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PROCLAMATIONS

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

No. R. 145, 1978

DRIED FRUIT SCHEME.—AMENDMENT

Whereas the Minister of Agriculture has, in terms of section 9 (2) (c), read with section 15 (3) of the Marketing Act, 1968 (No. 59 of 1968), as amended, accepted the proposed amendment of the Dried Fruit Scheme, published by Proclamation R. 302 of 1962, as amended, as set out in the Schedule hereto, and has in terms of section 12 (b) of the said Act, recommended the approval of the proposed amendment;

Now, therefore, under powers vested in me by section 4 (1) (a) read with the said section 15 (3) of the said Act, I hereby declare that the said amendment shall come into operation on 1 July 1978.

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

N. DIEDERICH, State President.

By Order of the State President-in-Council:

S. J. SCHOEMAN.

SCHEDULE

The Dried Fruit Scheme published by Proclamation R. 302 of 1962, as amended, is hereby further amended as follows:

1. Section 1 is hereby amended by the deletion of the definitions of "Orange River Area" and "Olifants River Area".

2. The following section is hereby substituted for section

"3. (1) This Scheme shall be administered by the Dried Fruit Board (hereinafter referred to as the Board), which for that purpose shall consist of nine members of whom—

(a) five shall be the representatives of producers of dried fruit;

(b) two shall be the representatives of persons dealing in the cause of trade with dried fruit;

PROKLAMASIES

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

No. R. 145, 1978

DROËVRUGTESKEMA.—WYSIGING

Nademaal die Minister van Landbou kragtens artikel 9 (2) (c) saamgelees met artikel 15 (3) van die Bemarkingswet, 1968 (No. 59 van 1968), die voorgestelde wysiging, in die Bylae hiervan uiteengesit, van die Droëvrugteskema, afgekondig by Proklamasie R. 302 van 1962, soos gewysig, aangeneem het en kragtens artikel 12 (1) (b) van die genoemde Wet, goedkeuring van die voorgestelde wysiging aanbeveel het;

So is dit dat ek, kragtens die bevoegdheid my verleen by artikel 14 (1) (a), saamgelees met die genoemde artikel 15 (3), van genoemde Wet, hierby verklaar dat genoemde wysiging op 1 Julie 1978 in werking tree.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Kaapstad, op hede die Eerste dag van Junie Eenduisend Negehoenderd Agt-en-sewentig.

N. DIEDERICH, Staatspresident.

Op las van die Staatspresident-in-rade:

H. S. J. SCHOEMAN.

BYLAE

Die Droëvrugteskema, afgekondig by Proklamasie R. 302 van 1962, soos gewysig, word hiermee verder soos volg gewysig:

1. Artikel 1 word hierby gewysig deur die woordomskrifwings "Oranjerivier-gebied" en "Olifantsrivier-gebied" te skrap.

2. Artikel 3 word hierby deur die volgende artikel vervang:

"3. (1) Hierdie Skema word geadministreer deur die Droëvrugteraad (hierna die Raad genoem), wat vir dié doel uit nege lede bestaan van wie—

(a) vyf die verteenwoordigers moet wees van produsente van droëvrugte;

(b) twee die verteenwoordigers moet wees van persone wat met droëvrugte as 'n besigheid handel;

(c) one shall be the representative of consumers of dried fruit;

(d) one shall be the representative of bakers of bread and confectionery.

(2) The Board may co-opt one person as an advisory member of the Board."

3. Sections 4, 5, 6 and 7 are hereby deleted.

4. Section 8 is hereby amended by—

(a) the substitution for subsection (1) of the following subsection:

"(1) A member of the Board shall, subject to the provisions of section 28A of the Act, be appointed by the Minister for a period of three years: Provided that no person of or over the age of sixty-eight years shall be appointed as a member."; and

(b) the deletion of subsections (4), (5) and (6).

5. Section 11 is hereby amended by the substitution in subsection (1) for the expression "Seven members" of the expression "Five members".

6. Section 15 is hereby deleted.

7. Section 16 is hereby amended by the substitution for paragraph (a) of the following paragraph:

"(a) to appoint, subject to such directions as the Minister may issue in a particular case, such servant as it may consider necessary for the proper performance of its functions and for the attainment of the objects of this Scheme and to acquire or hire such property as it may consider necessary for the proper performance of its functions and for the attainment of the objects of this Scheme: Provided that no immovable property thus acquired shall be let, mortgaged, sold or otherwise alienated except with the consent of the Minister and on such conditions as he may approve;"

No. R. 146, 1978

MAIZE AND GRAIN SORGHUM SCHEME.— AMENDMENT

Whereas the Minister of Agriculture has, in terms of section 9 (2) (c), read with section 15 (3) of the Marketing Act, 1968 (No. 59 of 1968), accepted the proposed amendment set out in the Schedule hereto, to the Maize and Grain Sorghum Scheme, published by Proclamation R. 113 of 1961, as amended, and has in terms of section 12 (1) (b) of the said Act recommended the approval of the proposed amendment;

Now, therefore, under the powers vested in me by section 14 (1) (a), read with the said section 15 (3) of the said Act, I do hereby declare that the said amendment shall come into operation on 1 July 1978.

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

N. DIEDERICHS, State President.

By Order of the State President-in-Council:

H. S. J. SCHOEMAN.

SCHEDULE

The Maize and Grain Sorghum Scheme, published by Proclamation R. 113 of 1961, as amended, is hereby further amended as follows:

1. The following section is hereby substituted for section 3:

"3. (1) The Board shall consist of 13 members of whom—

(a) eight shall be the representatives of producers of maize, of whom at least two shall also be producers of grain sorghum and at least one shall also be a producer of buckwheat;

(c) een die verteenwoordiger moet wees van verbruikers van droëvrugte; en

(d) een die verteenwoordiger moet wees van bakkers van brood en banket.

(2) Die Raad kan een persoon as adviserende lid van die Raad koöpteer."

3. Artikels 4, 5, 6 en 7 word hierby geskrap.

4. Artikel 8 word hierby gewysig deur—

(a) subartikel (1) deur die volgende subartikel te vervang:

"(1) 'n Lid van die Raad word, behoudens die bepalinge van artikel 28A van die Wet, vir 'n tydperk van drie jaar deur die Minister aangestel: Met dien verstande dat geen persoon wat agt-en-sestig jaar of ouer is as lid aangestel mag word nie."; en

(b) subartikels (4), (5) en (6) te skrap.

5. Artikel 11 word hierby gewysig deur in subartikel (1) die uitdrukking "Sewe lede" te vervang met die uitdrukking "Vyf lede".

