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 VAN DIE REPUBLIEK VAN SUID-AFRIKA

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PROCLAMATION

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

No. R. 65, 1976

**REGULATIONS FOR THE ESTABLISHMENT OF
 EMPLOYMENT BUREAUX FOR NAMA IN
 NAMALAND, SOUTH-WEST AFRICA**

Whereas it is expedient to create more efficient facilities for placing employers and workseekers in Namaland in contact with one another;

Now, therefore, under and by virtue of the powers vested in me by section 38, read with section 22 (1) (v) of the South-West Africa Constitution Act, 1968 (Act 39 of 1968), I hereby declare that the regulations contained in the Schedule hereto shall, notwithstanding the provisions of any other legislation, be of force and effect in Namaland as defined in section 2 of the Namaland Consolidation and Administration Act, 1972 (Act 79 of 1972).

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. H. SMIT.

SCHEDULE

**REGULATIONS FOR EMPLOYMENT BUREAUX
 FOR NAMA IN NAMALAND**

Definitions

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

(i) "accommodation" means any building, house, hut, room or other structure used or intended for use for residential purposes by an employee or his family;

(ii) "association" means any branch of the South-West Africa Agricultural Union, the South-West Africa Wool Growers' Association or the Agricultural Employers Association of South-West Africa representing a group of farmers which applies for labour from Namaland on behalf of the group or a member of the group;

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PROKLAMASIE

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

No. R. 65, 1976

**REGULASIES VIR DIE INSTELLING VAN WERK-
 VERSKAFFINGSBURO'S VIR NAMAS IN NAMA-
 LAND, SUIDWES-AFRIKA**

Nademaal dit dienstig is om doeltreffender fasiliteite te skep waardeur werkgewers en werksoekers in Namaland met mekaar in verbinding gestel kan word;

So is dit dat ek kragtens die bevoegdheid my verleen by artikel 38, gelees met artikel 22 (1) (v) van die Wet op die Konstitusie van Suidwes-Afrika, 1968 (Wet 39 van 1968), hierby verklaar dat die regulasies wat in die Bylae hiervan vervat is, ondanks die bepalings van enige ander wetgewing, regsrag het in Namaland soos omskryf in artikel 2 van die Wet op die Konsolidasie en Administrasie van Namaland, 1972 (Wet 79 van 1972).

Gegee onder my Hand en die 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. H. SMIT.

BYLAE

**REGULASIES VIR WERKVERSKAFFINGSBURO'S
 VIR NAMAS IN NAMALAND**

Woordomskrywing

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

(i) "Beheerbeampte" 'n beampte in diens van die Departement van Kleurling-, Rehoboth- en Namabetrekkinge wat deur die Minister aangewys is;

(ii) "Departement" die Departement van Kleurling-, Rehoboth- en Namabetrekkinge;

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(iii) "authorised officer" means any magistrate, assistant magistrate, additional magistrate, Control Officer, employment officer, any member of the South African Police or of the South African Railways and Harbours Police or any other class of person or any officer designated by the Minister;

(iv) "call-in-card" means a card in the form prescribed by the Secretary, duly completed and signed by an employer, in which such employer indicates that he is desirous of again obtaining the services of a specific employee who has been in his employ and who returned to Namaland after the expiration of his agreement of employment, on the conditions set out in the card.

(v) "Chief Control Officer" means an officer in the service of the Department of Coloured, Rehoboth and Nama Relations designated by the Minister and includes any officer acting under the authority of any such Chief Control Officer or the Minister;

(vi) "Control Officer" means an officer in the service of the Department of Coloured, Rehoboth and Nama Relations designated by the Minister;

(vii) "Department" means the Department of Coloured, Rehoboth and Nama Relations;

(viii) "employee" or "workseeker" means a person who is a member of the population group known as the Nama referred to in section 1 of the Namaland Consolidation and Administration Act, 1972 (Act 79 of 1972), who is dependent on employment for a livelihood and who resides in Namaland permanently or temporarily;

(ix) "employment bureau" means any bureau or sub-office established in terms of regulation 2 of these regulations;

(x) "employment officer" means an officer in the Public Service or a person appointed by the Chief Control Officer in terms of regulation 3 (1) (e) to conduct an employment bureau;

(xi) "Minister" means the Minister of Coloured, Rehoboth and Nama Relations or any officer or officers to whom he delegates his powers;

(xii) "Nama Council" means a council established in terms of section 7 (1) (c) of the Development of Self-government for Native Nations in South-West Africa Act, 1968 (Act 54 of 1968) or in terms of any subsequent legislation;

(xiii) "Namaland" means the area defined in Schedule 1 of the Namaland Consolidation and Administration Act, 1972 (Act 79 of 1972), as amended from time to time in terms of the provisions of section 2 (2) of that Act;

(xiv) "proclaimed area" means a proclaimed area referred to in section 22 of the Urban Areas Proclamation;

(xv) "Secretary" means the Secretary for Coloured, Rehoboth and Nama Relations and includes any other officer in the Public Service acting under his authority;

(xvi) "tribal authority" means a tribal authority established in terms of section 4 of the Native Reserves Trust Funds Administration Proclamation, 1924 (Proclamation 9 of 1924) (South-West Africa) and any other tribal authority established or designated by the Minister for that purpose or a tribal authority established in terms of any subsequent legislation;

(xvii) "Urban Areas Proclamation" means the Natives (Urban Areas) Proclamation, 1951 (Proclamation 56 of 1951) (South-West Africa);

(xviii) "urban local authority" means an urban local authority defined in section 1 of the Urban Areas Proclamation.

(iii) "gemagtigde beampte" 'n landdros, assistent-landdros, addisionele landdros, Beheerbeampte, werkverskaffingsbeampte, enige lid van die Suid-Afrikaanse Polisie of van die Suid-Afrikaanse Spoorweg- en Hawenspolisie of enige ander klas persoon of beampte deur die Minister aangewys;

(iv) "geproklameerde gebied" 'n geproklameerde gebied genoem in artikel 22 van die Stadsgebiedeproklamasie;

(v) "Hoofbeheerbeampte" 'n beampte in diens van die Departement van Kleurling-, Rehoboth- en Namabetrekkings deur die Minister aangewys en ook 'n beampte wat op gesag van sodanige Hoofbeheerbeampte of die Minister optree;

(vi) "huisvesting" enige gebou, huis, hut, kamer of ander bouwerk wat gebruik word of bedoel is vir gebruik vir woondoeleindes deur 'n werknemer of sy gesin;

(vii) "inroepkaart" 'n kaart in die vorm deur die Sekretaris voorgeskryf wat behoorlik deur 'n werkgewer ingevul en onderteken word en waarop sodanige werkgewer aandui dat hy begerig is om die dienste van 'n spesifieke werknemer wat by hom diens gedoen het en na die verstryking van sy diensooreenkoms na Namaland teruggekeer het, op die voorwaardes op die kaart aangedui, weer te bekom;

(viii) "Minister" die Minister van Kleurling-, Rehoboth- en Namabetrekkings of die amptenaar of amptenare aan wie hy sy magte deleger;

(ix) "Namaland" die gebied omskryf in Bylae 1 van die Wet op die Konsolidasie en Administrasie van Namaland, 1972 (Wet 79 van 1972), soos van tyd tot tyd gewysig ingevolge die bepalings van artikel 2 (2) van daardie Wet;

(x) "Namaraad" 'n raad ingestel kragtens artikel 7 (1) (c) van die Wet op die Ontwikkeling van Selfbestuur vir Naturelle volke in Suidwes-Afrika, 1968 (Wet 54 van 1968), of kragtens enige latere wetgewing;

(xi) "Sekretaris" die Sekretaris van Kleurling-, Rehoboth- en Namabetrekkings en ook enige ander beampte in die Staatsdiens wat op sy gesag optree;

(xii) "Stadsgebiedeproklamasie" die Proklamasie op Inboorlinge in Stedelike Gebiede, 1951 (Proklamasie 56 van 1951) (Suidwes-Afrika);

(xiii) "stamraad" 'n raad ingestel ingevolge artikel 4 van die "Native Reserves Trust Funds Administration Proclamation, 1924" (Proklamasie 9 van 1924) (Suidwes-Afrika) en enige ander raad wat die Minister vir dié doel instel of aanwys of 'n stamraad ingestel ingevolge enige latere wetgewing;

(xiv) "stedelike plaaslike bestuur" 'n stedelike plaaslike bestuur omskryf in artikel 1 van die Stadsgebiedeproklamasie;

(xv) "vereniging" 'n tak van die Suidwes-Afrikaanse Landbou-unie, die Suidwes-Afrikaanse Wolkwekersvereniging of die Landbouwerkgewersvereniging van Suidwes-Afrika wat 'n groep boere verteenwoordig en namens die groep, of 'n lid van die groep, aanvraag doen om arbeid uit Namaland;

(xvi) "werknemer" of "werksoeker" 'n persoon wat lid is van die bevolkingsgroep wat as die Namas bekend staan wat in artikel 1 van die Wet op die Konsolidasie en Administrasie van Namaland, 1972 (Wet 79 van 1972) omskryf word, wat vir sy lewensbestaan van werk afhanklik is en tydelik of permanent in Namaland woon;

(xvii) "werkverskaffingsbeampte" 'n beampte in die Staatsdiens, of 'n ander persoon, wat deur die Hoofbeheerbeampte kragtens regulasie 3 (1) (e) aangestel word om 'n werkverskaffingsburo te bestuur;

(xviii) "werkverskaffingsburo" 'n buro of subburo ingestel ingevolge regulasie 2 van hierdie regulasies.

Establishment of employment bureaux

2. (1) There is hereby established an employment bureau for each of the areas of jurisdiction of the tribal authorities of Berseba, Gibeon, Soromaas and Tses, which for the purposes of these regulations shall also be deemed to be the area of jurisdiction of the Control Officer, with headquarters at Berseba, Gibeon, Kosis and Tses and each such bureau shall be conducted by an employment officer: Provided that the Minister may establish further bureaux and determine the headquarters thereof: Provided further that the Minister may change the headquarters of any such bureau should he deem it expedient and provided further that the Minister may authorise any bureau to operate sub-offices in its area of jurisdiction.

(2) Any officer who conducts an employment bureau and the Control Officer and the Chief Control Officer shall be deemed to be peace officers for the purposes of the Criminal Procedure Ordinance, 1963 (Ordinance 34 of 1963) of the Territory of South-West Africa.

Powers and functions of the Chief Control Officer, Control Officers, Employment Officers and Authorised Officers

3. (1) The Chief Control Officer—

(a) shall control the activities of the employment bureaux in his area of jurisdiction;

(b) shall inquire into any matter affecting the employment of employees and the efficient functioning of the employment bureaux in his area of jurisdiction;

(c) shall have the power at all reasonable times to inspect any employment bureau in his area of jurisdiction and any premises within his area upon which there are employees;

(d) shall have access at all reasonable times to the records, registers, books and accounts of the Control Officer and an employment bureau in his area of jurisdiction;

(e) shall have the power to appoint an employment officer.

(2) The Control Officer—

(a) shall keep or cause to be kept such records and registers and furnish such returns and information regarding the activities of the employment bureaux in his area of jurisdiction as may be required from time to time by the Chief Control Officer;

(b) shall have the power at all reasonable times to inspect any employment bureau in his area of jurisdiction and to make enquiries about or to inquire into any matter affecting the activities and the efficient functioning of an employment bureau in his area of jurisdiction;

(c) shall have access at all reasonable times to the records, books and accounts of any employment bureau in his area of jurisdiction;

(d) shall refer requisitions for labour to the employment bureaux in his area of jurisdiction for execution;

(e) shall receive or cause to be received the fees prescribed in these regulations and shall pay such fees or cause such fees to be paid into the account of the tribal authority;

(f) shall, generally, take all such steps as are necessary to ensure the efficient functioning of the employment bureaux in his area of jurisdiction;

(g) shall, subject to the provisions of regulation 5 (1) and (2) and regulation 6, have the power to investigate the complaints of any employee who is dissatisfied with his agreement of employment, or the complaints of an employer who is dissatisfied with the performance of his work by, or the conduct of, his employee, and shall have the power, after consultation, to issue an order referred to in regulation 4 (5).

Stigting van werkverskaffingsburo's

2. (1) Hierby word 'n werkverskaffingsburo ingestel vir elk van die stamrade van Berseba, Gibeon, Soromaas en Tses se regsgebiede; wat vir doeleindes van hierdie regulasies ook die Beheerbeampte se regsgebied geag word, met setels te Berseba, Gibeon, Kosis en Tses en elke sodanige buro word bestuur deur 'n werkverskaffings-beampte: Met dien verstande dat die Minister verdere buro's kan instel en die setels daarvan bepaal: Met dien verstande voorts dat die Minister die setel van sodanige buro kan wysig indien hy dit dienstig ag, en voorts dat die Minister 'n buro kan magtig om subburo's in sy gebied te bedryf.

