wat daartoe gemagtig is, aangekoop word, en insgeliks kan die versiening, onderhoud en herstel van patentfabrikate voertuie, masjiene en soortgelyke toestelle deur die vervaardigers of agente van sodanige vervaardigers deur die amptenare wat daartoe gemagtig is, gereël word, sonder dat die Raad se instemming vooraf verkry word, maar in alle gevalle waar—

(a) die waarde van een artikel wat aangekoop of van een spesifieke diens wat gelewer word, meer as R600 is; of

In the second line of the existing subparagraph 24 (1) (a) insert between “supplied”, and “does”: “exceeds R20 000 but”.

Subparagraph 24 (1) (a) becomes 24 (1) (b).

Subparagraph 24 (1) (b) becomes 24 (1) (c).

In the first and second lines of 24 (2) substitute “paragraph (a) or of paragraph (b)”, by “paragraph (b) or of paragraph (c)”.

In the first line of 24 (3) substitute “(b)” by “(c)”.

In the first line of 24 (4) substitute “(a)” by “(b)” and in the second line substitute “(b)” by “(c)”.

Add the following subregulation:

(5) In so far as paragraph (a) of subregulation (1) is concerned, the General Manager may in his discretion decide—

(i) whether the case/cases shall be submitted to the Board for consideration and recommendation before a contract is concluded;

(ii) whether the case/cases shall be reported to the Chairman for the information of the Board at the earliest opportunity;

but if (i) or (ii) is applied, any subsequent variations of the terms and conditions of the contract entered into shall be reported to the Chairman at the earliest opportunity.

REGULATION 25

Substitute by:

The General Manager may grant to the Chairman and to such officers of the Administration as he may determine such standing authority for—

(1) inviting and accepting tenders;

(2) obtaining services and supplies; and

(3) the sale or the disposal of stores or materials,

as the General Manager may from time to time prescribe after having obtained the recommendation of the Board, provided that standing authority granted in terms of this regulation shall not be exercised by the delegate in any one case where the value of the service or matter exceeds the amount stipulated in Regulation 24 (1) (a). This limitation on the standing authority which the General Manager may grant, prejudices in no way any other authorities which the General Manager has in terms of this Tender Board Regulation or any authority which may be exercised in terms of Tender Board Regulations 4, 5, 26 and 27.

REGULATION 27

Substitute by the following:

EXCEPTIONS IN RESPECT OF PROPRIETARY ARTICLES AND THE MAINTENANCE THEREOF

(1) Subject to the proviso in subregulation (2), spare parts for proprietary makes of aircraft, vehicles, machines and similar appliances, or requirements of proprietary drugs as specified by the Sick Fund, may be purchased by the officers thereto authorised, and similarly the servicing, maintenance and repair of proprietary makes of vehicles, machines and similar appliances by the manufacturers of agents of such manufacturers may be arranged by the officers thereto authorised, without the prior concurrence of the Board but all such purchases or services—

(a) where the value of any one article purchased or any one specific service rendered exceeds R600; or

(b) die gesamentlike waarde van al die artikels wat deur die aankoop gedek word, of die gesamentlike waarde van die dienste wat gelewer word, meer as R600 is;

moet die aankope of dienste so gou moontlik aan die Raad gerapporteer word tesame met 'n verklaring van die betrokke departementshoof of -onderhoof dat die pryse wat genoteer is, billik is of andersins.

(2) In elke geval waar—

(a) die waarde van een artikel wat aangekoop moet word of van een spesifieke diens wat gelewer moet word, meer as R50 000 is; of

(b) die gesamentlike waarde van al die artikels wat aangekoop moet word of van al die dienste wat gelewer moet word, meer as R100 000 is;

moet die prysnotering/s saam met die betrokke departementshoof se aanbeveling vir oorweging en aanbeveling aan die Raad voorgelê word.

'n Sertifikaat dat geen ander geskikte artikel/s beskikbaar is nie, of dat niemand anders die diens/te kan lewer nie, moet daarmee saamgestuur word, asook 'n verklaring van die departementshoof of -onderhoof dat die pryse billik is of andersins. As die Raad die aankoop of diens aanbeveel en die Hoofbestuurder dit goedkeur, kan die artikels aangekoop/ die dienste gelewer word.

REGULASIE 31

Skrap in die geheel.

INSTRUKSIE 31

Hernommer deur „31. (a)” te vervang deur „31. (1) (a)”

NUWE INSTRUKSIE 31 (2)

Voeg die volgende nuwe instruksie in na die bestaande instruksie 31:

VERKEERDE VOORKEURE GEËIS

(2) (a) As 'n tender aan 'n tenderaar toegeken is op grond van voorkeur wat deur hom geëis en wat ooreenkomstig 'n toepaslike Instruksie toegelaat is en daar later tot bevrediging van die Administrasie vasgestel word dat die voorkeur wat geëis en toegelaat is, te hoog is, moet verlies of skade wat deur die Administrasie gely is as gevolg van die toekenning van die kontrak of bestelling aan die kontraktant, op die kontraktant verhaal word sonder benadeling van enige reg wat die Administrasie mag hê om die kontrak, vir sover dit nie uitgevoer is nie, te repudieer. Daarenbove kan die Hoofbestuurder die kontraktant in so 'n geval na goeddunke 'n boete oplê wat nie vyf persent van die waarde van die kontrak of bestelling oorskry nie, hetsy stappe gedoen word om sodanige verlies of skade op die kontraktant te verhaal al dan nie.