6. Artikel 15 word hierby geskrap.

7. Artikel 16 word hierby gewysig deur paragraaf (a) deur die volgende paragraaf te vervang:

"(a) om, behoudens die voorskrifte wat die Minister in 'n bepaalde geval uitreik persone in diens te neem wat hy nodig ag vir die behoorlike verrigting van sy werksaamhede en vir die bereiking van die oogmerke van die Skema en voorts om sodanige eiendom aan te skaf of te huur wat hy nodig ag vir die behoorlike verrigting van sy werksaamhede en vir die bereiking van die oogmerke van die Skema: Met dien verstande dat geen vaste eiendom aldus aangeskaf, verhuur, verhipotekeer, verkoop of andersins vervreem word nie behalwe met toestemming van die Minister en op die voorwaardes wat hy goedkeur;"

No. R. 146, 1978

MIELIE- EN GRAANSORGHUMSKEMA.— WYSIGING

Nademaal die Minister van Landbou, kragtens artikel 9 (2) (c), saamgelees met artikel 15 (3) van die Bemarkingswet, 1968 (No. 59 van 1968), die voorgestelde wysiging in die Bylae hiervan uiteengesit, van die Mielie- en Graansorghumskema, afgekondig by Proklamasie R. 113 van 1961, soos gewysig, aangeneem het en kragtens artikel 12 (1) (b) van genoemde Wet goedkeuring van die voorgestelde wysiging aanbeveel het;

So is dit dat ek, kragtens die bevoegdheid my verleen by artikel 14 (1) (a), saamgelees met die genoemde artikel 15 (3) van genoemde Wet, hierby verklaar dat die genoemde wysiging op 1 Julie 1978 in werking tree.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Kaapstad, op hede die Eerste dag van Junie Eenduisend Negehoenderd Agt-en-sewentig.

N. DIEDERICHS, Staatspresident.

Op las van die Staatspresident-in-rade:

H. S. J. SCHOEMAN.

BYLAE

Die Mielie- en Graansorghumskema, afgekondig by Proklamasie R. 113 van 1961, soos gewysig, word hier verder soos volg gewysig:

1. Artikel 3 word hierby deur die volgende artikel vervang:

"3. (1) Die Raad bestaan uit 13 lede van wie—

(a) agt die verteenwoordigers moet wees van produsente van mielies, waarvan minstens twee ook graan sorghum en minstens een ook bokwiet moet produseer

(b) one shall be the representative of consumers of maize, grain sorghum or buckwheat;

(c) two shall be the representatives of millers of whom one shall also be a manufacturer of stock feed;

(d) one shall be the representative of persons who deal in the course of trade with maize, grain sorghum or buckwheat;

(e) one shall be the representative of exporters of maize, grain sorghum and buckwheat.

(2) The Board may co-opt one person as advisory member of the Board."

2. Sections 4, 5, 7, 8, 9, 10, 11, 12 and 13 are hereby deleted.

3. Section 14 is hereby amended by—

(a) the substitution for subsection (1) of the following subsection:

"(1) A member of the Board shall, subject to the provisions of section 28A of the Act, be appointed by the Minister for a period of three years: Provided that no person of or over the age of 68 years shall be appointed as a member."; and

(b) the deletion of subsections (4), (5) and (6).

4. Section 16 is hereby amended by the substitution in subsection (3) for the expression "seven members" of the expression "four members".

5. Section 17 is hereby amended by the substitution in subsection (1) for the expression "Eleven members" of the expression "Seven members".

6. Section 21 is hereby deleted.

No. R. 147, 1978

DRIED BEAN SCHEME.—AMENDMENT

Whereas the Minister of Agriculture has, in terms of section 9 (2) (c), read with section 15 (3), of the Marketing Act, 1968 (No. 59 of 1968), accepted the proposed amendment set out in the Schedule hereto, to the Dried Bean Scheme, published by Proclamation R. 68 of 1961, as amended, and has in terms of section 12 (1) (b) of the said Act recommended the approval of the said proposed amendment;

Now, therefore, under the powers vested in me by section 14 (1) (a), read with the said section 15 (3), of the said Act, I hereby declare that the said amendment shall come into operation on 1 July 1978.

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

L. DIEDERICH, State President.

by Order of the State President-in-Council:

L. S. J. SCHOEMAN.

SCHEDULE

The Dried Bean Scheme, published by Proclamation R. 68 of 1961, as amended, is hereby further amended as follows:

1. The following section is hereby substituted for section

"3. (1) This Scheme shall be administered by a Board known as the Dry Bean Board which for that purpose shall consist of six members of whom—

(a) four shall be the representatives of producers of dry beans; and

(b) two shall be the representatives of persons dealing with dry beans in the course of trade.

(b) een die verteenwoordiger moet wees van verbruikers van mielies, graansorghum of bokwiet;

(c) twee die verteenwoordigers moet wees van meulenaars waarvan een ook 'n vervaardiger van veevoer moet wees;

(d) een die verteenwoordiger moet wees van persone wat as 'n besigheid handel met mielies, graansorghum of bokwiet;

(e) een die verteenwoordiger moet wees van uitvoerders van mielies, graansorghum en bokwiet.

(2) Die Raad kan een persoon as adviserende lid van die Raad koöpteer."

2. Artikels 4, 5, 7, 8, 9, 10, 11, 12 en 13 word hierby geskrap.

3. Artikel 14 word hierby gewysig deur—

(a) subartikel (1) deur die volgende subartikel te vervang:

"(1) 'n Lid van die Raad word, behoudens die bepalinge van artikel 28A van die Wet, vir 'n tydperk van drie jaar deur die Minister aangestel: Met dien verstande dat geen persoon wat 68 jaar of ouer is as lid aangestel mag word nie.";

(b) subartikels (4), (5) en (6) te skrap.

4. Artikel 16 word hierby gewysig deur in subartikel (3) die uitdrukking "sewe lede" te vervang met die uitdrukking "vier lede".

5. Artikel 17 word hierby gewysig deur in subartikel (1) die uitdrukking "Elf lede" te vervang met die uitdrukking "Sewe lede".

6. Artikel 21 word hierby geskrap.

No. R. 147, 1978

DROËBONESKEMA.—WYSIGING

Nademaal die Minister van Landbou, kragtens artikel 9 (2) (c), saamgelees met artikel 15 (3) van die Bemarkingswet, 1968 (No. 59 van 1968), die voorgestelde wysiging in die Bylae hiervan uiteengesit, van die Droëboneskema, afgekondig by Proklamasie R. 68 van 1961, soos gewysig, aangeneem het, en kragtens artikel 12 (1) (b) van genoemde Wet goedkeuring van die voorgestelde wysiging aanbeveel het;

So is dit dat ek, kragtens die bevoegdheid my verleen by artikel 14 (1) (a), saamgelees met die genoemde artikel 15 (3) van genoemde Wet, hierby verklaar dat die genoemde wysiging op 1 Julie 1978 in werking tree.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Kaapstad, op hede die Eerste dag van Junie Eenduisend Negehonderd Agt-en-sewentig.