(2) 'n Beampte wat 'n werkverskaffingsburo bestuur en die Beheerbeampte en die Hoofbeheerbeampte word by die toepassing van die Strafproseduureordonnansie, 1963 (Ordonnansie 34 van 1963) van die gebied Suidwes-Afrika, geag 'n vredebeampte te wees.

Bevoegdheid en werksaamhede van die Hoofbeheerbeampte, Beheerbeamptes, Werkverskaffingsbeamptes en Gemagtigde Beamptes

3. (1) Die Hoofbeheerbeampte—

(a) moet die bedrywigheid van die werkverskaffingsburo's in sy regsgebied beheer;

(b) moet ondersoek instel na enige aangeleentheid rakende die indiensneming van werknemers en die doeltreffende funksionering van werkverskaffingsburo's in sy regsgebied;

(c) het die bevoegdheid om te alle redelike tye enige werkverskaffingsburo in sy regsgebied en enige perseel in sy regsgebied waarop daar werknemers is, te inspekter;

(d) het te alle redelike tye toegang tot die rekords, registers, boeke en rekenings van die Beheerbeampte en 'n werkverskaffingsburo in sy regsgebied;

(e) het die bevoegdheid om 'n werkverskaffings-beampte aan te stel.

(2) Die Beheerbeampte—

(a) moet die rekords en registers hou of laat hou en die opgawes en die inligting van die werksaamhede van die werkverskaffingsburo's in sy regsgebied verstrek wat die Hoofbeheerbeampte van tyd tot tyd vereis;

(b) het die bevoegdheid om te alle redelike tye enige werkverskaffingsburo in sy regsgebied te inspekter en om navraag te doen of ondersoek in te stel na enige saak rakende die werksaamhede en doeltreffende funksionering van werkverskaffingsburo's in sy regsgebied;

(c) het te alle redelike tye toegang tot die rekords, boeke en rekening van werkverskaffingsburo's in sy regsgebied;

(d) moet aanvrae om arbeid ontvang en dit aan die werkverskaffingsburo's in sy regsgebied vir uitvoering toewys;

(e) moet alle gelde wat in hierdie regulasies voorgeskryf word, ontvang of laat ontvang en sodanige gelde in die rekening van die stamraad inbetaal of laat inbetaal;

(f) moet in die algemeen al sodanige stappe doen as wat nodig is om die doeltreffende funksionering van werkverskaffingsburo's in sy regsgebied te verseker;

(g) het die bevoegdheid om, behoudens die bepalings van regulasie 5 (1) en (2) en regulasie 6, ondersoek in te stel na die klagtes van 'n werknemer wat met sy diensooreenkoms ontevrede is of klagtes van 'n werkgewer wat ontevrede is met die werkverrigting of gedrag van sy werknemer, en het die bevoegdheid om na raadpleging 'n bevel uit te reik soos in regulasie 4 (5) genoem.

(3) An employment officer shall—

(a) control and conduct his bureau in accordance with these regulations and any lawful instructions which he may from time to time receive from the Secretary, the Chief Control Officer or the Control Officer;

(b) keep such registers, books and accounts and furnish such returns and information as may be required from time to time by the Secretary, the Chief Control Officer or the Control Officer;

(c) co-operate with other employment officers, employers and recognised bodies and associations in South-West Africa to ensure the efficient functioning of his bureau and the proper co-ordination of control over matters relating to Nama labour in terms of these regulations and any other legislation;

(d) endeavour to place workseekers from his area in specific categories of employment in accordance with requisitions for labour received and in accordance with the qualifications, general physique or abilities of such workseekers;

(e) in general take such steps as may be necessary to ensure the effective functioning of his bureau.

(4) An employment officer may, in addition to any other powers or functions which may be prescribed—

(a) refuse to sanction the placement in employment, engagement or continued employment of an employee in the area of jurisdiction of the employment bureau concerned, and by notice in writing to the employer concerned declare any agreement of employment with such employee cancelled if he is satisfied—

(i) that the agreement of employment with the employee is not bona fide; or

(ii) that such employee has not been released from the obligation of rendering service under an earlier agreement of employment; or

(iii) that such employee is not permitted by these regulations or any legislation to be in the area of jurisdiction of the employment bureau or to take up employment; or

(iv) that such employee refuses to submit himself to medical examination by a medical officer or, having been medically examined, has not been passed as healthy and vaccinated as prescribed, or is found to be suffering from venereal disease or from tuberculosis or from any other ailment or disease which in the opinion of the medical officer is dangerous to public health; or

(v) that an order of removal has been made against such employee under any law or these regulations; or

(vi) that the provisions of subregulation (5) have not been complied with;

(b) permit any employee to work as a casual worker or to carry on any work on his own account in any remunerative activity or as an independent contractor on the conditions prescribed, and require any employee so working as a casual worker to take employment by the day on such conditions as may be prescribed;

(c) inspect the accommodation and place of employment of any employee in his area of jurisdiction for the purposes of these regulations and also investigate whether the conditions of employment as set out in the agreement of employment are being carried out by such employee's employer;

(3) 'n Werkverskaffingsbeampte moet—

(a) sy buro beheer en bestuur ooreenkomstig hierdie regulasies en enige wettige voorskrifte wat hy van tyd tot tyd van die Sekretaris, die Hoofbeheerbeampte of die Beheerbeampte ontvang;

(b) die registers, boeke en rekeninge hou en die opgawes en inligting verstrek wat die Sekretaris, die Hoofbeheerbeampte of die Beheerbeampte van tyd tot tyd vereis;

(c) met ander werkverskaffingsbeamptes, werkgewers en erkende liggame en verenigings in Suidwes-Afrika saamwerk om die doeltreffende funksionering van sy buro te verseker en om behoorlike koördinasie van beheer oor Nama-arbeidsaangeleenthede ingevolge hierdie regulasies en ander wetgewing te verseker;

(d) trag om werksoekers uit sy regsgebied in diens te plaas in bepaalde werkkategorieë ooreenkomstig aanvrae om arbeid wat ontvang is en ooreenkomstig die kwalifikasies, algemene liggaamsbou of bekwaamhede van sodanige werksoekers;

(e) in die algemeen al sodanige stappe doen as wat nodig is om die doeltreffende funksionering van sy buro te verseker.

(4) 'n Werkverskaffingsbeampte het, benewens enige ander voorgeskrewe bevoegdhede of werksaamhede, die bevoegdheid om—

(a) te weier om magtiging te verleen tot die indiensplasing, indiensneming of verdere indienshouding van 'n werknemer in die regsgebied van die betrokke werkverskaffingsburo en, by skriftelike kennisgewing aan die betrokke werkgewer, 'n diensooreenkoms met 'n werknemer nietig verklaar as hy oortuig is—

(i) dat die diensooreenkoms met sodanige werknemer nie bona fide is nie; of

(ii) dat sodanige werknemer nie van die verpligting onthef is om ingevolge 'n vroeëre diensooreenkoms diens te verrig nie; of

(iii) dat sodanige werknemer geen vergunning kragtens hierdie regulasies of enige ander wetgewing het om in die werkverskaffingsburo se regsgebied te wees of om diens te aanvaar nie; of

(iv) dat sodanige werknemer weier om hom aan 'n geneeskundige ondersoek deur 'n geneeskundige beampte te onderwerp of, nadat hy geneeskundig ondersoek is, nie gesond verklaar en soos voorgeskryf ingeënt is nie, of daar bevind word dat hy aan 'n veneriële siekte, tuberkulose of 'n ander kwaal of siekte ly wat volgens die oordeel van die geneeskundige beampte vir die openbare gesondheid gevaarlik is; of

(v) dat 'n verwyderingsbevel kragtens 'n wet of hierdie regulasies teen sodanige werknemer uitgereik is; of

(vi) dat die bepalinge in subregulasie (5) nie nagekom is nie;

(b) 'n werknemer toe te laat om op die voorgeskrewe voorwaardes as 'n los werker te werk of vir eie rekening in 'n winsgewende bedrywigheid of as 'n onafhanklike aannemer werk te verrig, en te vereis dat 'n werknemer wat aldus as 'n los werker werksaam is, werk by die dag aanvaar op sodanige voorwaardes as wat voorgeskryf word;

(c) die huisvesting van enige werknemer en die plek waar sodanige werknemer in sy regsgebied in diens is, vir die toepassing van hierdie regulasies te inspekteer, asook ondersoek in te stel of die diensvoorwaardes uiteengesit in die diensooreenkoms deur die werkgewer nagekom word;

(d) place any employee who comes from an area outside the area in which these regulations apply, and who is in transit between the headquarters or a sub-office of the employment bureau and his place of employment and/or between the headquarters of two employment bureaux, in contract with his employer, and may provide such employee with food and lodging, and may recover the cost of such food and lodging from the employee's employer when such employer receives such employee, at the tariff approved by the Minister.

(5) An employment officer shall not sanction the employment or the continued employment of an employee who is under the age of 16 years in the area of jurisdiction of the employment bureau concerned at any place other than the land on which his parent or guardian resides or is employed, unless he is in possession of written proof issued by the Control Officer of the area in which his parent or guardian resides, showing that his parent or guardian has granted permission thereto: Provided that no employee under the age of 18 years shall be permitted to work at a mine.

(6) Any workseeker to whom an employment officer cannot offer suitable employment or who has been refused permission by an employment officer to take up or be in employment in his area of jurisdiction, or who has on three consecutive occasions refused or failed without lawful cause to take up suitable employment offered to him by such officer, or an employee whose agreement of employment has been declared invalid by such officer, shall be referred to the Control Officer and the Control Officer may, after considering all the relevant circumstances, by warrant addressed to any member of the South African Police, order that such workseeker or employee and the members of his household, if any, return to his home or last place of residence: Provided that the Control Officer shall not order that a Nama who is lawfully resident in Namaland be removed from Namaland except on authority of the Secretary.

(7) (a) An employment officer or authorised officer may at all reasonable times enter any premises or land in Namaland to ascertain whether the provisions of these regulations and any other legislation and regulations relating to the employment and control of employees are being observed, and to that end to undertake such inspection and inquiry as he may deem necessary.

(b) The owner or occupier of premises or land entered under the provisions of paragraph (a) shall on demand furnish the employment officer or authorised officer with such information as he may require to enable him to carry out his duties.

(c) Any person who directly or indirectly hinders or obstructs an employment officer or an authorised officer acting in terms of paragraph (a) or who fails to furnish any information in terms of paragraph (b) or to give any assistance required by an employment officer or an authorised officer to implement the provisions of these regulations or who wilfully gives false or misleading information to an employment officer or an authorised officer shall be guilty of an offence and liable on conviction to the penalties prescribed in regulation 26 (1).

Complaints of employees or breaking of agreements of employment

4. (1) Any employee who is a party to an agreement of employment and who after taking up employment is dissatisfied with such agreement of employment, may lodge a complaint with the employment officer, who shall refer such employee to the Control Officer.

(d) 'n werknemer wat afkomstig is uit 'n gebied buite die gebied waar hierdie regulasies van toepassing is en wat in transito is tussen die setel of 'n subburo van die werkverskaffingsburo en sy werkplek en/of tussen die setels van twee werkverskaffingsburo's, in verbinding te stel met sy werkgever en te voorsien van voedsel en verblyf, en om die koste van voedsel en verblyf op die werknemer se werkgever te verhaal wanneer die werkgever die werknemer ontvang, teen 'n tarief deur die Minister goedgekeur.

(5) 'n Werkverskaffingsbeampte verleen nie magtiging tot die indiensneming of die verdere indienshouding van 'n werknemer onder die ouderdom van 16 jaar in die regsgebied van die betrokke werkverskaffingsburo op 'n ander plek as op die grond waarop sy ouer of voog woonagtig is of in diens is nie, tensy hy in besit is van 'n skriftelike bewys uitgereik deur die Beheerbeampte van die gebied waar sy ouer of voog sy verblyf het en wat toon dat sy ouer of voog sy toestemming daartoe verleen het: Met dien verstande dat geen werknemer onder die ouderdom van 18 jaar toegelaat word om op 'n myn te werk nie.

(6) 'n Werksoeker aan wie 'n werkverskaffingsbeampte nie geskikte werk kan aanbied nie of vergunning geweier het om in sy regsgebied diens te aanvaar of in diens te wees, of wat by drie agtereenvolgende geleenthede geskikte werk wat deur sodanige beampte aan hom aangebied is, sonder wettige rede geweier het of versuim het om dit te aanvaar, of 'n werknemer wie se diensooreenkoms deur sodanige beampte nietig verklaar is, word verwys na die Beheerbeampte en die Beheerbeampte kan, na oorweging van al die tersaaklike omstandighede, by lasbrief gerig aan 'n lid van die Suid-Afrikaanse Polisie beveel dat sodanige werksoeker of werknemer en sy gesin, as daar is, terugkeer na sy verblyfplek of laaste woonplek: Met dien verstande dat die Beheerbeampte nie mag gelas dat 'n Nama wat wettig in Namaland woonagtig is, uit Namaland verwyder word nie, uitgesonderd op gesag van die Sekretaris.