(b) Daar word beskou dat niks wat in paragraaf (a) vervat is, die reg beïnvloed wat deur die Instruksies aan die Hoofbestuurder verleen is om te besluit dat geen tender van die kontraktant gedurende 'n bepaalde tydperk oorweeg sal word nie.

(c) Die bedrag wat die verlies, skade of boete genoem in paragraaf (a) verteenwoordig, kan verhaal word deur dit af te trek van gelde wat die Administrasie aan die kontraktant skuld, hetsy ingevolge die besondere kontrak of bestelling, of om 'n ander rede, of as gevolg van 'n regsgeeding in 'n hof met regsbevoegdheid, of deels vanweë een en deels vanweë die ander van daardie metodes.

(b) where the aggregate value of all articles covered by the purchase, or the aggregate value of the services rendered, exceeds R600;

shall be reported to the Board at the earliest opportunity accompanied by a statement from the head or sub-head of the department concerned as to whether or not the prices quoted are fair and reasonable.

(2) In every case—

(a) where the value of any one article to be purchased or any one specific service to be rendered exceeds R50 000; or

(b) where the aggregate value of all the articles to be purchased, or of all the services to be rendered, exceeds R100 000;

the quotation or quotations together with the recommendation of the head of the department concerned shall be submitted to the Board for consideration and recommendation.

A certificate that no other suitable article/s is/are available or that nobody else can render the service/s, as well as a statement from the head or sub-head of the department concerned as to whether or not the prices quoted are considered to be fair and reasonable shall accompany the documents to the Board. If the Board recommends the purchase or service and the General Manager approves thereof, the articles may be purchased/ the services may be rendered.

REGULATION 31

Delete in its entirety.

INSTRUCTION 31

Renumber by substituting “31. (a)” by “31. (1) (a)”

NEW INSTRUCTION 31 (2)

Insert the following new instruction after the existing instruction 31:

INCORRECT CLAIMS FOR PREFERENCES

(2) (a) Where the business against a tender has been awarded to a tenderer because of any preference claimed by him and allowed in accordance with any relevant Instruction, and it is thereafter established to the satisfaction of the Administration that the preference claimed and allowed was too high, there shall be recoverable from the contractor, without prejudice to any right which the Administration may have to repudiate the contract, in so far as it has not been executed, any loss or damage which the Administration has incurred or sustained in consequence of the award of the contract or order to the contractor. In any such case the General Manager may, further, whether or not steps are taken to recover from the contractor any such loss or damage as aforesaid, in his discretion impose on the contractor a penalty not exceeding five per cent of the value of the contract or order.

(b) Nothing in paragraph (a) contained shall be deemed to affect any right, conferred on the General Manager by the Instructions, to decide that no tender from the contractor shall be considered during a specified period.

(c) The amount representing any loss, damage or penalty referred to in paragraph (a) may be recovered by deduction from any moneys owing by the Administration to the contractor whether under the particular contract or order or through any other cause, or by action in any competent court, or partly by one and partly by the other of those methods.

(d) Vir die doeleindes van paragraaf (a) word daar beskou dat die Administrasie verlies of skade gely het slegs waar daar bewys word dat die kontrak of bestelling nie aan die kontraktant toegeken sou gewees het as die korrekte voorkeur geëis en toegelaat was nie, en is die bedrag van die verhaalbare verlies of skade die bedrag waarmee die kontraktant se tenderprys die prys oorskry wat betaalbaar sou gewees het aan die tenderaar aan wie die kontrak of bestelling waarskynlik toegeken sou gewees het as die kontraktant die korrekte voorkeur geëis het en dit toegestaan was. By die bepaling van die prys wat betaalbaar sou gewees het aan die ander tenderaar soos gemeld, moet toevallige koste en heffings (bo en behalwe die tenderprys) wat in die gewone loop van sake deur die Administrasie gedra sou gewees het, soos skeepsvrag-geld, seeversekering, lossingskoste, kaaigeld en doeane-regte (waar hefbaar), in aanmerking geneem word.

WYSIGING VAN VERSKEIE INSTRUKSIES

Vervang „31” deur „31 (1)” waar na instruksie 31 verwys word in instruksies 30 (a) (i), 30 (a) (iii), 30 (d), 32, 44, 53, 63 en 73 (f).

INSTRUKSIE 28

Skrap in die geheel.

INSTRUKSIE 88

Vervang die eerste sin deur:

„Die naam van die tenderaar moet uitgelees word wanneer elke tender oopgemaak word”.

(d) For the purposes of paragraph (a) the Administration shall be deemed to have incurred or sustained loss or damage only where it is shown that, had the correct preference been claimed and allowed, the contract or order would not have been awarded to the contractor, and the amount of the recoverable loss or damage shall be the amount by which the contractor's tender price exceeds the price that would have been payable to the tenderer to whom the contract or order would probably have been awarded had the contractor claimed and been allowed the correct preference. In arriving at the price that would have been payable to such other tenderer as aforementioned, account shall be taken of any incidental costs and charges (over and above the tender price) that would in the ordinary course of events have been borne by the Administration, such as ocean freight, marine insurance, landing and wharfage charges and customs duty (where leviable).