N. DIEDERICH, Staatspresident.

Op las van die Staatspresident-in-rade:

H. S. J. SCHOEMAN.

BYLAE

Die Droëboneskema, afgekondig by Proklamasie R. 68 van 1961, soos gewysig, word hierby verder soos volg gewysig:

1. Artikel 3 word hierby deur die volgende artikel vervang:

"3. (1) Hierdie Skema word geadminestreer deur 'n Raad bekend as die Droëboneraad, wat vir die doel uit ses lede bestaan van wie—

(a) vier die verteenwoordigers moet wees van produsente van droëbone; en

(b) twee die verteenwoordigers moet wees van persone wat met droëbone as 'n besigheid handel.

(2) The Board may co-opt one person as an advisory member of the Board.”

2. Sections 4, 5 and 6 are hereby deleted.

3. Section 7 is hereby amended by—

(a) the substitution for subsection (1) of the following subsection:

“(1) A member of the Board shall, subject to the provisions of section 28A of the Act, be appointed by the Minister for a period of three years: Provided that no person of or over the age of 68 years shall be appointed as a member.”; and

(b) the deletion of subsections (4), (5) and (6).

4. Section 13 is hereby deleted.

No. R. 148, 1978

WOOL SCHEME.—AMENDMENT

Whereas the Minister of Agriculture has, in terms of section 9 (2) (c), read with section 15 (3), of the Marketing Act, 1968 (No. 59 of 1968), accepted the proposed amendment set out in the Schedule hereto, to the Wool Scheme, published by Proclamation R. 155 of 1972, as amended, and has in terms of section 12 (1) (b) of the said Act, recommended the approval of the said proposed amendment;

Now, therefore, under the powers vested in me by section 14 (1) (a), read with the said section 15 (3), of the said Act, I hereby declare that the said amendment shall come into operation on 1 July 1978.

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

N. DIEDERICHS, State President.

By Order of the State President-in-Council:

H. S. J. SCHOEMAN.

SCHEDULE

The Wool Scheme, published by Proclamation R. 155 of 1972, as amended, is hereby further amended as follows:

1. The following section is hereby substituted for section 7:

“7. (1) The Board shall consist of 12 members of whom—

(a) nine shall be the representatives of producers of wool;

(b) one shall be the representative of selling brokers of wool;

(c) one shall be the representative of processors of wool and woollen products; and

(d) one shall be the representative of persons dealing in the course of trade with woollen products.

(2) The Board may co-opt one person as an advisory member of the Board.”

2. Sections 8 and 9 is hereby deleted.

3. Section 10 are hereby amended by—

(a) the substitution for subsection (1) of the following subsection:

“(1) A member of the Board shall, subject to the provisions of section 28A of the Act, be appointed by the Minister for a period of three years: Provided that no person of or over the age of sixty-eight years shall be appointed as a member.”; and

(b) the deletion of subsections (2), (5) and (6).

4. Section 13 is hereby amended by the substitution in subsection (4) for the expression “four members” of the expression “three members”.

(2) Die Raad kan een persoon as ’n adviserende lid van die Raad koöpteer.”

2. Artikels 4, 5 en 6 word hierby geskrap.

3. Artikel 7 word hierby gewysig deur—

(a) subartikel (1) deur die volgende subartikel te vervang:

“(1) ’n Lid van die Raad word, behoudens die bepalinge van artikel 28A van die Wet, vir ’n tydperk van drie jaar deur die Minister aangestel: Met dien verstande dat geen persoon wat 68 jaar of ouer is as lid aangestel mag word nie”; en

(b) subartikels (4), (5) en (6) te skrap.

4. Artikel 13 word hierby geskrap.

No. R. 148, 1978

WOLSKEMA.—WYSIGING

Nademaal die Minister van Landbou, kragtens artikel 9 (2) (c), saamgelees met artikel 15 (3) van die Bemarkingswet, 1968 (No. 59 van 1968), die voorgestelde wysiging in die Bylae hiervan uiteengesit, van die Wolskema, afgekondig by Proklamasie R. 155 van 1972, soos gewysig, aangeneem het, en kragtens artikel 12 (1) (b) van genoemde Wet goedkeuring van die voorgestelde wysiging aanbeveel het;

So is dit dat ek, kragtens die bevoegdheid my verleen by artikel 14 (1) (a), saamgelees met die genoemde artikel 15 (3) van genoemde Wet, hierby verklaar dat die genoemde wysiging op 1 Julie 1978 in werking tree.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Kaapstad, op hede die Eerste dag van Junie Eenduisend Negehonderd Agt-en-sewentig.

N. DIEDERICHS, Staatspresident.

Op las van die Staatspresident-in-rade:

H. S. J. SCHOEMAN.

BYLAE

Die Wolskema, afgekondig by Proklamasie R. 155 van 1972, soos gewysig, word hierby verder soos volg gewysig

1. Artikel 7 word hierby deur die volgende artikel vervang:

“7. (1) Die Raad bestaan uit 12 lede van wie—

(a) nege die verteenwoordigers moet wees van producente van wol;

(b) een die verteenwoordiger moet wees van verkoops makelaars van wol;

(c) een die verteenwoordiger moet wees van werkers van wol en wolprodukte; en

(d) een die verteenwoordiger moet wees van persoon wat met wolprodukte as ’n besigheid handel.

(2) Die Raad kan een persoon as adviserende lid van die Raad koöpteer.”

2. Artikels 8 en 9 word hierby geskrap.

3. Artikel 10 word hierby gewysig deur—

(a) subartikel (1) deur die volgende subartikel te vervang:

“(1) ’n Lid van die Raad word, behoudens die bepalinge van artikel 28A van die Wet, vir ’n tydperk van drie jaar deur die Minister aangestel: Met dien verstande dat geen persoon wat agt-en-sestig jaar of ouer as lid aangestel mag word nie.”; en

(b) subartikels (2), (5) en (6) te skrap.

4. Artikel 13 word hierby gewysig deur in subartikel (4) die uitdrukking “vier lede” deur die uitdrukking “drie lede” te vervang.

5. Section 14 is hereby amended by the substitution in subsection (1) for the expression "Nine members" of the expression "Seven members".