(7) (a) 'n Werkverskaffingsbeampte of gemagtigde beampte kan te alle redelike tye enige perseel of grond in Namaland betree ten einde vas te stel of die bepalinge van hierdie regulasies en enige ander wetgewing met betrekking tot die werkverskaffing aan en beheer oor werknemers nagekom word en kan vir dié doel sodanige inspeksie doen of ondersoek instel as wat hy nodig ag.

(b) Die eienaar of okkupeerder van 'n perseel of grond wat ingevolge die bepalinge van paragraaf (a) betree word, moet op versoek die werkverskaffingsbeampte of die gemagtigde beampte van sodanige inligting voorsien as wat hy nodig het om hom in staat te stel om sy pligte uit te voer.

(c) Iemand wat regstreeks of onregstreeks 'n werkverskaffingsbeampte of 'n gemagtigde beampte wat ingevolge paragraaf (a) optree, verhinder of belemmer of wat versuim om enige inligting ingevolge paragraaf (b) te verskaf of versuim om die bystand te verleen wat 'n werkverskaffingsbeampte of 'n gemagtigde beampte nodig het om uitvoering te gee aan die bepalinge van hierdie regulasies, of wat opsetlik valse of misleidende inligting aan 'n werkverskaffingsbeampte of 'n gemagtigde beampte verstrek, begaan 'n misdryf en is by skuldigbevinding strafbaar met die strawwe voorgeskryf in regulasie 26 (1).

Klagtes van werknemers of verbreking van diensooreenkoms

4. (1) 'n Werknemer wat 'n party is by 'n diensooreenkoms en wat na sy diensaanvaarding ontevrede is met sodanige diensooreenkoms, kan 'n klagte indien by die werkverskaffingsbeampte, wat sodanige werknemer na die Beheerbeampte moet verwys.

(2) Under the powers vested in him by regulation 3 (2) (g), the Control Officer shall investigate the complaint of such employee referred to him under subregulation (1) and may, after consultation with the employer of such employee, declare the agreement of employment invalid if he is satisfied that such employee has grounds for complaint: Provided that the Control Officer may, at the request of the employee and the employer, allow them to enter into a new agreement of employment, in which case the existing agreement of employment shall lapse.

(3) The Control Officer may refer any employee whose agreement of employment he has declared invalid in terms of subregulation (2) to the employment officer concerned or to any other employment officer in his area of jurisdiction who may offer such employee suitable employment.

(4) Any employee in Namaland whose agreement of employment has not been declared invalid and who breaks such agreement and any employee in Namaland who has entered into an agreement of employment outside the area in which these regulations apply and who fails to take up employment under such agreement of employment and any employee who remains in Namaland in contravention of an order made under regulation 4 (5), shall be deemed to be unlawfully in Namaland.

(5) The Chief Control Officer or the Control Officer may, notwithstanding the provisions of any legislation, by warrant addressed to any member of the South African Police order that any employee who is unlawfully in Namaland be removed therefrom to a place specified in the warrant and may order that pending his removal he be detained in custody.

(6) The Chief Control Officer or Control Officer may, in making any order referred to in subregulation (5), order that the cost of removing such employee and of accommodation pending his removal be met from any money found in his possession or otherwise belonging to him or accruing to him from any source.

(7) (a) Where an employer is liable for the cost of the employee's food and lodging in terms of an agreement of employment and such employee unlawfully and without adequate reasons refuses or fails to render service, the Control Officer may, after investigation, order that all such costs incurred by the employer be recovered from the employee in respect of the period during which he did not render service to the employer in terms of the agreement of employment.

(b) The Control Officer may order in writing that the cost of an employee's food and lodging for which an employer is not liable in terms of this subregulation be met from any money found in such employee's possession or otherwise belonging to him or accruing to him from any source.

Complaints of employers

5. (1) An employer who is a party to an agreement of employment may lodge a complaint against his employee with the Control Officer if such employee is guilty of misconduct, renders unsatisfactory service, refuses or fails to obey any lawful order or is guilty of conduct prejudicial to the interests of the employer.

(2) The Control Officer shall, by virtue of the powers vested in him by regulation 3 (2) (g), investigate the complaint of the employer and may declare the agreement of employment invalid if he is satisfied that the complaint is well founded, and may issue an order in terms of regulation 4 (5).

Registration of employers

6. (1) Every person who ordinarily has an employee in his employ in an area of jurisdiction of an employment bureau for service in that area or intends to employ any person for service in Namaland shall register as an

(2) Die Beheerbeampte stel kragtens die bevoegdheid hom verleen by regulasie 3 (2) (g) ondersoek in na die klagte van die werknemer wat ingevolge subregulasie (1) na hom verwys is en kan na oorlegpleging met die werkgever van sodanige werknemer die diensooreenkoms nietig verklaar indien hy daarvan oortuig is dat die werknemer se klagte gegrond is: Met dien verstande dat die Beheerbeampte die werknemer en die werkgever op hulle versoek kan toelaat om 'n nuwe diensooreenkoms te sluit, in welke geval die bestaande diensooreenkoms verval.

(3) Die Beheerbeampte kan 'n werknemer wie se diensooreenkoms hy kragtens subregulasie (2) nietig verklaar het, verwys na die betrokke werkverskaffingsbeampte of ander werkverskaffingsbeamptes in sy regsgebied wat die werknemer geskikte werk kan aanbied.

(4) 'n Werknemer in Namaland wie se diensooreenkoms nie nietig verklaar is nie en wat sodanige ooreenkoms verbreek, en 'n werknemer in Namaland wat 'n diensooreenkoms buite die gebied waarin hierdie regulasies van toepassing is, aangegaan het en versuim het om ingevolge sodanige diensooreenkoms diens te aanvaar, en 'n werknemer wat in Namaland in 'n gebied bly strydig met 'n bevel kragtens regulasie 4 (5) uitgereik, word geag onwettig in Namaland te wees.

(5) Die Hoofbeheerbeampte of die Beheerbeampte kan, ondanks die bepalings van ander wetgewing, by lasbrief gerig aan 'n lid van die Suid-Afrikaanse Polisie beveel dat 'n werknemer wat onwettig in Namaland is, daaruit verwyder word na die plek wat in die lasbrief bepaal word en kan beveel dat hy in bewaring ghou word hangende sy verwydering.

(6) Die Hoofbeheerbeampte of Beheerbeampte kan, wanneer hy 'n bevel bedoel in subregulasie (5) uitreik, beveel dat die koste van verwydering en huisvesting, hangende die verwydering van die werknemer, betaal word uit geld wat in sy besit gevind word of andersins aan hom behoort of wat hom uit enige bron toekom.

(7) (a) Waar 'n werkgever ingevolge 'n diensooreenkoms aanspreeklik is vir die koste van voedsel en verblyf van 'n werknemer en sodanige werknemer wederregtelik en sonder voldoende redes weier of versuim om diens te lewer, kan die Beheerbeampte na ondersoek beveel dat al sodanige koste aangegaan deur die werkgever op die werknemer verhaal word vir die tydperk wat hy nie diens ingevolge die diensooreenkoms aan die werkgever gelewer het nie.

(b) Die Beheerbeampte kan skriftelik beveel dat die koste van 'n werknemer se voedsel en verblyf waarvoor 'n werkgever nie ingevolge hierdie subregulasie aanspreeklik is nie, betaal word uit geld wat in sodanige werknemer se besit gevind word of andersins aan hom behoort of wat hom uit enige bron toekom.

Klagtes van werkgevers

5. (1) 'n Werkgever wat 'n party is by 'n diensooreenkoms, kan 'n klagte teen sy werknemer by die Beheerbeampte indien as sodanige werknemer skuldig is aan wangedrag, onbevredigende werk lewer, weier of versuim om 'n wettige bevel te gehoorsaam of skuldig is aan optrede wat die belange van die werkgever skaad.

(2) Die Beheerbeampte stel kragtens die bevoegdheid hom verleen by regulasie 3 (2) (g) ondersoek in na die klagte van die werkgever en kan die diensooreenkoms nietig verklaar indien hy daarvan oortuig is dat die klagte gegrond is, en kan 'n bevel kragtens regulasie 4 (5) uitreik.

Registrasie van werkgevers

6. (1) Elke persoon wat gewoonlik 'n werknemer in die regsgebied van 'n werkverskaffingsburo in diens het vir diens in daardie gebied of voornemens is om 'n persoon vir diens in Namaland in diens te neem, moet

employer at the employment bureau concerned on the form prescribed by the Secretary and shall notify such bureau, within 14 days, of all vacancies existing or arising in his employ after commencement of these regulations as well as all employments.

(2) Notwithstanding the provisions of subregulation (1) an employment officer may not refuse to register an employment of an employee and neither may he refuse to attest an agreement of employment in terms of these regulations merely on the grounds that the employer concerned is not registered or that notification of vacancies has not taken place as required by subregulation (1).

(3) The employment officer shall keep a record card, in the form prescribed by the Secretary, for every person who employs an employee in the area of jurisdiction of his employment bureau and shall record on such card the names of all employees registered in the employ of such person and such other particulars as may be prescribed by the Secretary.

(4) An employer in Namaland shall, when notifying an employment officer in terms of subregulation (1) of the existence of a vacancy in his employ, state in his notification—

(a) whether he desires the employment officer to fill the vacancy; or

(b) whether he intends to obtain labour from outside Namaland or the area of jurisdiction of the employment officer concerned; or

(c) in what other manner he intends to fill the vacancy.

Employment and continued employment in Namaland of persons other than Namas

7. (1) Any employer who intends to import labour other than Nama labour from territories outside Namaland into Namaland shall apply beforehand to the employment officer in whose area of jurisdiction he intends to employ the employees and state—

(a) the number of employees he intends bringing into Namaland;

(b) the population group to which such employee or employees belong;

(c) the area from which such employee or employees will be recruited or obtained;

(d) the conditions of service under which and the period during which the employee or employees will render service in Namaland: Provided that if an agreement of employment has already been entered into with such employee or employees and he or they is/are only allocated for continued service in Namaland, a true copy of such agreement of employment shall accompany the employer's application;

(e) the reasons why Nama labour cannot be utilised; and

(f) such other particulars as may be prescribed by the Secretary.

(2) An employment officer shall on receipt of an application in terms of subregulation (1) enter particulars of such application in a register prescribed by the Secretary and shall forward the application together with his recommendation and the recommendation of the tribal authority or other authority designated by the Minister in whose area the employees will be employed to the Control Officer.

(3) The Control Officer shall consider the application and if he is satisfied that it is in the general interests of Namaland that service be rendered by the employees in Namaland he may issue a permit in the form prescribed by the Secretary and he shall have the power to prescribe such conditions as may have been determined by the Minister and the Secretary.

homself by die betrokke werkverskaffingsbeampte op die vorm deur die Sekretaris voorgeskryf as werkgewer laat registreer en moet sodanige buro binne 14 dae in kennis stel van alle vakatures wat na die inwerkingtreding van hierdie regulasies in sy diens bestaan of ontstaan, asook van alle indiensnemings.

(2) Ondanks die bepalinge van subregulasie (1) mag 'n werkverskaffingsbeampte nie weier om die indiensneming van 'n werknemer te registreer nie en ook nie weier om 'n dienssooreenkoms ingevolge hierdie regulasies te attesteer nie bloot op grond daarvan dat die betrokke werkgewer nie geregistreer is nie of dat kennisgewing van vakatures nie geskied het soos by subregulasie (1) vereis word nie.

(3) Die werkverskaffingsbeampte moet 'n rekordkaart, in die vorm deur die Sekretaris voorgeskryf, byhou vir elke persoon wat 'n werknemer in die reggebied van sy werkverskaffingsburo in diens het, en moet op sodanige kaart die name aanteken van al die werknemers wat in diens van sodanige persoon geregistreer is, asook sodanige ander besonderhede as wat die Sekretaris voorskryf.

(4) 'n Werkgewer in Namaland moet, wanneer hy 'n werkverskaffingsbeampte ingevolge subregulasie (1) van die bestaan van 'n vakature in sy diens in kennis stel, die volgende in sy kennisgewing meld:

(a) Of hy verlang dat die werkverskaffingsburo die vakature moet vul; of

(b) of hy voornemens is om arbeid van buite Namaland of die reggebied van die betrokke werkverskaffingsbeampte af in te voer; of

(c) op watter ander wyse hy voornemens is om die vakature te vul.