AMENDMENT OF VARIOUS INSTRUCTIONS

Replace “31” by “31 (1)” where reference is made to instruction 31 in instructions 30 (a) (i), 30 (a) (iii), 30 (d) 32, 44, 53, 63 and 73 (f).

INSTRUCTION 28

Delete in its entirety.

INSTRUCTION 88

In the first line delete the words:

“Subject to the provisions of Instruction No. 28”, and replace “as” by “As”.

DEPARTEMENT VAN VERDEDIGING

No. R. 314

27 Februarie 1976

WYSIGING VAN DIE ALGEMENE REGULASIES VIR DIE SA WEERMAG EN DIE RESERWE

Die Staatspresident het kragtens artikel 87 (1) van die Verdedigingswet, 1957 (Wet 44 van 1957), die Algemene Regulasies vir die SA Weermag en die Reserve soos volg gewysig:

1. Hoofstuk III van die Algemene Regulasies vir die SA Weermag en die Reserve afgekondig by Goewermentskennisgewing R. 2213 van 10 Desember 1971, word hierby gewysig—

a. deur regulasie 3 deur die volgende regulasie te vervang:

“3 (1) 'n Persoon kan, behoudens die bepalings van regulasies 4 en 9 van hierdie hoofstuk, in 'n permanente hoedanigheid as offisier in die SA Weermag aangestel word indien so 'n persoon—

(a) 'n burger is;

(b) minstens die skoolleindsertifikaat of 'n gelykwaardige sertifikaat verwerf het;

(c) voldoen aan die standaard van geneeskundige geskiktheid wat die Geneesheer-generaal kan bepaal vir diens of pligte waarvoor hy ingeskryf staan te word;

(d) nie jonger as 18 jaar is nie;

(e) oor die ander eienskappe en kwalifikasies beskik wat in die oordeel van die Hoof van die SA Weermag nodig is vir sy opleiding vir, en die uitvoering van, die pligte verbonde aan die soort pos waarin hy aangestel staan te word;

(f) waar dit van hom vereis word, 'n voorbereidende kursus wat die Hoof van die SA Weermag na sy goeddunke vir manskappe van die Staande Mag, die Burgermag of die Kommando's kan voorskryf, met welslae voltooi het;

DEPARTMENT OF DEFENCE

No. R. 314

27 February 1976

AMENDMENTS TO THE GENERAL REGULATIONS FOR THE SA DEFENCE FORCE AND THE RESERVE

The State President has in terms of section 87 (1) of the Defence Act, 1957 (Act 44 of 1957), amended the General Regulations for the SA Defence Force and the Reserve as follows:

1. Chapter III of the General Regulations for the SA Defence Force and the Reserve promulgated under Government Notice R. 2213, dated 10 December 1971, is hereby amended—

a. by the substitution for regulation 3 of the following regulation:

“3 (1) A person may, subject to the provisions of regulations 4 and 9 of this chapter, be appointed in a permanent capacity as an officer in the SA Defence Force if such person—

(a) is a citizen;

(b) has obtained at least the School Leaving Certificate or equivalent certificate;

(c) meets the standard of medical fitness which the Surgeon General may determine for the service or duties for which he is to be enrolled;

(d) is not less than 18 years of age;

(e) has the other attributes and qualifications which in the opinion of the Chief of the SA Defence Force are required for his training for, and the execution of, the duties attached to the type of post to which he is to be appointed;

(f) should he be required to do so, has successfully completed a preparatory course which the Chief of the SA Defence Force may, at his discretion, prescribe for other ranks of the Permanent Force, Citizen Force or the commandos;

(g) waar dit van toepassing is, voldoen aan die vereistes wat ten opsigte van 'n professionele pos in regulasie 4 (5) van hierdie hoofstuk voorgeskryf word;

(h) wat in die SAGD as 'n offisiervrpleegster aangestel staan te word, minstens die Standaard VIII- of 'n gelykwaardige sertifikaat verwerf het en by die SA Vrpleegstersraad as 'n opgeleide vrpleegster geregistreer is en al die verpligte gelde aan die SA Vrpleegstersvereniging betaal het: Met dien verstande dat iemand wat as Suster-dosent of Senior Suster-dosent aangestel staan te word, benewens genoemde vereistes die Diploma in Vrpleeg Onderwys moet verwerf het;

(i) met die uitsondering van enige geval waar die Hoof van die SA Weermag van hierdie vereiste afgesien het, vir sodanige aanstelling aanbeveel is deur 'n keurraad wat deur of op gesag van die Hoof van die SA Weermag aangestel is:

Met dien verstande dat in uitsonderlike gevalle iemand wat nie aan voormelde vereistes, uitgesonderd dié in paragrawe (a), (c), (d), (e), (g) en (h) voorgeskryf, voldoen nie met die goedkeuring van die Minister of 'n offisier deur hom daartoe aangewys, in 'n permanente hoedanigheid as offisier in die SA Weermag aangestel kan word.