6. The following section is hereby substituted for section 16:

"16. The Board may employ, subject to such directions as the Minister may issue in a particular case, such persons as the Board may consider necessary for the proper performance of its functions and for the attainment of the objects of this Scheme."

No. R. 149, 1978

BANANA SCHEME.—AMENDMENT

Whereas the Minister of Agriculture has, under section 9 (2) (c), read with section 15 (3), of the Marketing Act, 1968 (No. 59 of 1968), accepted the proposed amendment as set out in the Schedule hereto, to the Banana Scheme, published by Proclamation R. 109 of 1976, as amended, and has under section 12 (1) (b) of the said Act, recommended the approval of the said proposed amendment;

Now, therefore, under the powers vested in me by section 14 (1) (a), read with the said section 15 (3) of the said Act, I hereby declare that the said amendment shall come into operation on 1 July 1978.

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

I. DIEDERICHS, State President.

by Order of the State President-in-Council:

H. S. J. SCHOEMAN.

SCHEDULE

The Banana Scheme, published by Proclamation R. 109 of 1976, as amended, is hereby further amended as follows:

1. The following section is hereby substituted for section

"Constitution

7. (1) The Board shall consist of seven members of whom—

(a) five shall be the representatives of producers of bananas;

(b) one shall be the representatives of persons dealing with bananas in the course of trade; and

(c) one shall be the representative of market masters.

(2) The Board may co-opt one person as an advisory member of the Board."

2. Sections 8 and 9 are hereby deleted.

3. Section 10 is hereby amended by—

(a) the substitution for subsection (1) of the following subsection:

"(1) A member of the Board shall, subject to the provisions of section 28A of the Act, be appointed by the Minister for a period of three years: Provided that no person of or over the age of sixty-eight years shall be appointed as a member."; and

(b) the deletion of subsections (4) and (5).

4. Section 13 is hereby amended by the substitution in subsection (3) for the expression "four members" of the expression "three members".

5. Section 14 is hereby amended by the substitution in subsection (1) for the expression "Seven members" of the expression "Four members".

5. Artikel 14 word hierby gewysig deur in subartikel (1) die uitdrukking "Nege lede" deur die uitdrukking "Sewe lede" te vervang.

6. Artikel 16 word hierby deur die volgende artikel vervang:

"16. Die Raad kan, behoudens die voorskrifte wat die Minister in 'n bepaalde geval uitreik, die persone in diens neem wat hy nodig ag vir die behoorlike verrigting van sy werksaamhede en vir die bereiking van die oogmerke van hierdie Skema."

No. R. 149, 1978

PIESANGSKEMA.—WYSIGING

Nademaal die Minister van Landbou, kragtens artikel 9 (2) (c), saamgelees met artikel 15 (3) van die Bemarkingswet, 1968 (No. 59 van 1968), die voorgestelde wysiging in die Bylae hiervan uiteengesit, van die Piesangskema, afgekondig by Proklamasie R. 109 van 1976, soos gewysig, aangeneem het en kragtens artikel 12 (1) (b) van genoemde Wet, goedkeuring van die voorgestelde wysiging aanbeveel het;

So is dit dat ek, kragtens die bevoegdheid my verleen by artikel 14 (1) (a), saamgelees met die genoemde artikel 15 (3), van genoemde Wet, hierby verklaar dat genoemde wysiging op 1 Julie 1978 in werking tree.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Kaapstad, op hede die Eerste dag van Junie Eenduisend Negehoenderd Agt-en-sewentig.

N. DIEDERICHS, Staatspresident.

Op las van die Staatspresident-in-rade:

H. S. J. SCHOEMAN.

BYLAE

Die Piesangskema, afgekondig by Proklamasie R. 109 van 1976, soos gewysig, word hierby verder soos volg gewysig:

1. Artikel 7 word hierby deur die volgende artikel vervang:

"Samestelling

7. (1) Die Raad bestaan uit sewe lede van wie—

(a) vyf die verteenwoordigers moet wees van produsente van piesangs;

(b) een die verteenwoordiger moet wees van persone wat met piesangs as 'n besigheid handel; en

(c) een die verteenwoordiger moet wees van markmeesters.

(2) Die Raad kan een persoon as 'n adviserende lid van die Raad koöpteer."

2. Artikels 8 en 9 word hierby geskrap.

3. Artikel 10 word hierby gewysig deur—

(a) subartikel (1) deur die volgende subartikel te vervang:

"(1) 'n Lid van die Raad word, behoudens die bepalinge van artikel 28A van die Wet, vir 'n tydperk van drie jaar deur die Minister aangestel: Met dien verstande dat geen persoon wat agt-en-sestig jaar of ouer is as lid aangestel mag word nie."; en

(b) subartikels (4) en (5) te skrap.

4. Artikel 13 word hierby gewysig deur in subartikel (3) die uitdrukking "vier lede" deur die uitdrukking "drie lede" te vervang.

5. Artikel 14 word hierby gewysig deur in subartikel (1) die uitdrukking "Sewe lede" deur die uitdrukking "Vier lede" te vervang.

6. The following section is hereby substituted for section 16:

"16. The Board may employ, subject to such directions as the Minister may issue in a particular case, such persons as the Board may consider necessary for the proper performance of its functions and for the attainment of the objects of this Scheme."

No. R. 150, 1978

BANANA SCHEME.—AMENDMENT

Whereas the Minister of Agriculture has, in terms of section 9 (2) (c), read with section 15 (3), of the Marketing Act, 1968 (No. 59 of 1968), accepted the proposed amendment as set out in the Schedule hereto, to the Banana Scheme, published by Proclamation R. 109 of 1976, and has, in terms of section 12 (1) (b) of the said Act, recommended the approval of the proposed amendment;

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

Given under my Hand and the Seal of the Republic of South Africa at Pretoria this Nineteenth day of May, One thousand Nine hundred and Seventy-eight.

N. DIEDERICHS, State President.

By Order of the State President-in-Council:

H. S. J. SCHOEMAN.

SCHEDULE

The Banana Scheme, published by Proclamation R. 109 of 1976, as amended, is hereby further amended as follows:

1. The following section is hereby substituted for section 5:

"5. This Scheme shall apply to all persons producing or dealing in the course of trade with bananas and also to any co-operative society or co-operative company which packs bananas on behalf of its members for sale through the Board, as if the society or company concerned were a producer of bananas."

2. The following section is added after section 42:

"42A The Board may with the approval of the Minister, prohibit any person from selling bananas unless he has acquired them from the Board, or from such persons as may be determined by the Board."

3. Section 43 is hereby amended by the substitution in paragraph (c) for the expression "and 42" of the expression "42 and 42A."