Indiensneming en indienshouding van Nie-Namas in Namaland

7. (1) 'n Werkgewer wat voornemens is om nie-Nama-arbeid van buite in Namaland in te bring, moet vooraf 'n aansoek by die werkverskaffingsbeampte in wie se reggebied hy die werknemers in diens wil hou, indien en daarop aandui—

(a) die getal werknemers wat hy in Namaland wil inbring;

(b) die bevolkingsgroep waartoe sodanige werknemer of werknemers behoort;

(c) die gebied waarvandaan die werknemer of werknemers gewerf of verkry sal word;

(d) die diensvoorwaardes waaronder en die tydperk wat sodanige werknemer of werknemers diens in Namaland sal verrig: Met dien verstande dat indien 'n dienssooreenkoms reeds met sodanige werknemer of werknemers aangegaan is en hy of hulle slegs vir voortgesette diens in Namaland toegewys word, 'n ware afskrif van sodanige dienssooreenkoms die werkgewer se aansoek moet vergesel;

(e) die redes waarom daar nie van Nama-arbeid gebruik gemaak kan word nie; en

(f) sodanige ander besonderhede as wat die Sekretaris voorskryf.

(2) 'n Werkverskaffingsbeampte moet by ontvangs van 'n aansoek ingevolge subregulasie (1) besonderhede van sodanige aansoek aanteken in 'n register deur die Sekretaris voorgeskryf en die aansoek moet met sy aanbeveling en die aanbeveling van die stamraad of ander raad deur die Minister aangewys, in wie se gebied die werknemers in diens gehou sal word, aan die Beheerbeampte gestuur word.

(3) Die Beheerbeampte moet die aansoek oorweeg en as hy oortuig is dat dit in die algemene belang van Namaland is dat die werknemers in Namaland diens verrig, reik hy 'n permit uit in die vorm deur die Sekretaris voorgeskryf, en die Beheerbeampte het die bevoegdheid om sodanige voorwaardes as wat die Minister en die Sekretaris bepaal, voor te skryf.

(4) The Chief Control Officer or the Control Officer may withdraw any permit issued in terms of subregulation (3) if in his opinion the employer has not complied with the conditions laid down in terms of subregulation (3) or if he considers it to be in the interests of the administration of Namaland that a group of employees or a specific employee for whose continued employment a permit has been issued in terms of subregulation (3) should not work or reside in Namaland or if an employee is guilty of misconduct, and he may withdraw the permit in whole or, where a permit has been issued in respect of a group of employees, in so far as it relates to any specific employee or employees.

(5) The Chief Control Officer or the Control Officer may, when withdrawing a permit in terms of subregulation (4), order the employee or employees concerned to leave Namaland within a specified time with the members of their households, if any. If such employee or employees do not leave Namaland with the members of their households, if any, before or on the date as ordered by the Chief Control Officer or the Control Officer in terms of this regulation the Chief Control Officer or the Control Officer shall have the power to issue an order in terms of regulation 4 (5).

(6) Every person in Namaland who at the commencement of these regulations has in his employ an employee who is not a member of the Nama population group and with whom an agreement of employment has already been entered into may, subject to the requirements of regulation 6 (1), continue to employ such employee, but such employee shall leave Namaland within three days of the expiration of his agreement of employment: Provided that the employer may, not less than 14 days before the expiration of the agreement of employment, apply to the employment officer concerned on the prescribed form to keep the employee concerned in his employ.

(7) When considering any application for the employment of employees in terms of these regulations Namas shall enjoy preference and the Control Officer shall not issue a permit for the admission of non-Nama labour into Namaland or for the extension of an agreement of employment in terms of subregulation (6) if a suitable Nama is available to fill the vacancy.

Registration of workseekers and employees in Namaland

8. (1) Every Nama who is resident in the area of jurisdiction of an employment bureau who is unemployed but is dependent on employment for his livelihood, shall, within 14 days of the commencement of these regulations or within 72 hours of becoming unemployed or within one month of attaining the age of 16 years or within one month of ceasing to be a full-time pupil or student at an educational institution or of ceasing to wait for admission to an educational institution, register as a workseeker with the employment bureau of the area where he is resident, satisfy the employment officer as to his identity and any special qualifications held by him and advise the officer of the category of work preferred by him and furnish such further information as the employment officer may require for the purposes of these regulations.

(2) The provisions of subregulation (1) shall not apply in the case of a person—

(a) who is a female, unless she desires to seek work or take up employment;

(b) who is a male over the age of 65 years, unless he desires to seek work or take up employment;

(c) who is in the opinion of the employment officer incapable of being employed on account of physical or mental infirmity;

(4) Die Hoofbeheerbeampte of die Beheerbeampte kan 'n permit wat ingevolge subregulasie (3) uitgereik is, intrek as hy van oordeel is dat die werkgewer die voorwaardes in subregulasie (3) gestel, nie nagekom het nie, of as hy dit in belang van die goeie administrasie van Namaland beskou dat 'n groep werknemers of 'n bepaalde werknemer vir wie se indienshouding 'n permit ingevolge subregulasie (3) uitgereik is, nie in Namaland moet werk of woon nie of as 'n werknemer hom aan wangedrag skuldig gemaak het, en hy kan die permit in geheel intrek of waar 'n permit ten opsigte van 'n groep werknemers uitgereik is, kan hy dit in soverre dit 'n bepaalde werknemer of werknemers betref, intrek.

(5) Die Hoofbeheerbeampte of die Beheerbeampte kan by die intrekking van 'n permit ingevolge subregulasie (4) die betrokke werknemer of werknemers gelas om Namaland binne 'n bepaalde tyd met hulle gesinne, as daar is, te verlaat. Indien sodanige werknemer of werknemers nie Namaland met hulle gesinne, as daar is, verlaat voor of op die datum wat deur die Hoofbeheerbeampte of die Beheerbeampte ingevolge hierdie regulasie bepaal is nie, het die Hoofbeheerbeampte of die Beheerbeampte die bevoegdheid om 'n bevel ingevolge regulasie 4 (5) uit te reik.

(6) Elke persoon in Namaland wat 'n werknemer wat nie lid van die Nama-bevolkingsgroep is nie, by die inwerkingtreding van hierdie regulasies in diens het en met wie 'n diensooreenkoms reeds aangegaan is, kan sodanige werknemer in diens hou onderworpe aan die vereistes van regulasie 6 (1), maar sodanige werknemer moet Namaland binne drie dae na verstryking van sy diensooreenkoms verlaat: Met dien verstande dat die werkgewer minstens 14 dae voor verstryking van die diensooreenkoms by die betrokke werkverskaffingsbeampte op die voorgeskrewe vorm aansoek kan doen om die bepaalde werknemer in diens te hou.

(7) By die oorweging van enige aansoek om indiensneming van werknemers ingevolge hierdie regulasies geniet die Nama voorkeur, en die Beheerbeampte mag nie 'n permit uitreik vir die inbring van nie-Nama-arbeid in Namaland of vir die verlenging van 'n diensooreenkoms ingevolge subregulasie (6) as 'n geskikte Nama beskikbaar is om die vakature te vul nie.

Registrasie van werksoekers en werknemers in Namaland

8. (1) Elke Nama wat in die regsgebied van 'n werkverskaffingsburo woonagtig is en wat werkloos is, dog wat van werk afhanklik is vir sy lewensbestaan, moet binne 14 dae na die inwerkingtreding van hierdie regulasies of binne 72 uur nadat hy werkloos raak of binne een maand nadat hy 16 jaar oud geword het of binne een maand nadat hy opgehou het om 'n voltijdse leerling of student aan 'n onderwysinrigting te wees of nadat hy opgehou het om op toelating tot 'n onderwysinrigting te wag, hom by die werkverskaffingsburo van die gebied waar hy woonagtig is, as werksoeker laat registreer, die werkverskaffingsbeampte oortuig aangaande sy identiteit en enige spesiale kwalifikasies wat hy besit en sodanige beampte verwittig van die kategorie werk wat hy verkies en sodanige verdere inligting as wat die werkverskaffingsbeampte vir doeleindes van hierdie regulasies verlang, aan hom verstrekk.

(2) Die bepalinge van subregulasie (1) is nie van toepassing nie in die geval van—

(a) iemand wat 'n vrou is, tensy sy verlang om werk te soek of werk te aanvaar;

(b) iemand wat 'n man is bo die ouderdom van 65 jaar, tensy hy verlang om werk te soek of werk te aanvaar;

(c) iemand wat volgens die oordeel van die werkverskaffingsbeampte vanweë 'n liggaamlike gebrek of geestelike swakheid nie kan werk nie;

(d) who has satisfied the employment officer concerned that he is operating as an independent contractor in Namaland;

(e) who is deemed by the Secretary and the tribal authority concerned to be a full-time farmer;

(f) who has been exempted by the Minister from the provisions of these regulations.

(3) The employment officer shall in respect of every workseeker who reports to him in terms of subregulation (1)—

(a) classify such person for employment under a specific category of employment: Provided that such classification shall, as far as is practicable, be made in accordance with the wishes, qualifications, physique or ability of the person and the availability of employment in the various categories;

(b) complete a record card, as prescribed by the Secretary, or, if a record card has already been completed in respect of the person, make suitable entries on such card;

(c) inform the person of any vacancies which have been reported to him and of requisitions for labour received for which the workseeker qualifies;

(d) refer the workseeker to an employer who requires the services of an employee;

(e) endeavour to place the person in employment either in the area of jurisdiction of the employment bureau or elsewhere in or outside Namaland, in accordance with a requisition for labour received and in accordance with his qualifications and general ability;

(f) if he cannot place the person in employment immediately, request the person to report to him on the days which he indicates or upon request refer him to the Control Officer and furnish him with a permit in the form prescribed by the Secretary to seek employment.

Work categories

9. For the purposes of these regulations there shall be the following work categories:

- (a) Agriculture.
- (b) Mining and Quarrying.
- (c) Manufacturing Industry.
- (d) Construction.
- (e) Wholesale and Retail Trade.
- (f) Public Service.
- (g) Domestic Servants.
- (h) Other.

Employment of workseekers and employees in Namaland

10. (1) No person shall recruit a workseeker in Namaland or engage or continue to employ him, be it for service in or outside Namaland, unless the workseeker or employee has been referred in terms of these regulations to such employer by the employment officer in whose area of jurisdiction the workseeker is recruited or is resident.

(2) Every person to whom a workseeker has been referred under regulation 8 (3) and who is not prepared to employ such workseeker shall indicate on the form prescribed by the Secretary, which shall be handed to such employer by such workseeker, that he is not prepared to employ such workseeker, and he shall sign and date the form and such form shall as soon as possible after it has been signed and dated by such employer be handed to the employment officer by such workseeker.

(d) iemand wat die betrokke werkverskaffingsbeampte oortuig dat hy in Namaland as 'n onafhanklike kontrakteur werksaam is;

(e) iemand wat deur die Sekretaris of die betrokke stamraad as voltydse boer gereken word; en

(f) persone wat deur die Minister van die bepalings van hierdie regulasies vrygestel is.

(3) Die werkverskaffingsbeampte moet ten opsigte van elke werksoeker wat hom ingevolge subregulasie (1) by hom aanmeld—

(a) sodanige persoon klassifiseer vir diens in 'n bepaalde werkkategorie: Met dien verstande dat die klassifikasie sover doenlik ooreenkomstig die wense en kwalifikasies, liggaamsbou of bekwaamheid van die persoon en die beskikbaarheid van arbeid in die verskillende kategorieë gedoen moet word;

(b) 'n rekordkaart, soos deur die Sekretaris voorgeskryf, invul, of indien 'n kaart reeds ten opsigte van die persoon ingevul is, paslike inskrywings op sodanige kaart doen;

(c) die persoon verwittig van enige vakatures wat by hom aangemeld is en van aanvrage om arbeid wat ontvang is waarvoor die werksoeker kan kwalifiseer;

(d) die werksoeker verwys na 'n werkgewer wat die dienste van 'n werknemer nodig het;

(e) trag om die persoon in diens te plaas of elders binne of buite Namaland ooreenkomstig 'n aanvrage om arbeid ontvang en ooreenkomstig sy kwalifikasies en algemene bevoegdheid;

(f) indien hy die persoon nie dadelik in diens kan plaas nie, die persoon versoek om by hom aan te meld op die dae wat hy aandui, of hom op aanvrage na die Beheerbeampte verwys en aan hom 'n werksoekvorm deur die Sekretaris voorgeskryf, oorhandig.

Werkkategorieë

9. Vir doeleindes van hierdie regulasies is daar die volgende werkkategorieë:

- (a) Landbou.
- (b) Mynbou en steengroefwerk.
- (c) Fabriekswese.
- (d) Konstruksie.
- (e) Groot- en Kleinhandel.
- (f) Owerheidsdienste.
- (g) Huisbediendes.
- (h) Ander.