(2) 'n Persoon wat minstens aan die vereistes van paragrawe (c), (d), (e) en (i) en waar toepaslik (g) of (h) van subregulasie (1) voldoen, kan in 'n tydelike hoedanigheid as offisier in die SA Weermag aangestel of heraanstelt word vir die tydperk wat die Minister of 'n offisier deur hom daartoe aangewys, van tyd tot tyd kan bepaal.

(3) 'n Offisier wat 'n burger is en minstens 12 maande kragtens subregulasie (2) gedien het, kan in 'n permanente hoedanigheid as offisier in die Staande Mag aangestel word.

(4) Iemand wat aan die toepaslike vereistes van subregulasie (1) voldoen, kan aangeneem word vir opleiding vir offisiërsrang deur middel van 'n kursus aan 'n universiteit, die Militêre Akademie of 'n ander militêre opleidingsinrigting indien hy—

(a) op die aanvangsdatum van die betrokke kursus die ouderdom van 17 jaar bereik het;

(b) minstens aan die vereistes vir universiteitstoelating voldoen.

(5) Iemand wat aan die toepaslike vereistes van subregulasie (1) voldoen en wie se opleiding nie die verwering van 'n akademiese graad insluit nie, kan aangeneem word vir opleiding vir offisiërsrang aan enige militêre of opvoedkundige opleidingsinrigting, indien hy—

(a) op die aanvangsdatum van die betrokke kursus die ouderdom van 17 jaar bereik het;

(b) minstens die skoolleidsertifikaat of 'n gelykwaardige sertifikaat verwerf het, wat benewens Afrikaans en Engels, die vakke moet insluit wat die Hoof van die SA Weermag van tyd tot tyd kan bepaal.

(6) Iemand wat kragtens subregulasie (4) of (5) vir opleiding aangeneem is, kan sodanige opleiding as 'n kandidaatoffisier of in offisiërsrang meemaak en kan nictestaanende enige bepalinge tot die teendeel in hierdie hoofstuk, gedurende sodanige opleiding na 'n hoër rang bevorder of 'n hoër rang tydelik toegeken word.”;

b. deur subregulasie (2) van regulasie 9 deur die volgende subregulasie te vervang:

“(2) Indien dit te eniger tyd gedurende sy proef tydperk of enige verlenging daarvan blyk dat 'n offisier nie aan die vereistes van die diens voldoen nie, word sy

(g) complies, where applicable, with the other requirements prescribed in regulation 4 (5) of this chapter in respect of any professional post;

(h) who is to be appointed as a nursing officer in the SAMS, has obtained at least the Standard VIII or equivalent certificate and is registered with the SA Nursing Council as a trained nurse and has paid all the required fees to the SA Nursing Association: Provided that any person who is to be appointed as a Sister Tutor or Senior Sister Tutor, shall in addition to the said requirements, have obtained the Diploma in Nursing Education;

(i) has, except in any case where the Chief of the SA Defence Force has dispensed with this requirement, been recommended by a selection board appointed by or on the authority of the Chief of the SA Defence Force:

Provided that, in exceptional cases, any person who does not comply with the aforementioned requirements, except those prescribed in paragraphs (a), (c), (d), (e), (g) and (h), may with the approval of the Minister or an officer designated thereto by him, be appointed in a permanent capacity as an officer in the SA Defence Force.

(2) A person who complies with at least the requirements of paragraphs (c), (d), (e) and (i) and, where applicable, (g) and (h) of subregulation (1), may be appointed or reappointed in the SA Defence Force as an officer in a temporary capacity for such period as the Minister or an officer designated thereto by him may from time to time determine.

(3) An officer who is a citizen and who has served for not less than 12 months in terms of subregulation (2) may be appointed in a permanent capacity as an officer of the Permanent Force.

(4) Any person who complies with the applicable requirements of subregulation (1), may be accepted for training for commissioned rank by means of a course at any university, the Military Academy or any other military training institution if he—

(a) has reached the age of 17 years on the date of commencement of the course concerned;

(b) at least complies with the requirements for university admission;

(5) Any person who complies with the applicable requirements of subregulation (1) and whose training will not include obtaining an academic degree, may be engaged for training for commissioned rank at any military or educational institution if he—

(a) has reached the age of 17 years on the date of commencement of the course concerned;

(b) has obtained at least the School Leaving Certificate or equivalent certificate which, in addition to English and Afrikaans, shall include such subjects as the Chief of the SA Defence Force may from time to time determine.