No. R. 151, 1978

DAIRY SCHEME.—AMENDMENT

Whereas the Minister of Agriculture has, in terms of section 9 (2) (c), read with section 15 (3), of the Marketing Act, 1968 (No. 59 of 1968), accepted the proposed amendment set out in the Schedule hereto, to the Dairy Scheme, published by Proclamation R. 25 of 1972, as amended, and has in terms of section 12 (1) (b) of the said Act recommended the approval of the said proposed amendment;

Now, therefore, under the powers vested in me by section 14 (1) (a), read with the said section 15 (3), of the said Act, I hereby declare that the said amendment shall come into operation on 1 July 1978.

6. Artikel 16 word hierby deur die volgende artikel vervang:

"16. Die Raad kan, behoudens die voorskrifte wat die Minister in 'n bepaalde geval uitreik, die persone in diens neem wat hy nodig ag vir die behoorlike verrigting van sy werksaamhede en vir die bereiking van die oogmerke van hierdie Skema."

No. R. 150, 1978

PIESANGSKEMA.—WYSIGING

Nademaal die Minister van Landbou, kragtens artikel 9 (2) (c), saamgelees met artikel 15 (3), van die Bemarkingswet, 1968 (No. 59 van 1968), die voorgestelde wysiging in die Bylae hiervan uiteengesit, van die Piesangskema, afgekondig by Proklamasie R. 109 van 1976 aangeneem het, en kragtens artikel 12 (1) (b) van genoemde Wet goedkeuring van die voorgestelde wysiging aanbeveel het;

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

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Pretoria, op hede die Negentiende da van Mei Eenduisend Negehonderd Agt-en-sewentig.

N. DIEDERICHS, Staatspresident.

Op las van die Staatspresident-in-rade:

H. S. J. SCHOEMAN.

BYLAE

Die Piesangskema, afgekondig by Proklamasie R. 109 van 1976, soos gewysig, word hierby verder soos volg gewysig:

1. Artikel 5 word hierby deur die volgende artikel vervang:

"5. Hierdie Skema is van toepassing op alle persone wat piesangs produseer of as 'n besigheid daarmee handel asook op 'n koöperatiewe vereniging of koöperatiewe maatskappy wat piesangs namens sy lede verpak vir verkooft deur bemiddeling van die Raad asof daardie vereniging 'n maatskappy 'n produsent van piesangs was."

2. Die volgende artikel word na artikel 42 ingevoeg:

"42A Die Raad kan met die Minister se goedkeuring enigiemand verbied om piesangs te verkoop tensy hy o verkry het van die Raad of van dié persone wat deur d Raad bepaal word."

3. Artikel 43 word hierby gewysig deur in paragraaf (c) die uitdrukking "en 42" deur die uitdrukking "42 en 42A" te vervang.

No. R. 151, 1978

SUIWELSKEMA.—WYSIGING

Nademaal die Minister van Landbou, kragtens artikel 9 (2) (c), saamgelees met artikel 15 (3) van die Bemarkingswet, 1968 (No. 59 van 1968), die voorgestelde wysiging in die Bylae hiervan uiteengesit, van die Suiwelskema, afgekondig by Proklamasie R. 25 van 1972, soos gewysig, aangeneem het, en kragtens artikel 12 (1) (b) van genoemde Wet goedkeuring van die voorgestelde wysiging aanbeveel het;

So is dit dat ek, kragtens die bevoegdheid my verleen by artikel 14 (1) (a), saamgelees met die genoemde artikel 15 (3) van genoemde Wet, hierby verklaar dat die genoemde wysiging op 1 Julie 1978 in werking tree.

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

N. DIEDERICHS, State President.

By Order of the State President-in-Council:

H. S. J. SCHOEMAN.

SCHEDULE

The Dairy Scheme, published by Proclamation R. 25 of 1972, as amended, is hereby further amended as follows:

1. Section 1 is hereby amended by the addition of the following definition after paragraph (k) of the definition of "producer":

"(1) industrial milk in this Scheme, also referred to as an 'industrial milk producer' means a person who produces factory cream, cheesemilk and condensing milk."

2. The following section is hereby substituted for section

"7. (1) The Board shall consist of 13 members of whom—

(a) seven shall be the representatives of industrial milk producers, of whom one shall also be a producer of surplus milk or cream;

(b) two shall be the representatives of cheese manufacturers, of whom one shall be the representative of a co-operative society or co-operative company and the other person shall not be such a representative;

(c) two shall be the representatives of butter manufacturers, of whom one shall be the representative of a co-operative society or co-operative company and the other person shall not be such a representative;

(d) one shall be the representative of condensed milk manufacturers; and

(e) one shall be the representative of the consumers of dairy products.

(2) The Board may co-opt one person as an advisory member of the Board."

3. Sections 8, 9 and 10 are hereby deleted.

4. Section 11 is hereby amended by—

(a) the substitution for subsection (1) of the following subsection—

"(1) A member of the Board shall, subject to the provisions of section 28A of the Act, be appointed by the Minister for a period of three years: Provided that no person of or over the age of sixty-eight shall be appointed as a member."; and

(b) the deletion of subsections (4) and (5).

5. Section 14 is hereby amended by the substitution in subsection (3) for the word "seven" of the word "five".

6. Section 15 is hereby amended by the substitution in subsection (1) for the word "ten" of the word "seven".

7. The following section is hereby substituted for section

"17. The Board may employ, subject to such directions the Minister may issue in a particular case, such persons the Board may consider necessary for the proper performance of its functions and for the attainment of the objects of this Scheme."

R. 152, 1978

KARAKUL SCHEME.—AMENDMENT

Whereas the Minister of Agriculture has, in terms of section 9 (2) (c), read with section 15 (3), of the Marketing Act, 1968 (No. 59 of 1968), accepted the proposed amendment set out in the Schedule hereto, to the Karakul

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Kaapstad, op hede die Eerste dag van Junie Eenduisend Negehonderd Agt-en-sewentig.

N. DIEDERICHS, Staatspresident.

Op las van die Staatspresident-in-rade:

H. S. J. SCHOEMAN.

BYLAE

Die Suiwelskema, afgekondig by Proklamasie R. 25 van 1972, soos gewysig, word hierby verder soos volg gewysig:

1. Artikel 1 word hierby gewysig deur die byvoeging van die volgende paragraaf na paragraaf (k) van die woordomskeywing van "produsent":

"(1) nywerheidsmelk, in hierdie Skema ook 'n 'nywerheidsmelkprodusent' genoem, iemand wat fabrieksroom, kaasmelk of kondenseermelk produseer."