Indiensneming van werknemers en werksoekers in Namaland

10. (1) Niemand mag 'n werksoeker in Namaland werf en hom in diens neem en in diens hou nie, hetsy vir diens binne of buite Namaland, tensy die werksoeker of werknemer kragtens hierdie regulasies deur die werkverskaffingsbeampte in wie se regsgebied die werksoeker gewerk of woonagtig is, na sodanige werkgewer verwys is.

(2) Elke persoon na wie 'n werksoeker kragtens regulasie 8 (3) verwys word en wat nie bereid is om die werksoeker in diens te neem nie, moet op die vorm deur die Sekretaris voorgeskryf, wat deur die werksoeker aan hom oorhandig moet word, aandui dat hy nie bereid is om dié werksoeker in diens te neem nie en die vorm onderteken en dateer, en die vorm moet so gou doenlik nadat die persoon dit onderteken en dateer het, deur die werksoeker aan die werkverskaffingsbeampte oorhandig word.

Notification of employment

11. (1) Any person who engages an employee for service in Namaland shall, whether or not such employee is registered as an employee or workseeker in terms of regulation 8 (1)—

(a) within three days complete a notification on the form prescribed by the Secretary, copies of which may be obtained free of charge from the employment bureau and deliver or send such notification to the employment officer concerned;

(b) retain the acknowledgement by the employment officer that the registration of the employee has been effected;

(c) keep a register of all employees in his service.

(2) The provisions of subregulation (1) shall not apply in the case of an employee—

(a) who has entered into an agreement to render service in Namaland for a fixed period of less than seven days;

(b) who has undertaken to render service as a casual worker or to carry on any work on his own account in any remunerative activity or as an independent contractor if such employee is authorised by the employment officer concerned in terms of regulation 3 (4) (b) to render such service or to perform such work;

(c) who has been registered for the same employer in another area;

(d) who is registered in the employment of an employer in the area but who, with the permission of that employer, renders service to another person in his spare time.

Record of employment

12. (1) On receipt of a notification referred to in regulation 11 (1) the employment officer shall—

(a) if there is no other lawful reason why the employment of such employee should not be registered, register such employment by endorsing the service record card of the employee concerned, on the form prescribed by the Secretary, accordingly;

(b) advise the employer of the fact that such employment has been registered by delivering or posting to him a notification of registration on the form prescribed by the Secretary.

(2) The notification of registration shall be retained by the employer during the continuance of the employee's employment with him and shall be produced on demand to any employment officer or authorised officer.

(3) In the event of any change of address of the employer or any variation in the terms of any agreement of employment, the employer shall within 14 days thereof report such change or variation to the employment officer.

Notification of change of employment

13. (1) Any person referred to in regulation 11 (1) shall, if the employee referred to in that regulation dies or leaves his employ, or if the service of such employee is terminated for any other reason, within three days of such death, departure or termination having been brought to his notice, advise the employment officer concerned thereof by delivering or posting to him a notification in the form prescribed by the Secretary.

(2) The employment officer shall on receipt of a notification of desertion from service attempt to trace the employee.

Kennisgewing van indiensneming

11. (1) Iemand wat 'n werknemer in diens neem vir diens in Namaland, moet, of sodanige werknemer kragtens regulasie 8 (1) as werksoeker of werknemer geregistreer is al dan nie—

(a) binne drie dae 'n kennisgewing op die vorm deur die Sekretaris voorgeskryf, waarvan eksemplare gratis by die werkverskaffingsburo verkrygbaar is, invul en dit aflewer by of stuur aan die betrokke werkverskaffingsbeampte;

(b) die erkenning van die werkverskaffingsbeampte dat die werknemer geregistreer is, hou;

(c) 'n register hou van alle werknemers in sy diens.

(2) Die bepalings van subregulasie (1) is nie van toepassing nie in die geval van 'n werknemer—

(a) wat 'n ooreenkoms aangegaan het om vir 'n bepaalde tydperk van minder as sewe dae diens in Namaland te lewer;

(b) wat onderneem het om diens te lewer as 'n los werker vir eie rekening in 'n winsgewende bedrywigheid of om as 'n onafhanklike aannemer werk te verrig, indien sodanige werknemer deur die betrokke werkverskaffingsbeampte kragtens regulasie 3 (4) (b) gemagtig is om sodanige diens te lewer of werk te verrig;

(c) wat vir dieselfde werkgewer in 'n ander gebied geregistreer is;

(d) wat in diens van 'n werkgewer in die gebied geregistreer is maar met toestemming van daardie werkgewer vir iemand anders gedurende sy vrye tyd diens lewer.

Register van indiensplasing

12. (1) Wanneer die werkverskaffingsbeampte die kennisgewing genoem in regulasie 11 (1) ontvang, moet hy—

(a) indien daar geen ander wettige rede is waarom die indiensplasing van sodanige werknemer nie geregistreer moet word nie, dit registreer deur die diensrekordkaart van die betrokke werknemer, op die vorm deur die Sekretaris voorgeskryf, diensooreenkomstig te endosseer; en

(b) die werkgewer verwittig van die feit dat sodanige indiensplasing geregistreer is, deur 'n kennisgewing van registrasie, op die vorm deur die Sekretaris voorgeskryf, by die werkgewer af te lewer of aan hom te pos.

(2) Die kennisgewing van registrasie moet deur die werkgewer gehou word solank die werknemer by hom in diens is en moet op versoek aan enige werkverskaffingsbeampte of gemagtigde beampte getoon word.

(3) In geval van enige verandering van adres van die werkgewer of enige wysiging van die voorwaardes van enige diensooreenkoms, moet die werkgewer binne 14 dae daarna sodanige verandering of wysiging aan die werkverskaffingsbeampte rapporteer.

Kennisgewing van diensverandering

13. (1) Iemand in regulasie 11 (1) genoem, moet, indien die werknemer in daardie regulasie genoem, te sterwe kom of sy diens verlaat of indien die diens van sodanige werknemer om enige ander rede beëindig word, binne drie dae nadat sodanige afsterwe, diensverlating of beëindiging onder sy aandag gebring is, die betrokke werkverskaffingsbeampte daarvan verwittig deur 'n kennisgewing in die vorm deur die Sekretaris voorgeskryf, by hom af te lewer of aan hom te pos.

(2) Die werkverskaffingsbeampte moet, wanneer hy 'n kennisgewing van diensverlating ontvang, pogings aanwend om die werknemer op te spoor.

Requisitions for labour.

14. (1) A requisition for labour may be forwarded by the employer to the Control Officer or an employment officer.

(2) Notwithstanding anything to the contrary in any law contained, a requisition for labour is regarded as an authority to an officer in an employment bureau referred to in these regulations, to enter, on behalf of the employer from whom such requisition for labour has been received, into an agreement of employment in accordance with the stipulations and conditions set out in such requisition for labour, with an employee and to attest such agreement of employment.

(3) When the Control Officer receives a requisition for labour he shall refer it to an employment officer.

(4) (a) A call-in-card by a previous employer is regarded as a requisition for labour and is, on presentation thereof, within the period of validity, *per se* authority that an agreement of employment on behalf of such previous employer with such previous employee may be entered into and attested in accordance with the stipulations and conditions set out therein.

(b) For the purposes of paragraph (a) a call-in-card shall be in the form prescribed by the Secretary or, if the employer resides outside Namaland, shall be regarded as a written requisition indicating conditions of pay and other stipulations, properly signed by the employer: Provided that the period of validity of such requisition shall be indicated.

Agreements of employment to be attested

15. (1) A workseeker or employee in Namaland who accepts employment outside Namaland offered to him by an employment officer, shall be called upon—

(a) to enter into a written agreement of employment;

(b) to make suitable arrangements where necessary for the retention of part of his wages or, if he should have dependants, for the remittance of part of his wages to such dependants: Provided that if a member of the tribal authority in whose area the dependants of such employee reside lodges a complaint for investigation with the employment officer concerned to the effect that the employee has not made arrangements for the remittance of part of his wages to his dependants and such dependants are found to lack means of support, the employment officer shall have the power to order the employer in writing, to remit part of such employee's wages to such employee's dependants.

(2) The agreement of employment referred to in subregulation (1) shall be attested by an attesting officer before the employee concerned is allowed to take up employment.

(3) At the attestation of an agreement of employment, the employer may, if he is not personally present, be represented by a person or an association nominated by him in writing, or by the Control Officer or employment officer.

(4) Nothing in this regulation contained shall prevent the attestation of an agreement of employment merely because the services are to be rendered in Namaland.

(5) An agreement of employment shall be in the form prescribed by the Secretary: Provided that the Secretary may prescribe agreements of employment in respect of a specific employer or specific work categories.

Aanvraag om arbeid

14. (1) 'n Aanvraag om arbeid kan deur die werkgewer aan die Beheerbeampte of 'n werkverskaffingsbeampte gestuur word.

(2) Ondanks andersluidende wetsbepalings word 'n aanvraag om arbeid geag 'n magtiging te wees aan 'n beampte in 'n werkverskaffingsburo in hierdie regulasies bedoel, om namens die werkgewer van wie sodanige aanvraag om arbeid ontvang is, 'n diensooreenkoms ooreenkomstig die bedinge en voorwaardes in sodanige aanvraag om arbeid uiteengesit, met 'n werknemer aan te gaan en te attesteer.

(3) Wanneer die Beheerbeampte 'n aanvraag om arbeid ontvang, moet hy dit na 'n werkverskaffingsbeampte verwys.

(4) (a) 'n Inroepkaart deur 'n vorige werkgewer word geag 'n aanvraag om arbeid te wees en is by die toon daarvan binne die geldigheidsduur daarvan *per se* magtiging dat 'n diensooreenkoms ooreenkomstig die be inge en voorwaardes daarop uiteengesit, namens sodanige vorige werkgewer met sodanige vorige werknemer aangegaan en geattesteer kan word.

(b) Vir doeleindes van paragraaf (a) is 'n inroepkaart in die vorm deur die Sekretaris voorgeskryf, of indien die werkgewer buite Namaland woon, 'n skriftelike aanvraag met voorwaardes van besoldiging en ander bedinge daarin vermeld, behoorlik onderteken deur die werkgewer: Met dien verstande dat dit die geldigheidsduur van die aanvraag moet aandui.

Diensooreenkoms te moet geattesteer word

15. (1) Van 'n werksoeker of werknemer in Namaland wat werk buite Namaland aanneem wat hom deur 'n werkverskaffingsbeampte aangebied is, word vereis om—

(a) 'n skriftelike diensooreenkoms aan te gaan; en

(b) waar nodig, paslike reëlings te tref vir die terughouding van 'n gedeelte van sy loon of, indien hy afhanklikes het, vir die stuur van 'n gedeelte van sy loon aan sodanige afhanklikes: Met dien verstande dat waar 'n lid van die stamraad in wie se gebied die afhanklikes van sodanige werknemer woonagtig is, 'n klagte vir ondersoek by die betrokke werkverskaffingsbeampte indien dat die werknemer nie reëlings getref het om 'n gedeelte van sy loon aan sy afhanklikes te stuur nie en sodanige afhanklikes gebrek aan lewensmiddele het, die werkverskaffingsbeampte die bevoegdheid het om die werkgewer van die betrokke werknemer skriftelik te beveel om 'n gedeelte van die loon van sodanige werknemer aan die werknemer se afhanklikes te stuur.

(2) Die diensooreenkoms in subregulasie (1) vermeld, moet deur 'n attesterende beampte geattesteer word voordat die betrokke werknemer toegelaat word om te gaan werk.

(3) By die attestasie van 'n diensooreenkoms kan die werkgewer, as hy nie self teenwoordig is nie, verteenwoordig word deur iemand of 'n vereniging skriftelik deur hom benoem, of deur die Beheerbeampte of werkverskaffingsbeampte.

(4) Niks in hierdie regulasie vervat, belet die attestasie van 'n diensooreenkoms alleen omdat diens binne Namaland gelewer word nie.

(5) 'n Diensooreenkoms is in die vorm deur die Sekretaris voorgeskryf: Met dien verstande dat die Sekretaris diensooreenkoms vir 'n bepaalde werkgewer of kategorie werk kan voorskryf.