(6) A person who in terms of subregulation (4) or (5), has been accepted for training, may undergo such training as a candidate officer or in commissioned rank and may, notwithstanding any provisions to the contrary in this chapter, during such training be promoted to a higher substantive rank or granted a higher rank temporarily.”;

b. by the substitution for subregulation (2) of regulation 9 of the following subregulation:

“(2) If at any time during his period of probation or any extension thereof it is found that an officer does not satisfy the requirements of the service, his

aanstelling beëindig en verval sy kommissie: Met dien verstande dat—

(a) waar sodanige offisier uit die manskapgeledere van die Staande Mag aangestel is, hy toegelaat kan word om sonder diensonderbreking na die rang wat hy onmiddellik voor sy aanstelling as offisier beklee het of na 'n hoër manskapsrang terug te keer;

(b) waar sodanige offisier 'n lid van die Burgermag of die Kommando's en kragtens die Wet nog aan diensplig onderhewig is, hy terugkeer na die rang wat hy as 'n manskap beklee het.”;

c. deur subregulasie (4) van regulasie 11 deur die volgende subregulasie te vervang:

“(4) Die datum vir die bepaling van die ansiënteit van 'n offisier wat sonder onderbreking in diens ooreenkomstig regulasie 3 (3) van hierdie hoofstuk permanent aangestel is, is die datum waarop hy, terwyl hy tydelik ingevolge regulasie 3 (2) gedien het, bevorder is tot of aangestel is in die rang waarin hy aldus permanent aangestel word.”;

d. deur subregulasie (2) van regulasie 13 deur die volgende subregulasie te vervang:

“(2) 'n Tweede luitenant kan, behoudens subregulasie (3), na twee jaar bevredigende diens in daardie rang tot die rang van luitenant bevorder word: Met dien verstande dat—

(a) tydelike diens as tweede luitenant tydens 'n kursus wat in regulasie 3 (4) van hierdie hoofstuk bedoel word, uitgesonder tydelike diens as tweede luitenant voortspruitende uit kwytstelling van enige gedeelte van die eindfase van sy kursus, as diens vir bevordering ingevolge hierdie subregulasie geld;

(b) 'n tweede luitenant in spesiale gevalle uit hoofde van ondervinding en kwalifikasies na 'n korter tydperk as twee jaar na luitenant bevorder kan word.”;

e. deur regulasie 24 deur die volgende regulasie te vervang:

“24. (1) Die maksimum ouderdom waartoe 'n offisier van die Burgermag mag dien is—

(a) luitenant en kapteins van die tak Algemene Diens: 51 jaar;

(b) majoors van die tak Algemene Diens: 55 jaar;

(c) ander offisiere: 60 jaar.

(2) Die maksimum ouderdom waartoe 'n offisier van die kommando's mag dien is 65 jaar.”.

2. Hoofstuk IV van die Algemene Regulasies vir die SA Weermag en die Reserwe afgekondig by Goewermentskennisgewing R. 274 van 26 Februarie 1971 word hierby gewysig—

a. deur paragraaf (c) van regulasie 1 (1) deur die volgende paragraaf te vervang:

“(c) elke sodanige rang in elke kolom gelyk staan met die rang wat in elke kolom van die tabel in rangorde daarmee ooreenstem:

S.A. Leër

S.A. Lugmag

Adjutant-offisier Klas 1
Adjutant-offisier Klas 2
Stafoersant
Sersant
Korporaal
Onderkorporaal
Weerman

Adjutant-offisier Klas 1
Adjutant-offisier Klas 2
Vlugtersant
Sersant
Korporaal
Onderkorporaal
Weerman

appointment shall be terminated and his commission lapse: Provided that—

(a) where such officer has been appointed from the ranks of the Permanent Force, he may be permitted without break in service to revert to the rank he held immediately prior to his appointment as an officer or to a higher other rank;

(b) where such officer is a member of the Citizen Force or the commandos and liable for service in terms of the Act, he shall revert to the rank that he held as an other rank.”;

c. by the substitution for subregulation (4) of regulation 11 of the following subregulation:

“(4) The date for the determination of the seniority of any officer who without a break in service has been permanently appointed in terms of regulation 3 (3) of this chapter, shall be the date on which he, while serving temporarily in terms of subregulation 3 (2) was promoted to or appointed in the rank in which he is so appointed permanently.”;

d. by the substitution for subregulation (2) of regulation 13 of the following subregulation:

“(2) Subject to subregulation (3), a second lieutenant may, after two years satisfactory service in that rank, be promoted to the rank of lieutenant: Provided that—

(a) temporary service as a second lieutenant during a course referred to in regulation 3 (4) of this chapter, except temporary service as a second lieutenant arising from the remission of any part of the final phase of the course, shall count as service for promotion in terms of this subregulation.

(b) a second lieutenant may, in exceptional circumstances pursuant to experience and qualifications, be promoted to lieutenant in a period less than two years.”;

e. by the substitution for regulation 24 of the following regulation—

“24. (1) The maximum age to which an officer of the Citizen Force may serve is—

(a) lieutenants and captains of the General Duties Branch: 51 years;

(b) majors of the General Duties Branch: 55 years;

(c) other officers: 60 years;

(2) the maximum age to which an officer of the commandos may serve is 65 years.”.