2. Artikel 7 word hierby deur die volgende artikel vervang:

"7. (1) Die Raad bestaan uit 13 lede van wie—

(a) sewe die verteenwoordigers moet wees van nywerheidsmelkprodusente, waarvan een ook 'n produsent moet wees van surplusmelk en -room;

(b) twee die verteenwoordigers moet wees van kaasvervaardigers, waarvan een die verteenwoordiger moet wees van 'n koöperatiewe vereniging of koöperatiewe maatskappy en die ander persoon nie so 'n verteenwoordiger moet wees nie;

(c) twee die verteenwoordigers moet wees van bottervervaardigers, waarvan een die verteenwoordiger moet wees van 'n koöperatiewe vereniging of koöperatiewe maatskappy en die ander persoon nie so 'n verteenwoordiger moet wees nie;

(d) een die verteenwoordiger moet wees van kondensmelkvervaardigers; en

(e) een die verteenwoordiger moet wees van verbruikers van suiwelprodukte.

(2) Die Raad kan een persoon as adviserende lid van die Raad koöpteer."

3. Artikels 8, 9 en 10 word hierby geskrap.

4. Artikel 11 word hierby gewysig deur—

(a) subartikel (1) deur die volgende subartikel te vervang:

"(1) 'n Lid van die Raad word behoudens die bepalinge van artikel 28A van die Wet vir 'n tydperk van drie jaar deur die Minister aangestel: Met dien verstande dat geen persoon wat agt-en-sestig jaar of ouer is as lid aangestel mag word nie.";

(b) subartikels (4) en (5) te skrap.

5. Artikel 14 word hierby gewysig deur in subartikel (3) die woord "sewe" deur die woord "vyf" te vervang.

6. Artikel 15 word hierby gewysig deur in subartikel (1) die woord "tien" deur die woord "sewe" te vervang.

7. Artikel 17 word hierby deur die volgende artikel vervang:

"17. Die Raad kan, behoudens die voorskrifte wat die Minister in 'n bepaalde geval uitreik, die persone in diens neem wat hy nodig ag vir die behoorlike verrigting van sy werksaamhede en vir die bereiking van die oogmerke van hierdie Skema."

No. R. 152, 1978

KARAKOELSKEMA.—WYSIGING

Nademaal die Minister van Landbou, kragtens artikel 9 (2) (c), saamgelees met artikel 15 (3) van die Bemarkingswet, 1968 (No. 59 van 1968), die voorgestelde wysiging in die Bylae hiervan uiteengesit, van die Karakoelskema,

Scheme, published by Proclamation R. 172 of 1968, as amended, and has in terms of section 12 (1) (b) of the said Act recommended the approval of the said proposed amendment;

Now, therefore, under the powers vested in me by section 14 (1) (a), read with the said section 15 (3), of the said Act, I hereby declare that the said amendment shall come into operation on 1 July 1978.

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

N. DIEDERICHS, State President.

By Order of the State President-in-Council:

H. S. J. SCHOEMAN.

SCHEDULE

The Karakul Scheme, published by Proclamation R. 172 of 1968, is hereby amended as follows:

1. Section 1 is hereby amended by the substitution for subsection (2) of the following subsection:

“(2) The provisions of this Scheme shall apply in the Republic of South Africa to the persons hereinafter referred to who are concerned in the production of karakul pelts or who deal therewith in the course of trade.”

2. Section 2 is hereby amended by—

(a) the substitution for paragraph (iii) of the following paragraph:

“(iii) ‘controlled area’ means the Republic of South Africa; (i)”; and

(b) the insertion after paragraph (x) of the following paragraph:

“(xA) ‘Republic’ excludes the Territory; (viiiA)”.

3. The following section is hereby substituted for section 3:

“3. (1) This Scheme shall be administered by the Karakul Board which shall consist of five members of whom—

(a) three shall be the representatives of producers of karakul pelts;

(b) one shall be the representative of breeders of pedigree karakul sheep; and

(c) one shall be the representative of brokers in the controlled area.

(2) The Board may co-opt one person as an advisory member of the Board.”

4. Section 4 is hereby deleted.

5. Section 5 is hereby deleted.

6. Section 6 is hereby amended by—

(a) substitution for subsection (1) of the following subsection:

“(1) A member of the Board shall, subject to the provisions of section 28A of the Act, be appointed by the Minister for a period of three years: Provided that no person of or over the age of 68 years shall be appointed as a member.”; and

(b) the deletion of subsections (2), (3), (6), (7) and (8).

7. The following section is hereby substituted for section 9:

“9. (1) Three members of the Board shall constitute a quorum for any meeting of the Board.

(2) The decision of at least three members of the Board, present at any meeting of the Board, shall constitute a decision of the Board.”

8. Section 13 is hereby deleted.

afgekondig by Proklamasie R. 172 van 1968, soos gewysig, aangeneem het, en kragtens artikel 12 (1) (b) van genoemde Wet goedkeuring van die voorgestelde wysiging aanbeveel het;

So is dit dat ek, kragtens die bevoegdheid my verleen by artikel 14 (1) (a), saamgelees met die genoemde artikel 15 (3) van genoemde Wet, hierby verklaar dat die genoemde wysiging op 1 Julie 1978 in werking tree.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Kaapstad, op hede die Eerste dag van Junie Eenduisend Negehoenderd Agt-en-sewentig.

N. DIEDERICHS, Staatspresident.

Op las van die Staatspresident-in-rade:

H. S. J. SCHOEMAN.

BYLAE

Die Karakoelskema, afgekondig by Proklamasie R. 172 van 1968, word hierby soos volg gewysig:

1. Artikel 1 word hierby gewysig deur subartikel (2) deur die volgende subartikel te vervang:

“(2) Die bepalinge van hierdie Skema is van toepassing in die Republiek van Suid-Afrika op die persone hierna genoem wat betrokke is by die produksie van karakoelpelse of wat daarmee as ’n besigheid handel.”

2. Artikel 2 word hierby gewysig deur—

(a) paragraaf (i) deur die volgende paragraaf te vervang:

(i) ‘beheerde gebied’ die Republiek van Suid-Afrika;” en

(b) die volgende paragraaf na paragraaf (viii) in te voeg:

“(viiiA) ‘Republiek’ nie ook die Gebied nie; (xA)”

3. Artikel 3 word hierby deur die volgende artikel vervang:

“3. (1) Hierdie Skema word toegepas deur die karakoelraad wat bestaan uit vyf lede van wie—

(a) drie die verteenwoordigers moet wees van produsente van karakoelpelse;

(b) een ’n verteenwoordiger moet wees van telers van stamboekkarakoelskape; en

(c) een ’n verteenwoordiger moet wees van makelaars.

(2) Die Raad kan een persoon as adviserende lid van die Raad koöpteer.”