Circumstances under which an agreement of employment shall not be attested

16. (1) No agreement of employment shall be attested under regulation 15 (2)—

(a) unless such agreement of employment has been properly and fully completed in all respects on the proper described form;

(b) unless the employee concerned, after the stipulations and conditions of the agreement have been read aloud to him and interpreted (if necessary) and fully explained in the presence of the attesting officer and the employer [or his representative referred to in regulation 15 (3)], has indicated that he fully understands such stipulations and conditions and assents thereto and undertakes to render employment accordingly;

(c) if it is contrary to any provision of any law;

(d) if the employee is required—

(i) in the case of an agreement of employment with bona fide farmers, to work for more than 12 months; or

(ii) in the case of all other agreements of employment, to work for more than 12 months or 360 shifts;

(e) in the case of an employee under the age of 18 years who is required to work at a place other than the land on which his parent or his guardian resides or is employed, unless his parent or guardian, or if the employee has no parent or guardian, the headman in whose area the employee resides, has consented to such employment and he is employed in agriculture only;

(f) unless the employee is in possession of a registration certificate and is over the age of 16 years;

(g) if it appears that the employee has entered into an agreement of employment with a person whilst his previous agreement of employment has not been terminated or cancelled by means of an entry on his service record card by his previous employer or a competent authority;

(h) in the case of an employee including a female who is required to take up employment outside Namaland in a proclaimed area and who has not been granted permission, in writing, by the local authority concerned to take up employment in such proclaimed area;

(i) unless the employment officer is satisfied that adequate arrangements have been made for the transport of the employee to his place of employment and back to his place of abode at the termination of his agreement of employment.

(2) The signature, thumb print or mark which purports to be that of an employee on an agreement of employment or a copy thereof is *prima facie* proof that such employee consented and undertook to be employed in terms of the stipulations and conditions as set out in such agreement or copy thereof: Provided that if the attesting officer has any doubt as to the deponent's inability to write, he shall require such inability to be certified at the foot of the declaration by some other trustworthy person: Provided further that the agreement of employment shall be attested in accordance with the instructions contained in the Regulations governing the administering of an oath or affirmation (Government Notice R. 1258, dated 21 July 1972) in so far as it relates to the administering of an oath or a declaration of a person who cannot write.

Omstandighede waaronder 'n diensooreenkoms nie geattesteer word nie

16. (1) Geen diensooreenkoms word ingevolge regulasie 15 (2) geattesteer nie—

(a) tensy sodanige diensooreenkoms op die toepaslike voorgeskrewe vorm is en behoorlik en volledig in alle opsigte ingevul is;

(b) tensy die betrokke werknemer, nadat die bedinge en voorwaardes van die ooreenkoms hardop aan hom uitgelees en getolk (indien nodig) en ten volle verduidelik is in die teenwoordigheid van die attesterende beamppte en van die werkgewer [of sy verteenwoordiger in regulasie 15 (3) vermeld], aangedui het dat hy sodanige bedinge en voorwaardes ten volle verstaan en daarmee instem en onderneem om daarooreenkomstig diens te doen;

(c) indien dit strydig is met enige wetsbepaling;

(d) indien daar van die werknemer vereis word dat hy—

(i) in die geval van 'n diensooreenkoms met bona fide-boere, langer as 12 maande moet werk; of

(ii) in die geval van alle ander diensooreenkomste, meer as 12 maande of 360 skofte moet werk;

(e) in die geval van 'n werknemer wat onder die ouderdom van 18 jaar is en op 'n ander plek moet werk as op die grond waarop sy ouer of voog woon of in diens is, tensy sy ouer of voog, of indien die werknemer nie 'n ouer of voog het nie, die hoofman in wie se gebied die werknemer woonagtig is, met sodanige indiensneming ingestem het en hy slegs in die landbou gaan werk;

(f) tensy die werker in besit is van 'n registrasiesertifikaat en bo die ouderdom van 16 jaar is;

(g) indien dit blyk dat hy 'n diensooreenkoms aangegaan het met iemand terwyl sy vorige diensooreenkoms nie deur sy vorige werkgewer of 'n bevoegde gesag deur 'n aantekening in sy diensrekordkaart beëindig of gekanselleer is nie;

(h) in die geval van 'n werknemer (wat ook 'n vrou insluit) wat buite Namaland in 'n geproklameerde gebied diens moet verrig en die betrokke plaaslike bestuur nie skriftelike toestemming verleen het dat die werknemer in die geproklameerde gebied diens mag verrig nie;

(i) tensy die werkverskaffingsbeamppte oortuig is dat toereikende reëlins getref is vir die vervoer van die werknemer na sy werkplek en terug na sy tuiste by beëindiging van sy diensooreenkoms.

(2) Die teenwoordigheid op 'n diensooreenkoms of op 'n afskrif daarvan van wat die handtekening, duimafdruk of merk van 'n werknemer heet te wees, is *prima facie* bewys van die feit dat sodanige werknemer ingestem het en onderneem het om te werk onder die bedinge en voorwaardes uiteengesit in sodanige ooreenkoms of afskrif daarvan: Met dien verstande dat indien die attesterende beamppte twyfel aangaande die verklaarder se onvermoë om te skryf, hy vereis dat sodanige onvermoë onderaan die verklaring deur 'n ander betroubare persoon gesertifiseer word: Met dien verstande voorts dat die diensooreenkoms geattesteer word kragtens die voorskrifte in die Regulasies betreffende die afneem van 'n Eed of Bevestiging (Goewermentskennisgewing R. 1258 van 21 Julie 1972) in sover dit die afneem van 'n eed of verklaring deur 'n persoon wat nie kan skryf nie, aangaan.

Extension and termination of agreements of employment

17. (1) An agreement of employment is terminated—

- (a) by effluxion of the time thereof; or
- (b) by notice of termination of the agreement by either the employer or the employee in terms of the provisions of the agreement; or
- (c) by mutual agreement between the employer and the employee; or
- (d) if the agreement is declared invalid by a competent officer in terms of the instructions contained in these regulations.

(2) The employee must return to Namaland at the termination of the agreement of employment if he was employed outside Namaland: Provided that if the agreement of employment is terminated in terms of subregulation (1) (a) such agreement may be extended on the following conditions:

- (a) The employee must remain in the employment of the same employer for the extended period of the agreement; and
- (b) any one period of extension in terms of this regulation shall not exceed six months or 180 shifts: Provided that the total duration of the agreement shall not exceed—
 - (i) in the case of married employees, 24 months or 720 shifts; and
 - (ii) in the case of single employees, 30 months or 900 shifts;

unless the employee agrees to remain in employment for a longer period, in which event the employer shall cause the employee's written assent to be recorded on the agreement of employment in the presence of the attesting officer: Provided further that the employer shall notify the employment officer concerned, in writing, within seven days of the extension of the agreement of employment and forward the prescribed fees with his notification.

Disposal of agreements of employment

18. (1) After attestation of an agreement of employment the attesting officer shall—

- (a) forward one copy of the agreement of employment to the Control Officer;
- (b) furnish one copy of the agreement of employment to the employer or his representative, as the case may be, or if the employer does not reside in Namaland and the employment officer has acted on his behalf in terms of these regulations, forward the copy to the employer by certified post;
- (c) forward one copy of the agreement of employment to the employment officer of the area where the agreement is to be executed;
- (d) furnish one copy of the agreement of employment to the employee or if the name of more than one employee appears on the agreement of employment, furnish one copy to the employees for their joint use;
- (e) retain the original for his records.

(2) In the case of an agreement of employment attested by virtue of a call-in card in terms of regulation 14 (4) (a), the attesting officer shall advise the employer concerned on the form prescribed by the Secretary.

(3) On receipt of an agreement of employment referred to in subregulation (1) the employment officer shall make suitable entries on the service record card referred to in regulation 8 (3) (b) of the person registered as a work-seeker or employee in his bureau or complete a service record card if it has not been done previously.

Verlenging en beëindiging van diensooreenkomste

17. (1) 'n Diensooreenkoms word beëindig—

- (a) by verloop van die tydskuur daarvan; of
- (b) deur kennisgewing van opsegging van die diensooreenkoms deur of die werkgever of die werknemer ingevolge die bepalinge van die ooreenkoms; of
- (c) deur wedersydse ooreenkoms tussen die werkgever en die werknemer; of
- (d) indien die diensooreenkoms deur 'n bevoegde beampte nietig verklaar word ingevolge die voorskrifte in hierdie regulasies vervat.

(2) Die werknemer moet by die beëindiging van die diensooreenkoms na Namaland terugkeer indien hy buite Namaland werksaam was: Met dien verstande dat indien 'n diensooreenkoms ingevolge subregulasie (1) (a) beëindig is, sodanige ooreenkoms verleng kan word op die volgende voorwaardes:

- (a) Dat die werknemer vir die verlengde tydperk van die ooreenkoms by dieselfde werkgever in diens moet bly; en
- (b) dat enige een tydperk van verlenging ingevolge hierdie regulasie nie ses maande of 180 skofte mag oorskry nie: Met dien verstande dat die totale tydskuur van die diensooreenkoms nie—
 - (i) in die geval van getroude werknemers, 24 maande of 720 skofte; en
 - (ii) in die geval van ongetroude werknemers, 30 maande of 900 skofte,

mag oorskry nie, tensy die werknemer daarmee instem om vir 'n langer tydperk aldus in diens te bly, in welke geval die werkgever die skriftelike instemming van die werknemer voor die attesterende beampte op die diensooreenkoms moet laat aanbring: Met dien verstande voorts dat die werkgever die betrokke werkverskaffings-beampte binne sewe dae skriftelik van die verlenging van die diensooreenkoms in kennis stel en die voorgeskrewe gelde by sy kennisgewing insluit.

Beskikking oor diensooreenkomste

18. (1) Na die attestasie van 'n diensooreenkoms moet die attesterende beampte—

- (a) een afskrif van die diensooreenkoms aan die Beheerbeampte stuur;
- (b) een afskrif van die diensooreenkoms aan die werkgever of aan sy verteenwoordiger, na gelang van die geval, besorg of, indien die werkgever nie in Namaland woonagtig is nie en die werkverskaffingsbeampte kragtens hierdie regulasies namens hom opgetree het, die afskrif per gesertifiseerde pos aan die werkgever stuur;
- (c) een afskrif van die diensooreenkoms stuur aan die werkverskaffingsbeampte waar die diensooreenkoms uitgevoer moet word;
- (d) een afskrif van die diensooreenkoms aan die werknemer besorg of, waar die naam van meer as een werknemer op die diensooreenkoms verskyn, een afskrif aan die werknemers besorg vir hul gesamentlike gebruik;
- (e) die oorspronklike vir sy rekords hou.

(2) In die geval van 'n diensooreenkoms geattesteer uit hoofde van 'n inroepkaart kragtens regulasie 14 (4) (a), moet die attesterende beampte die betrokke werkgever in kennis stel op die vorm deur die Sekretaris voorgeskryf.

(3) By ontvangs van die diensooreenkoms vermeld in subregulasie (1) moet die werkverskaffingsbeampte paslike inskrywings maak op die diensrekordkaart vermeld in regulasie 8 (3) (b) van die persoon wat in sy buro as 'n werksoeker of werknemer geregistreer is, of 'n diensrekordkaart invul indien dit nog nie tevore gedoen is nie.

Medical examination

19. All employees who are in employment in categories (b) and (d) referred to in regulation 9 or who are recruited for employment in such categories shall be medically examined and the employer shall be responsible for ensuring that such medical examination is carried out and such employer shall be responsible for payment of the cost of the examination: Provided that the Minister may at any time order that employees or workseekers in any specific category of employment referred to in regulation 9 shall be medically examined: Provided further that the Minister may order that the cost of the medical examination be paid by the employer or from the account of the tribal authority.

Shearing teams

20. (1) An association wishing to recruit a shearing team in Namaland for duty outside Namaland for the purpose of rendering service in turn to various members of such association, shall submit an application to employ such shearing team to the Control Officer or employment officer at least 30 days before the first day on which the team is required to render the service and such association shall for the purposes of these regulations be regarded as the employer of the shearing team.

(2) (a) An application by an association for the services of one or more shearing teams shall be signed personally by both the chairman and secretary of such association and shall contain the following particulars:

(i) The date on which the shearing team or shearing teams will be required to render the first service;

(ii) the names and full postal addresses (as well as the names and numbers of the farms and the districts in which they are situated) of the members of the association to whom the service is to be rendered;

(iii) the wages offered and other conditions of service;

(iv) the arrangements made for transporting the team or teams from Namaland to the first place of duty, and from there to each specific place of duty in turn, as mentioned in paragraph (ii) above, and for transporting the team or teams back to Namaland on the completion of the agreement of employment;

(v) the names, addresses and telephone numbers of the chairman and the secretary of the association.

(b) The prescribed fees as determined by regulation 22 shall accompany each application for a shearing team: Provided that the fees shall be refunded to the association by the Control Officer if a shearing team cannot be recruited.

(3) The employment officer shall, as far as is practicable, encourage and organise the forming of shearing teams and shall enter the names of the members as well as the name of the recognised leader of the team on a service record card prescribed by the Secretary.

(4) The leader of the team shall act as the mouthpiece of his team. He shall notify the employment officer of the wages required and the conditions of service under which he and his team are prepared to render service.

(5) On receipt by an employment officer of an application for a shearing team, such employment officer shall notify the leaders of the registered shearing teams and also state the wages and other conditions of service offered. If a requisition is received for one team only and more than one team is prepared to accept the conditions of service offered, the employment officer shall decide which team is to be allowed to render the service and if such team is required for the future by the same employer, the employment officer shall reserve the services of such team and enter such reservation on the service record card.