2. Chapter IV of the General Regulations for the SA Defence Force and the Reserve promulgated under Government Notice R. 274, dated 26 February 1971, is hereby amended—

a. by the substitution of paragraph (c) of regulation 1 (1) of the following paragraph:

“(c) each such rank in each column is equivalent to the rank in every other column of the table which corresponds with it in order of precedence:

Manlik

S.A. Vloot

Vroulik

Adjutant-offisier Klas 1
Adjutant-offisier Klas 2
Eerste Bootsman
Bootsman
Baasseeman
Bevare Seeman
Seeman

Adjutant-offisier Klas 1
Adjutant-offisier Klas 2
Eerste Bootsman
Bootsman
Baasseeman
Bevare Seeman
Seeman

*S.A. Army**S.A. Air Force**Male**S.A. Navy**Female*

Warrant Officer Class 1
Warrant Officer Class 2
Staff Sergeant
Sergeant
Corporal
Lance Corporal
Private

Warrant Officer Class 1
Warrant Officer Class 2
Flight Sergeant
Sergeant
Corporal
Lance Corporal
Private

Warrant Officer Class 1
Warrant Officer Class 2
Chief Petty Officer
Petty Officer
Leading Seaman
Able Seaman
Seaman

Warrant Officer Class 1
Warrant Officer Class 2
Chief Petty Officer
Petty Officer
Leading Swan
Able Swan
Swan."

- b. deur subregulasie (8) van regulasie 1 te skrap;
- c. deur subregulasie (2) van regulasie 5 te skrap;
- d. deur regulasie 20 deur die volgende regulasie te vervang:

"20. (1) Die maksimum ouderdom waartoe 'n lid van die Burgermag mag dien is—

- (a) weermanne en onderkorporaals: 55 jaar;
- (b) alle ander manskappe: 60 jaar:

Met dien verstande dat die Hoof van die betrokke Weermagsdeel of Afdelingshoof die dienstermyn van 'n burger wat in 'n nie-vegterende hoedanigheid dien, kan verleng totdat bedoelde burger die ouderdom van 65 jaar bereik het.

(2) Die maksimum ouderdom waartoe 'n lid van die kommando's mag dien, is 65 jaar."

- e. deur subregulasie (3) van regulasie 21 deur die volgende subregulasie te vervang:

"(3) 'n Manskap van die Staande Mag kan na skriftelike kennisgewing sy ontslag deur uitkoop verkry deur die uitkoopgeld wat op die datum van die storting daarvan ingevolge subregulasie (4) op hom van toepassing is, tot die krediet van die Gekonsolideerde Inkomsterekening te stort: Met dien verstande dat—

(a) 'n manskap nie deur uitkoop ontslaan word nie voor die verstryking van 'n tydperk van kennis van een maand of 'n korter tydperk wat Hoof van Staf Personeel in buitengewone omstandighede kan goedkeur;

- (b) sodanige uitkoopgeld nie aanvaar word nie—

(i) vóór die verstryking van sodanige tydperk van kennis;

(ii) terwyl dissiplinêre optrede teen die betrokke manskap beoog word of aan die gang is of hy 'n vonnis van detensie uitdien;

(iii) in dien so 'n manskap minderjarig is, voordat die skriftelike toestemming van sy ouer of voog tot sy ontslag deur uitkoop aan sy bevelvoerder voorgelê is."

- f. deur subregulasie (1) van regulasie 22 deur die volgende subregulasie te vervang:

"(1) 'n Manskap van die Burgermag of die kommando's word ontslaan—

(a) by aftreding by bereiking van die aftree-ouderdom by regulasie 20 voorgeskryf;

(b) mits hy hom nie weer tot diens in die Burgermag of die kommando's verbind nie, by verstryking van—

(i) die tydperk waartoe hy kragtens artikel 21 of 35 van die Wet verplig is om te dien;

(ii) 'n diensverbintenis vir 'n bepaalde tydperk kragtens artikel 20 of 24 van die Wet;

(c) weens sy bedanking: Met dien verstande dat hy minstens drie maande kennis van sy voorneme om te bedank op skrif aan sy bevelvoerder gegee het;

(d) weens wangedrag by die tenuitvoerlegging van 'n vonnis van ontslag of ontslag met oneer uit die SA Weermag, wat deur 'n bevoegde hof teen hom gevel is;

(e) behoudens 'n verpligting wat kragtens artikel 2 (3) of (4) van die Wet hom opgelê is, by die bevredigende bewys van die beëindiging van sy Suid-Afrikaanse burgerskap of indien die betrokke manskap nie 'n burger is nie, by bevredigende bewys van die beëindiging van sy domisilie in die Republiek;

- b. by the deletion of subregulation (8) of regulation 1;

- c. by the deletion of subregulation (2) of regulation 5;

- d. by the substitution for regulation 20 of the following regulation:

"20. (1) The maximum age to which a member of the Citizen Force may serve is—

- (a) privates and lance corporals: 55 years;
- (b) all other ranks: 60 years:

Provided that the Chief of the Arm of the Force or Head of Section concerned may extend the period of service of a citizen serving in a non-combatant capacity until such citizen has attained the age of 65 years.

(2) The maximum age to which a member of the commandos may serve 65 years."

- e. by the substitution for subregulation (3) of regulation 21 of the following subregulation:

"(3) An other rank of the Permanent Force may after written notice obtain his discharge by purchase on payment to the credit of the Consolidated Revenue Fund of the purchase money applicable to him in terms of subregulation (4) on the date of such payment: Provided that—

(a) no other rank shall be discharged by purchase before the expiry of a period of notice of one month or a lesser period which may in exceptional circumstances be approved by Chief of Staff Personnel;

- (b) such purchase money shall not be accepted—

(i) until the expiry of such period of notice;

(ii) while disciplinary action against the other rank concerned is contemplated or in progress or he is serving a sentence of detention;

(iii) if such other rank is a minor, until his parent's or guardian's written consent to his discharge by purchase has been submitted to his officer commanding."