4. Artikel 4 word hierby geskrap.

5. Artikel 5 word hierby geskrap.

6. Artikel 6 word hierby gewysig deur—

(a) subartikel (1) deur die volgende subartikel te vervang:

“(1) ’n Lid van die Raad word, behoudens die bepalinge van artikel 28A van die Wet, vir ’n tydperk van drie jaar deur die Minister aangestel: Met dien verstande dat geen persoon wat 68 jaar of ouer is as 1 aangestel mag word nie.”; en

(b) subartikels (2), (3), (6), (7) en (8) te skrap.

7. Artikel 9 word hierby deur die volgende subartikel vervang:

“9. (1) Drie lede van die Raad maak ’n kworum uit vir ’n vergadering van die Raad.

(2) Die besluit van minstens drie lede van die Raad wat op ’n raadsvergadering aanwesig is, maak ’n besluit van die Raad uit.”

8. Artikel 13 word hierby geskrap.

No. R. 153, 1978

**LIVESTOCK AND MEAT CONTROL SCHEME.—
AMENDMENT**

Whereas the Minister of Agriculture has, in terms of section 9 (2) (c), read with section 15 (3) of the Marketing Act, 1968 (No. 59 of 1968), accepted the proposed amendment set out in the Schedule hereto, to the Livestock and Meat Control Scheme, published by Proclamation R. 200 of 1964, as amended, and has, in terms of section 12 (1) (b) of the said Act, recommended the approval of the proposed amendment;

Now, therefore, under the powers vested in me by section 14 (1) (a), read with the said section 15 (3) of the said Act, I hereby declare that the said amendment shall come into operation on 1 July 1978.

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

N. DIEDERICHS, State President.

By Order of the State President-in-Council:

H. S. J. SCHOEMAN.

SCHEDULE

The Livestock and Meat Control Scheme, published by Proclamation R. 200 of 1964, as amended, is hereby further amended as follows:

1. The following section is hereby substituted for section 3:

“3. (1) This Scheme shall be administered by the Meat Board which shall consist of 13 members of whom—

(a) eight shall be the representatives of producers of slaughter animals of whom at least one shall also be a producer of slaughter sheep and at least one shall also be a producer of porkers;

(b) two shall be the representatives of persons dealing in the course of trade with meat, of whom one shall be the representative of such persons who so deal with meat in the controlled area and one shall be the representative of such persons who so deal with meat in areas other than the controlled area;

(c) one shall be the representative of abattoir agents and auctioneers of slaughter animals;

(d) one shall be the representative of curers of hides and skins;

(e) one shall be the representative of consumers of meat and factory products.

(2) The Board may co-opt one person as an advisory member of the Board.”

2. Section 4, 5 and 6 are hereby deleted.

3. Section 7 is hereby amended by—

(a) the substitution for subsection (1) of the following subsection:

“(1) A member of the Board shall, subject to the provisions of section 28A of the Act, be appointed by the Minister for a period of three years: Provided that no person of or over the age of sixty-eight years shall be appointed as a member.”; and

(b) the deletion of subsections (4), (5) and (6).

4. Section 9 is hereby amended by the substitution in subsection (3) for the expression “five members” of the expression “three members”.

5. Section 10 is hereby amended by the substitution for subsection (1) of the following subsection:

“(1) Seven members of the Board (excluding advisory members) shall constitute a quorum for any meeting of the Board.”

No. R. 153, 1978

VEE- EN VLEISREËLINGSKEMA.—WYSIGING

Nademaal die Minister van Landbou kragtens artikel 9 (2) (c), saamgelees met artikel 15 (3) van die Bemarkingswet, 1968 (No. 59 van 1968), die voorgestelde wysiging in die Bylae hiervan uiteengesit van die Vee- en Vleisreëlinskema, afgekondig by Proklamasie R. 200 van 1964, soos gewysig, aangeneem het en kragtens artikel 12 (1) (b) van bogenoemde Wet, goedkeuring van die voorgestelde wysiging aanbeveel het;

So is dit dat ek, kragtens die bevoegdheid my verleen by artikel 14 (1) (a), saamgelees met die genoemde artikel 15 (3) van genoemde Wet, hierby verklaar dat genoemde wysiging op 1 Julie 1978 in werking tree.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Kaapstad, op hede die Eerste dag van Junie Eenduisend Negenhonderd Agt-en-sewentig.

N. DIEDERICHS, Staatspresident.

Op las van die Staatspresident-in-rade:

H. S. J. SCHOEMAN.

BYLAE

Die Vee- en Vleisreëlinskema, afgekondig by Proklamasie R. 200 van 1964, soos gewysig, word hierby verder soos volg gewysig:

1. Artikel 3 word hierby deur die volgende artikel vervang:

“3. (1) Hierdie Skema word uitgevoer deur die Vleisraad wat vir die doel bestaan uit 13 lede van wie—

(a) agt die verteenwoordigers moet wees van produsente van slagvee, waarvan minstens een ook 'n produsent van slagskape en minstens een ook 'n produsent van slagvarke moet wees;

(b) twee die verteenwoordigers moet wees van persone wat met vleis as 'n besigheid handel, waarvan een die verteenwoordiger moet wees van sulke persone wat aldus met vleis handel in die beheerde gebied en een die verteenwoordiger moet wees van sulke persone wat aldus met vleis handel in gebiede anders as die beheerde gebied;

(c) een die verteenwoordiger moet wees van abattoir-agente en afslaaers van slagvee;

(d) een die verteenwoordiger moet wees van bereiders van huide en velle;

(e) een die verteenwoordiger moet wees van verbruikers van vleis en fabrieksvleisprodukte.

(2) Die Raad kan een persoon as 'n adviserende lid van die Raad koöpteer.”

2. Artikels 4, 5 en 6 word hierby geskrap.

3. Artikel 7 word hierby gewysig deur—

(a) subartikel (1) deur die volgende subartikel te vervang:

“(1) 'n Lid van die Raad word, behoudens die bepalinge van artikel 28A van die Wet, vir 'n tydperk van drie jaar deur die Minister aangestel: Met dien verstande dat geen persoon wat agt-en-sestig jaar of ouer is as lid aangestel mag word nie.”; en

(b) subartikels (4), (5) en (6) te skrap.

4. Artikel 9 word hierby gewysig deur in subregulasie (3) die uitdrukking “vyf lede” deur die uitdrukking “drie lede” te vervang.

5. Artikel 10 word hierby gewysig deur subartikel (1) deur die volgende subartikel te vervang:

“(1) Sewe lede van die Raad (uitgesonderd adviserende lede) maak 'n kworum uit vir 'n vergadering van die Raad.”