Geneeskundige ondersoek

19. Alle werknemers wat in kategorieë (b) en (d) soos gemeld in regulasie 9 diens doen of vir diens in daardie kategorieë gewerf word, moet geneeskundig ondersoek word en die werkgewer is verantwoordelik om toe te sien dat die geneeskundige ondersoek uitgevoer word en sodanige werkgewer is verantwoordelik vir die koste van die ondersoek: Met dien verstande dat die Minister te eniger tyd kan gelas dat werknemers of werksoekers in 'n bepaalde werkkategorie genoem in regulasie 9 geneeskundig ondersoek moet word, en die Minister kan voorts gelas dat die koste van die geneeskundige ondersoek deur die werkgewer of uit die rekening van die stamraad betaal word.

Skeerspanne

20. (1) 'n Vereniging wat 'n skeerspan in Namaland vir diens buite Namaland wil werf met die doel om om die beurt by verskillende lede van sodanige vereniging diens te verrig, moet 'n aansoek om so 'n skeerspan in diens te neem minstens 30 dae voor die eerste dag waarop die span diens moet verrig, aan die Beheerbeampte of werkverskaffingsbeampte stuur, en sodanige vereniging word vir doeleindes van hierdie regulasies geag die werkgewer van die skeerspan te wees.

(2) (a) 'n Aansoek deur 'n vereniging om die dienste van een of meer skeerspanne moet persoonlik deur beide die voorsitter en sekretaris van sodanige vereniging onderteken wees en moet die volgende besonderhede bevat:

(i) Die datum waarop die skeerspan of skeerspanne vir die eerste diens nodig is;

(ii) die name en volledige posadresse, asook die name en nommers van die plese en die distrikte waarin dit geleë is, van die lede van die vereniging by wie die diens verrig moet word;

(iii) die aangebode besoldiging en ander diensvoorwaardes;

(iv) welke reëlins getref is vir die vervoer van die span of spanne van Namaland na die eerste plek van diens, daarvandaan om die beurt na elke afsonderlike plek van diens, soos in paragraaf (ii) hierbo genoem, en by voltooiing van die diensooreenkomste, die vervoer van die span of spanne terug na Namaland;

(v) die naam, adres en telefoonnommer van die voorsitter en die sekretaris van die vereniging.

(b) Die voorgeskrewe gelde soos bepaal in regulasie 22 moet elke aansoek om 'n skeerspan vergesel: Met dien verstande dat die gelde deur die Beheerbeampte aan die vereniging terugbetaal word indien daar nie daarin geslaag kan word om 'n skeerspan te werf nie.

(3) 'n Werkverskaffingsbeampte moet sover doenlik die vorming van skeerspanne aanmoedig en organiseer en moet die name van elke lid asook die naam van die erkende leier van die span aanteken op 'n diensrekordkaart deur die Sekretaris voorgeskryf.

(4) Die spanleier tree op as mondstuk van sy span. Hy stel die werkverskaffingsbeampte in kennis van die verlangde loon en diensvoorwaardes waarvoor hy en sy span bereid is om diens te verrig.

(5) Wanneer 'n aansoek om skeerspan deur 'n werkverskaffingsbeampte ontvang word, stel sodanige werkverskaffingsbeampte die leiers van geregistreerde skeerspanne daarvan in kennis en vermeld ook die loon en ander diensvoorwaardes wat aangebied word. Indien 'n aansoek om slegs een span ontvang word en meer as een span bereid is om die aangebode diensvoorwaardes te aanvaar, besluit die werkverskaffingsbeampte welke span toegelaat word om die diens te verrig en as die span se dienste in die toekoms deur dieselfde werkgewer verlang word, reserveer die werkverskaffingsbeampte die dienste van die span en teken hy die reservering op die diensrekordkaart aan.

(6) The leader of the team shall sign the agreement of employment in the presence of at least three adult members of his team after he and all the members of his team present have emphatically expressed their willingness in response to an explicit question by the employment officer after the latter has read out and explained the conditions of service to the leader of the team and the members present.

(7) The agreement of employment shall be attested by the attesting officer after the employer or his authorised representative has signed such agreement of employment: Provided that the provisions of regulation 15 (3) shall apply *mutatis mutandis*.

(8) No person shall, after an employment officer has on demand reserved the services of a shearing team, enter into an agreement of employment or negotiate with such team with a view to obtaining the services of such team or the services of one or more of the registered members of such team for any service in or outside Namaland, without having obtained the prior permission, in writing, of the employment officer concerned and without having ensured that such employment is covered by a proper agreement of employment.

(9) The acceptance of an agreement of employment, as indicated by the signature or mark of the leader of a registered shearing team, shall be binding upon all members of the shearing team.

(10) A learner shearer may be included in his team by the leader of the shearing team on the basis of at least five competent, full-fledged shearers for every learner shearer and the wages and conditions of service of such learner shearers shall be set out in the joint agreement of employment of such shearing team.

(11) The members of the shearing team shall be under the supervision and control of the leader of the team and they shall carry out all reasonable instructions given by the leader and aimed at bringing about good order in the team and in general at ensuring the successful implementation of the joint agreement of employment.

(12) When the leader of a shearing team cannot for one reason or another perform his duties as leader, a leader is designated temporarily in his place by majority vote of the members of the team and such leader shall have the same powers and duties as those prescribed for the leader by these regulations or in the agreement of employment.

(13) No employer or association or member of an association for whom a shearing team renders service may offer, sell or give any alcoholic beverage to members of such team as part of the remuneration for their services.

Irregular departure from Namaland

21. No workseeker or employee shall leave and no person shall cause a workseeker or an employee to leave Namaland for employment outside Namaland, save when such workseeker or employee has been registered with his employment bureau in terms of these regulations and his agreement of employment has been attested as prescribed in these regulations.

Employment bureau fees

22. (1) An employer shall, in respect of every employee whose agreement of employment is attested in terms of these regulations for service outside Namaland, pay the following fees:

(a) Administration costs of R3 in respect of every employee, except members of shearing teams;

(b) transport costs of the employee between the headquarters of the employment bureau and the place where the employee is to take up employment;

(6) Die spanleier moet die diensooreenkoms in teenwoordigheid van minstens drie volwasse lede van sy span onderteken nadat hy en al die teenwoordige lede van sy span hul bereidwilligheid nadruklik te kenne gegee het op die uitdruklike vraag van die werkverskaffingsbeampte nadat laasgenoemde die diensvoorwaardes aan die spanleier en die teenwoordige lede van die span uitgelees en verduidelik het.

(7) Die diensooreenkoms moet deur die attesterende beampte geattesteer word nadat die werkgewer of sy gevolmagtigde verteenwoordiger sodanige diensooreenkoms onderteken het: Met dien verstande dat die bepaling van regulasie 15 (3) *mutatis mutandis* van toepassing is.

(8) Geen persoon mag, nadat 'n werkverskaffingsbeampte 'n skeerspan vir diens op versoek gereserveer het, met sodanige span 'n diensooreenkoms aangaan of enige onderhandelinge met hulle voer met die doel om die dienste van sodanige span of die dienste van een of meer van die geregistreerde lede van sodanige span te verkry om enige diens binne of buite Namaland te verrig nie sonder dat die toestemming van die betrokke werkverskaffingsbeampte vooraf skriftelik daartoe verkry is en sodanige diens deur 'n behoorlike diensooreenkoms gedek word.

(9) Die aanneme van die diensooreenkoms, soos aangedui deur die handtekening of merk van die leier van 'n geregistreerde skeerspan op die diensooreenkoms, is bindend vir elke lid van sodanige skeerspan.

(10) 'n Leerlingskeerder kan deur die leier van 'n skeerspan in sy span ingesluit word op die basis van minstens vyf bekwame volwaardige skeeders vir elke leerling-skeerder, en die besoldiging en diensvoorwaardes van sodanige leerlingskeerder word insgelyks in die gesamentlike diensooreenkoms van die skeerspan uiteengesit.

(11) Die lede van 'n skeerspan staan onder toesig en beheer van die leier van die span en hulle moet alle redelike instruksies uitvoer wat deur die leier gegee word en wat daarop gemik is om goeie orde in die span te bewerkstellig en in die algemeen om die suksesvolle uitvoering van die gesamentlike diensooreenkoms te verseker.

(12) Wanneer die leier van 'n skeerspan om die een of ander rede nie sy pligte as leier kan uitvoer nie, word 'n leier tydelik deur die meerderheidstem van die lede van die span in sy plek aangewys en sodanige leier het dieselfde bevoegdhede en verpligtinge as die leier, soos in hierdie regulasies of in die diensooreenkoms voorgeskryf.

(13) Geen werkgewer of vereniging of lid van 'n vereniging vir wie 'n skeerspan diens verrig, mag aan lede van die span alkoholiese drank as deel van die vergoeding vir hul dienste aanbied of verkoop of gee nie.

Onreëlmatige vertrek uit Namaland

21. Geen werksoeker of werknemer mag Namaland verlaat en niemand mag dit bewerkstellig dat 'n werksoeker of werknemer dit verlaat vir doeleindes van diens buite Namaland nie, uitgesonderd waar sodanige werksoeker of werknemer by sy werkverskaffingsburo geregistreer is ingevolge hierdie regulasies en sy diensooreenkoms soos in hierdie regulasies voorgeskryf, geattesteer is.

Werkverskaffingsburogelde

22. (1) 'n Werkgewer moet ten opsigte van elke werknemer wie se diensooreenkoms ingevolge hierdie regulasies vir diens buite Namaland geattesteer word, die volgende gelde betaal:

(a) Administrasiekoste van R3 ten opsigte van elke werknemer, uitgesonderd lede van skeerspanne;

(b) vervoerkoste van die werknemer tussen die setel van die werkverskaffingsburo en die plek waar die werknemer diens moet aanvaar;

(c) the cost of food for the journey as determined by the employment officer, not exceeding an amount of R1,50 per employee;

(d) in the case of a shearing team, the fees mentioned in paragraphs (b) and (c) plus a levy of R1 in respect of every member of the association who acts as an employer and for whom service is to be rendered by the team in accordance with the application mentioned in regulation 20: Provided that the last-mentioned fees shall not be repayable to the employer if one or more of its members should withdraw from their turn for shearing or if the shearing team does not shear for every one of the members mentioned in the application: Provided further that the chairman and the shearing team may agree that the team shall shear for a member or members whose names are not mentioned in the requisition provided that it will not be prejudicial to the rights under the agreement of employment of the members whose names are mentioned in the application, and provided further that a levy of R2 shall be payable to the employment officer by the employer in respect of each additional member for whom the shearing team renders service.

(2) An employer (including the State, which includes the Post Office Administration, the Railways Administration and the South-West Africa Administration) shall in respect of every employee whose agreement of employment is attested in terms of these regulations for service in Namaland, pay to the employment officer an amount of R1 in respect of administration costs as well as an amount of 25c per month or part of a month.

(3) An employee who has been permitted by the employment officer in terms of regulation 3.(4) (b) to work as a casual worker or to carry on any work for his own account in a remunerative activity or as an independent contractor shall pay to the employment officer the fees referred to in subregulation (2).

(4) The fees received by the employment officer in terms of subregulations (1), (2) and (3) shall be paid into the account of the tribal authority concerned: Provided that such account may be debited with any expenses incurred by the employment officer in placing any employee in contact with his employer.

(5) The fees paid by the employer in terms of subregulations (1) and (2) may be refunded to the employer as follows:

(a) If the employee fails to take up employment or deserts from his employer's service within 14 days of the date of attestation of the agreement of employment, 100 per cent of the fees; or

(b) if the employee deserts from his employer's service before the expiration of a quarter of his period of service under the agreement of employment, calculated from the date of attestation of the agreement of employment to the date on which the employee deserted from service, 75 per cent of the fees; or

(c) if the employee deserts from his employer's service before the expiration of half of his period of service in terms of the agreement of employment, calculated from the date of attestation of the agreement of employment to the date on which the employee deserted from service, 50 per cent of the fees: Provided that no refund shall be made if the employee deserts from service on or after the expiration of half of his period of service under the agreement of employment calculated from the date of attestation of the agreement of employment to the date on which the employee deserted from his employer's service.

(6) If an employee fails to take up employment or within 14 days of the date of attestation of the agreement of employment deserts from service, and if a suitable person is available and the employer prefers, such person may be substituted free of charge for the first-mentioned employee instead of the fees being refunded to the employer in terms of subregulation (5).