- f. by the substitution for subregulation (1) of regulation 22 of the following subregulation:

"(1) An other rank of the Citizen Force or the commandos shall be discharged—

(a) on retirement, on attaining the age of retirement prescribed in regulation 20;

(b) provided he has not re-engaged for service in the Citizen Force or the commandos, on the expiry of—

(i) the period for which he is liable to serve in terms of section 21 or 35 of the Act;

(ii) a service commitment for a specific period in terms of section 20 or 24 of the Act;

(c) owing to his resignation: Provided that he has given at least three month's written notice of his intention to resign to his officer commanding;

(d) for misconduct on the execution of a sentence of discharge or discharge with ignominy from the SA Defence Force, imposed by a competent court;

(e) subject to any liability incurred in terms of sections 2 (3) or (4) of the Act, on satisfactory proof of the termination of his South African citizenship or, if the other rank concerned is not a citizen, on satisfactory proof of the termination of his domicile in the Republic;

(f) waar 'n vrystellingsraad kragtens artikel 70bis (1) van die Wet algehele vrystelling van diens aan hom verleen het.”;

g. deur subregulasie (3) van regulasie 22 deur die volgende subregulasie te vervang:

“(3) 'n Manskap van die Staande Mag wat kragtens artikel 10 van die Wet ingeskryf of heringeskryf is en 'n manskap van die Burgermag wat kragtens artikel 20 van die Wet dien, kan na skriftelike kennisgewing sy ontslag deur uitkoop verkry deur uitkoopgeld van—

(a) R100 waar sodanige ontslag geskied binne 12 maande ná sy aanvanklike inskrywing;

(b) R10 waar sodanige ontslag op enige ander tyd-stip daarna geskied;

in die Gekonsolideerde Inkomsterekening te stort: Met dien verstande dat sodanige manskap nie deur uitkoop ontslaan word nie voor die verstryking van 'n tydperk van kennis van een maand of 'n korter tydperk wat die Hoof van Staf Personeel in uitsonderlike omstandighede kan goedkeur, en sodanige uitkoopgeld nie aanvaar word nie—

(i) voor die verstryking van sodanige tydperk van kennis;

(ii) terwyl dissiplinêre optrede teen die betrokke manskap beoog word of aan die gang is of hy 'n vonnis van detensie uitdien;

(iii) indien sodanige manskap 'n minderjarige is, voor die skriftelike toestemming van sy ouer of voog tot sy ontslag deur uitkoop aan sy bevelvoerder voorgelê is.”.

3. Hoofstuk V van die Algemene Regulasies vir die SA Weermag en die Reserwe afgekondig by Goewermements-kennisgewing R. 678 van 26 April 1974 word hierby gewysig—

a. deur subregulasie (1) van regulasie 16 deur die volgende subregulasie te vervang:

“(1) 'n Manskap wat kragtens artikel 21 of 35 van die Wet verplig word om in die Burgermag of die kommando's te dien of wat kragtens artikel 19 of 36 van die Wet hom vrywillig vir diens in die Burgermag of die kommando's verbind, kan op staatskoste voorsien word van uniformstukke en toebehore ooreenkomstig 'n skaal wat die Kwartiermeester-generaal in oorleg met die Hoof van die betrokke Weermagsdeel of Afdelingshoof van tyd tot tyd bepaal en sodanige manskap moet op eie koste sodanige uniformstukke en toebehore in stand hou: Met dien verstande dat terwyl 'n manskap aldus dien, geld wat vir die doel deur die Parlement bewillig is, ten opsigte van sodanige manskap aangewend kan word—

(a) die versoling van twee paar skoene of stewels;

(b) die vervanging, by wyse van omruiling, van 'n uniformstuk of toebehore wat volgens die oordeel van sy bevelvoerder of 'n offisier deur hom daartoe gemagtig, deur sodanige manskap ontgroei is of as gevolg van billike slytasie ondienstig geraak het.”;

b. deur subregulasie (3) van regulasie 16 te skrap;

c. deur subregulasie (4) van regulasie 16 na (3) te her-nummer.

4. Hoofstuk VII van die Algemene Regulasies vir die SA Weermag en die Reserwe afgekondig by Goewermements-kennisgewing R. 1983 van 13 November 1970 word hierby gewysig deur subregulasie (2) van regulasie 4 deur die volgende subregulasie te vervang:

“(2) 'n Aanseggingsbevel ingevolge hierdie regulasie geskied skriftelik of op 'n ander wyse wat dienstig geag word en moet die betrokke lid binne 'n redelike tyd voor die aanvangsdatum van die diensgeleentheid waarop dit

(f) where an exemption board has in terms of section 70bis (1) of the Act granted him total exemption from service.”;

g. by the substitution for subregulation (3) of regulation 22 of the following subregulation:

“(3) An other rank of the Permanent Force who has been enrolled or re-enrolled in terms of section 10 of the Act and an other rank of the Citizen Force serving in terms of section 20 of the Act, may after written notice obtain his discharge by purchase on payment of purchase money of—

(a) R100 where such discharge is effected within 12 months of his initial enrolment;

(b) R10 where such discharge is effected at any time thereafter;

to the credit of the Consolidated Revenue Fund: Provided that such other rank shall not be discharged before the expiry of one month's notice or in exceptional circumstances such lesser period which the Chief of Staff Personnel may approve, and such purchase money shall not be accepted—

(i) before the expiry of such period of notice;

(ii) while disciplinary action against the other rank is contemplated or in progress or he is serving a sentence of detention;

(iii) if such other rank is a minor, until his parent's or guardian's written consent to his discharge by purchase has been submitted to his officer commanding.”.