(c) die koste van padkos soos deur die werkverskaffings-beampte bepaal, maar wat nie die bedrag van R1,50 per werknemer te bowe mag gaan nie;

(d) in die geval van 'n skeerspan, die gelde in paragrawe (b) en (c) genoem plus 'n heffing van R1 ten opsigte van elke lid van die vereniging wat as werkgewer optree by wie die span ooreenkomstig die aansoek in regulasie 20 genoem, diens moet verrig: Met dien verstande dat laasgenoemde gelde nie aan die werkgewer terugbetaalbaar is nie as een of meer van sy lede hom aan die skeerbeurt onttrek of as die skeerspan nie by elke lid in die aansoek genoem skeer nie: Met dien verstande voorts dat die voorsitter met die skeerspan ooreen kan kom om by 'n lid of lede wie se name nie in die aansoek genoem is nie, te skeer mits dit nie die lede in die aansoek genoem se regte ingevolge die diensooreenkoms benadeel nie, en 'n heffing van R2 is ten opsigte van elke bykomende lid by wie die skeerspan diens verrig deur die werkgewer aan die werkverskaffingsbeampte betaalbaar.

(2) 'n Werkgewer (met inbegrip van die Staat, waarby die Poskantooradministrasie, die Spoorwegadministrasie en die Administrasie van Suidwes-Afrika ingegrepe is) moet ten opsigte van elke werknemer wie se diensooreenkoms ingevolge hierdie regulasies vir diens binne Namaland geattesteer word, 'n bedrag van R1 vir administrasiekoste asook 'n bedrag van 25c per maand of deel van 'n maand aan die werkverskaffingsbeampte betaal.

(3) 'n Werknemer wat deur die werkverskaffings-beampte ingevolge regulasie 3 (4) (b) toegelaat is om as 'n los werker te werk of om vir eie rekening in 'n winsgewende bedrywigheid of as 'n onafhanklike aannemer werk te verrig, moet aan die werkverskaffingsbeampte die bedrae betaal wat in subregulasie (2) genoem word.

(4) Die gelde wat die werkverskaffingsbeampte ingevolge subregulasies (1), (2) en (3) ontvang, moet in die rekening van die betrokke stamraad inbetaal word: Met dien verstande dat die betrokke rekening met die koste wat die werkverskaffingsbeampte aangaan om die werknemer met sy werkgewer in verbinding te stel, gedebiteer kan word.

(5) Die gelde wat ingevolge subregulasies (1) en (2) deur die werkgewer betaal is, is soos volg aan die werkgewer terugbetaalbaar:

(a) Indien die werknemer nie diens aanvaar nie of binne 14 dae na die datum van die attestasie van die diensooreenkoms uit die werkgewer se diens dros, 100 persent van die gelde; of

(b) indien die werknemer uit die werkgewer se diens dros voor die verstryking van een kwart van sy diens-tydperk ingevolge die diensooreenkoms, bereken vanaf die datum van attestasie van die diensooreenkoms tot die datum waarop die werknemer uit die diens gedros het, 75 persent van die gelde; of

(c) indien die werknemer uit die werkgewer se diens dros voor die verstryking van die helfte van sy diens-tydperk ingevolge die diensooreenkoms, bereken vanaf die datum van attestasie van die diensooreenkoms tot die datum waarop die werknemer uit die diens gedros het, 50 persent van die gelde: Met dien verstande dat indien die werknemer uit die diens dros by of na verstryking van die helfte van sy diens-tydperk ingevolge die diensooreenkoms, bereken vanaf die datum van attestasie van die diensooreenkoms tot die datum waarop die werknemer uit die werkgewer se diens gedros het, geen terugbetaling gemaak word nie.

(6) Indien 'n werknemer nie diens aanvaar nie of binne 14 dae na die datum van attestasie van die diensooreenkoms uit diens dros, kan, indien die werkgewer dit verkies en 'n geskikte persoon beskikbaar is, sodanige werknemer kosteloos vervang word in plaas daarvan dat voormelde gelde ingevolge subregulasie (5) aan die werkgewer terugbetaal word.

(7) No agreement of employment shall be attested unless the fees payable in terms of this regulation in respect of such agreement have been paid. The fact that such fees have been paid must be endorsed on the agreement of employment by the employment officer.

(8) The Secretary may recover any fees which have been refunded to an employer in terms of subregulation (5) from the employee who deserted from service or failed to take up employment.

(9) For the purposes of this regulation, "employees" does not include an employee who has been exempted in terms of regulation 1 of Chapter II of the regulations published in Government Notice 65 of 1955 (South-West Africa).

Appeal to Chief Control Officer or Secretary

23. (1) There shall be a right of appeal to the Chief Control Officer by anyone who feels aggrieved by a decision or order of an employment officer or the Control Officer against such decision or order made or given in terms of these regulations.

(2) Such appeal shall be in writing in the form of an affidavit, shall clearly set out the grounds of appeal and shall be submitted within 21 days of his being notified of such decision or order to the Chief Control Officer, who shall thereafter forward the notice of appeal to the employment officer or Control Officer concerned and request him to submit his reasons.

(3) An employment officer or Control Officer shall within seven days of the date on which he has been called upon to do so by the Chief Control Officer, furnish the Chief Control Officer with his reasons, in writing, for having given such decision or for having made such order. On receipt of the reasons furnished by the employment officer or Control Officer, the Chief Control Officer shall refer the appeal and the reasons to the Secretary. The Secretary may refer the matter to the Chief Control Officer for further investigation or for his decision, whereupon the Chief Control Officer may confirm, vary or replace the decision or order as he may deem fit, or the Secretary may in his discretion confirm, vary or replace the decision or order against which the appeal has been lodged as he may deem fit.

Co-operation with the Nama Council and Tribal Authorities in Namaland

24. The Minister may delegate any of the powers vested in him in terms of these regulations to the Nama Council and Tribal Authorities. The Minister may also order that he be advised by the Nama Council and Tribal Authorities on matters relating to labour in Namaland in general or on specific aspects thereof or on matters contained in these regulations or in any legislation or on the amendment of this or other existing legislation relating to Nama labour.

Application of regulations

25. Whenever anything contained in any legislation is inconsistent with these regulations, the provisions of these regulations shall for as long as they are in force prevail over the provisions of any such legislation.

Offences and general penalties

26. (1) Any person who by any act or omission contravenes or fails to comply with any provision of these regulations shall be guilty of an offence and liable on conviction to a fine not exceeding R100 or, in default of payment, to imprisonment for a period not exceeding six months, and, in the case of a continuing offence, to an additional fine not exceeding R20 or, in default of payment, a proportionate period of additional imprisonment for each day during which the offence continues: Provided that the duration of such proportionate period of additional imprisonment shall in no case exceed six months.

(7) Geen diensooreenkoms word geattesteer nie tensy die gelde ingevolge hierdie regulasie betaalbaar ten opsigte van sodanige ooreenkoms betaal is nie. Die feit dat sodanige gelde betaal is, moet op die diensooreenkoms deur die werkverskaffingsbeampte aangeteken word.

(8) Die Sekretaris kan enige gelde wat ingevolge subregulasie (5) aan 'n werkgewer terugbetaal is, verhaal op die werknemer wat uit diens gedros het of nie werk aanvaar het nie.

(9) Vir die toepassing van hierdie regulasie sluit die uitdrukking "werknemer" nie 'n werknemer in wat ingevolge regulasie 1 in Hoofstuk II van die regulasies gepubliseer in Goewermentskennisgewing 65 van 1955 (Suidwes-Afrika) vrygestel is nie.

Appel by Hoofbeheerbeampte of Sekretaris

23. (1) Daar is 'n reg van appel by die Hoofbeheerbeampte deur elkeen wat hom veronreg voel deur 'n besluit of bevel van 'n werkverskaffingsbeampte of die Beheerbeampte, teen sodanige besluit of bevel ingevolge hierdie regulasies geneem of gegee.

(2) Sodanige appel moet skriftelik in die vorm van 'n beëdigde verklaring wees, die gronde van appel duidelik uiteensit en binne 21 dae nadat sodanige besluit of bevel aan die betrokke persoon bekendgemaak is, ingedien word by die Hoofbeheerbeampte wat daarna sodanige kennisgewing van appel aan die betrokke werkverskaffingsbeampte of Beheerbeampte stuur en sy redes aanvra.

(3) 'n Werkverskaffingsbeampte of Beheerbeampte moet binne sewe dae na die datum waarop hy deur die Hoofbeheerbeampte aangesê word om dit te doen, aan die Hoofbeheerbeampte sy redes skriftelik verstrek waarom hy sodanige besluit geneem of bevel gegee het. By ontvangs van die redes verstrek deur die werkverskaffingsbeampte of Beheerbeampte verwys die Hoofbeheerbeampte die appel en redes na die Sekretaris. Die Sekretaris kan die saak vir verdere ondersoek of vir sy besluit, na die Hoofbeheerbeampte verwys, waarna die Hoofbeheerbeampte die bevel of besluit kan bekragtig, wysig of vervang op 'n manier wat hy dienstig ag, of die Sekretaris kan na goeddunke die bevel of besluit waar teen appel aangeteken is, bekragtig, wysig of vervang op 'n manier wat hy dienstig ag.

Samewerking met die Namaraad en stamrade in Namaland

24. Die Minister kan enige van die bevoegdhede hom kragtens hierdie regulasies verleen deleger aan die Namaraad en stamrade. Die Minister kan ook gelas dat die Namaraad en stamrade hom adviseer oor sake rakende arbeid in Namaland oor die algemeen, of bepaalde aspekte daarvan, of oor aangeleenthede in hierdie regulasies of enige ander wetgewing vervat, of oor die wysiging van hierdie of ander bestaande wetgewing wat betrekking het op Nama-arbeid.

Toepassing van regulasies

25. Waar ook al enigiets in enige ander wetgewing vervat strydig is met hierdie regulasies, geld die bepalings van hierdie regulasies bo die bepalings van enige sodanige ander wetgewing.

Misdrywe en algemene strafbepalings

26. (1) Iemand wat deur doen of late 'n bepaling van hierdie regulasies oortree of versuim om daaraan te voldoen, begaan 'n misdryf en is by skuldigbevinding strafbaar met 'n boete van hoogstens R100 of, by wanbetaling, met gevangenisstraf vir 'n tydperk van hoogstens ses maande en, in geval van 'n voortdurende oortreding, met 'n bykomende boete van hoogstens R20 of, by wanbetaling, 'n eweredige tydperk van bykomende gevangenisstraf vir elke dag wat die oortreding voortduur: Met dien verstande dat die duur van sodanige eweredige tydperk van bykomende gevangenisstraf in geen geval ses maande te bowe mag gaan nie.

(2) Any person who engages or keeps in his employ an employee contrary to the provisions of these regulations or any legislation may, in addition to the penalties prescribed in subregulation (1), be ordered by the court to pay the travelling expenses (including the expenses of an escort and food for the journey) of the employee to the place specified in the warrant.

(3) Any person who refuses or fails to comply with a lawful instruction given by an authorised officer in terms of these regulations shall be guilty of an offence and liable on conviction to a fine not exceeding R50 or, in default of payment, to imprisonment for a period not exceeding three months.

Short title

27. These regulations may for all purposes be cited as the Namaland Employment Bureaux Regulations, 1976, and shall come into operation on the date of publication thereof in the *Government Gazette*.

(2) Iemand wat 'n werknemer strydig met die bepalings van hierdie regulasies of enige ander wetgewing in diens neem of hou, kan benewens die strawwe in subregulasie (1) voorgeskryf, deur die hof gelas word om reiskoste (insluitende begeleierskoste en koste van padkos) van 'n werknemer na die plek in die lasbrief bepaal, te betaal.

(3) Iemand wat weier of versuim om te voldoen aan 'n wettige opdrag wat kragtens hierdie regulasies deur 'n gemagtigde beampte gegee is, begaan 'n misdryf en is by skuldigebevinding strafbaar met 'n boete van hoogstens R50 of, by wanbetaling, met gevangenisstraf vir 'n tydperk van hoogstens drie maande.

Kort titel

27. Hierdie regulasies kan vir alle doeleindes aangehaal word as die Regulasies vir Werkverskaffingsburo's vir Namaland, 1976, en tree in werking op die datum van publikasie daarvan in die *Staatskoerant*.

AGROPLANTAE

This publication is a continuation of the South African Journal of Agricultural Science Vol. 1 to 11, 1958-1968 and deals with Agronomy, Ecology, Agrostology, Genetics, Agricultural Botany, Landscape Management, Herbicides, Plant Physiology, Plant Production and Technology, Pomology, Horticulture, Pasture Science and Viticulture. Four parts of the journal are published annually.

Contributions of scientific merit on agricultural research are invited for publication in this journal. Directions for the preparation of such contributions are obtainable from the Director, Agricultural Information, Private Bag X144, Pretoria, to whom all communications in connection with the journal should be addressed.

The journal is obtainable from the above-mentioned address at 50 cents per copy or R2 per annum, post free (foreign 60 cents per copy or R2,40 per annum).

AGROPLANTAE

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