3. Chapter V of the General Regulations for the SA Defence Force and the Reserve promulgated under Government Notice R. 678 of 26 April 1974, is hereby amended—

a. by the substitution for subregulation (1) of regulation 16 of the following subregulation:

“(1) An other rank who is liable to serve in the Citizen Force or the commandos in terms of section 21 or 35 of the Act or who has engaged himself to serve voluntarily in the Citizen Force or the commandos in terms of section 19 or 36 of the Act, may be provided at Government expense with articles of uniform and accessories in accordance with a scale determined from time to time by the Quartermaster General in consultation with the Chief of the Arm of the Force or Head of Section concerned and such other rank shall at his own expense maintain such items of uniform or accessories: Provided that while an other rank so serves, monies appropriated by Parliament for the purpose may be applied in respect of such member to—

(a) the resoling of two pairs of shoes or boots;

(b) replacement, by means of exchange, of any item of uniform or accessories which, in the opinion of his officer commanding or an officer authorised thereto by him, has been outgrown by such other rank or has become unserviceable as a result of fair wear and tear.”;

b. by the deletion of subregulation (3) of regulation 16;

c. by renumbering subregulation (4) of regulation 16 as (3).

4. Chapter VII of the General Regulations for the SA Defence Force and the Reserve promulgated under Government Notice R. 1983 dated 13 November 1970 is hereby amended by the substitution for subregulation (2) of regulation 4 of the following subregulation:

“(2) A detailing order in terms of this regulation shall be in writing or in any other manner deemed expedient and shall reach the member concerned within a reasonable time before the date of commencement of the period

betrekking het, bereik en moet minstens die aanvangsdatum, plek, duur en aard van die diensgeleentheid aandui.”

5. Hoofstuk IX van die Algemene Regulasies vir die SA Weermag en die Reserwe afgekondig by Goewermentskennisgewing R. 276 van 25 Februarie 1966 word hierby gewysig deur subregulasie (2) van regulasie 59 deur die volgende subregulasie te vervang:

“(2) ’n Lid van die SA Weermag wat voltydse diens verrig, word ’n volle lid van ’n menasie of klub wat kragtens hierdie hoofstuk gestig is en van die lid kan vereis word om bewys van sy lidmaatskap van die betrokke menasie of klub te lewer.”

6. Hoofstuk XIV van die Algemene Regulasies vir die SA Weermag en die Reserwe afgekondig by Goewermentskennisgewing R. 1252 van 18 Augustus 1967 word hierby gewysig deur subregulasie (2) van regulasie 2 deur die volgende subregulasie te vervang:

“(2) ’n Burger of ’n persoon wat in die Republiek gedomicilieerd is en nie ’n burger is nie, kan kragtens artikel 65 (1) van die Wet aansoek doen om in die Burgermag of die kommando’s aangestel of in diens geneem te word indien hy—

(a) nie ouer as 25 jaar is nie; of

(b) ouer as 25 jaar is en—

(i) oor enige militêre kwalifikasies beskik, waar ook al verwerf; of

(ii) enige akademiese, tegniese, tegnologiese of ander soortgelyke kwalifikasie verwerf het,

wat in die oordeel van die Hoof van die SA Weermag van waarde vir die SA Weermag is.”

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of service to which it refers and shall at least reflect the date of commencement, place, duration and nature of the period of service.”

5. Chapter IX of the General Regulations for the SA Defence Force and the Reserve promulgated under Government Notice R. 276 dated 25 February 1966 is hereby amended by the substitution for subregulation (2) of regulation 59 of the following subregulation:

“(2) A member of the SA Defence Force who performs fulltime service shall be a full member of a mess or club established in terms of this chapter and the member may be required to produce proof of his membership of the mess or club concerned.”

6. Chapter XIV of the General Regulations for the SA Defence Force and the Reserve promulgated under Government Notice R. 1252 dated 18 August 1967 is hereby amended by the substitution for subregulation (2) of regulation 2 of the following subregulation:

“(2) A citizen or a person who is not a citizen and is domiciled in the Republic, may in terms of section 65 (1) of the Act apply to be appointed or engaged in the Citizen Force or the commandos if he—

(a) is not older than 25 years; or

(b) is older than 25 years and—

(i) has any military qualification, wherever obtained; or

(ii) has obtained any academic, technical, technological or other similar qualification,

which in the opinion of the Chief of the SA Defence Force is of value to the SA Defence Force.”

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