No. R. 154, 1978

MOHAIR SCHEME.—AMENDMENT

Whereas the Minister of Agriculture has, in terms of section 9 (2) (c), read with section 15 (3), of the Marketing Act, 1968 (No. 59 of 1968), accepted the proposed amendment set out in the Schedule hereto, to the Mohair Scheme, published by Proclamation R. 281 of 1971, as amended, and has in terms of section 12 (1) (b) of the said Act recommended the approval of the said proposed amendment;

Now, therefore, under the powers vested in me by section 14 (1) (a), read with the said section 15 (3), of the said Act, I hereby declare that the said amendment shall come into operation on 1 July 1978.

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

N. DIEDERICHS, State President.

By Order of the State President-in-Council:

H. S. J. SCHOEMAN.

SCHEDULE

The Mohair Scheme, published by Proclamation R. 281 of 1971, as amended, is hereby further amended by—

(a) the substitution for section 7 of the following section:

“7. (1) The Board shall consist of four members who shall be the representatives of producers of mohair.

(2) The Board may co-opt one person as an advisory member of the Board.”;

(b) the deletion of sections 8 and 9;

(c) the substitution for section 10 of the following section:

“10. (1) A member of the Board shall, subject to the provisions of section 28A of the Act, be appointed by the Minister for a period of three years: Provided that no person of or over the age of sixty-eight years shall be appointed as a member.

(2) If at the expiration of the period for which a member was appointed, no new appointment was made in his place, that member shall continue to hold office until such an appointment has been made, but in no case for a period longer than three months.

(3) A retiring member shall be eligible for re-appointment.”;

(d) the substitution in subsection (3) of section 13 for the expression “three members” of the expression “two members”;

(e) the substitution for section 14 of the following section:

“14. (1) Three members of the Board (excluding advisory members) shall constitute a quorum for any meeting of the Board.

(2) The decision of at least two members of the Board (excluding advisory members) present at a meeting of the Board, shall constitute a decision of the Board.”; and

(f) the substitution for section 17 of the following section:

“17. The Board may employ subject to such directions as the Minister may issue in a particular case, such persons as the Board may consider necessary for the proper performance of its functions and for the attainment of the objects of this Scheme.”.

No. R. 154, 1978

SYBOKHAARSKEMA.—WYSIGING

Nademaal die Minister van Landbou, kragtens artikel 9 (2) (c), saamgelees met artikel 15 (3) van die Bemerkingswet, 1968 (No. 59 van 1968), die voorgestelde wysiging in die Bylae hiervan uiteengesit, van die Sybokhaarskema, afgekondig by Proklamasie R. 281 van 1971, soos gewysig aangecem het, en kragtens artikel 12 (1) (b) van genoemde Wet goedkeuring van die voorgestelde wysiging aanbeveel het;

So is dit dat ek, kragtens die bevoegdheid my verleen by die genoemde artikel 14 (1) (a), saamgelees met die genoemde artikel 15 (3) van genoemde Wet, hierby verklaar dat die genoemde wysiging op 1 Julie 1978 in werking tree.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Kaapstad, op hede die Eerste dag van Junie Eenduiseend Negehoenderd Agt-en-sewentig.

N. DIEDERICHS, Staatspresident.

Op las van die Staatspresident-in-rade:

H. S. J. SCHOEMAN.

BYLAE

Die Sybokhaarskema, afgekondig by Proklamasie R. 281 van 1971, soos gewysig, word hierby verder gewysig deur—

(a) artikel 7 deur die volgende artikel te vervang:

“7. (1) Die Raad bestaan uit vier lede wat die verteenwoordigers moet wees van produsente van sybokhaar.

(2) Die Raad kan een persoon as adviserende lid van die Raad koöpteer.”;

(b) artikels 8 en 9 te skrap;

(c) artikel 10 deur die volgende artikel te vervang:

“10. (1) 'n Lid van die Raad word, behoudens die bepalings van artikel 28A van die Wet vir 'n tydperk van drie jaar deur die Minister aangestel: Met dien verstande dat geen persoon wat agt-en-sestig jaar of ouer is as lid aangestel mag word nie.

(2) Indien daar by die verstryking van die tydperk waarvoor 'n lid aangestel was, geen nuwe aanstelling in sy plek gedoen is nie, bly daardie lid in sy amp aan totdat so 'n aanstelling gedoen is, maar in geen geval langer as drie maande nie.

(3) 'n Aftredende lid kan weer aangestel word.”;

(d) in subartikel (3) van artikel 13 die uitdrukking “drie lede” met die uitdrukking “twee lede” te vervang;

(e) artikel 14 deur die volgende artikel te vervang:

“14. (1) Drie lede van die Raad (uitgesonderd adviserende lede) maak 'n kworum uit vir 'n vergadering van die Raad.

(2) Die beslissing van minstens twee lede van die Raad (uitgesonderd adviserende lede) wat op 'n raadsvergadering teenwoordig is, maak 'n besluit van die Raad uit.

(f) artikel 17 deur die volgende artikel te vervang:

“17. Die Raad kan, behoudens die voorskrifte wat die Minister in 'n bepaalde geval uitreik, die persone in diens neem wat hy nodig ag vir die behoorlike verrigting van sy werksaamhede en vir die bereiking van die doelmerke van hierdie Skema.”.

No. R. 155, 1978

SCHEME IN TERMS OF THE MARKETING ACT, 1968 (No. 59 OF 1968), FOR REGULATING THE MARKETING OF CHICORY AND MATTERS INCIDENTAL THERETO

Whereas the Minister of Agriculture has, in terms of section 9 (2) (c) of the Marketing Act, 1968 (No. 59 of 1968), accepted the proposed Scheme as set out in the Schedule hereto, and has in terms of section 12 (1) (b) of the said Act, recommended the approval of the proposed Scheme;

Now, therefore, under the powers vested in me by section 14 (1) (a) of the said Act, I hereby declare that the said Scheme shall come into operation on 1 July 1978 in substitution of the Chicory Control Scheme, published by Proclamation R. 235 of 1962, as amended, which is hereby repealed.

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

N. DIEDERICHS, State President.

By Order of the State President-in-Council:

H. S. J. SCHOEMAN.

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DEFINITIONS

1. In this Scheme, unless inconsistent with the context, a word or expression to which a meaning has been assigned in the Act, shall have a corresponding meaning, and—

“Board” means the Chicory Board established under section 6;

“Chicory” means the root of the chicory plant *Cichorium intybus* L in its unroasted form, whether cut or uncut, dried or undried and in the application of section 17 shall include roasted and ground chicory;

“Producer”—

(a) in relation to chicory, any person concerned in the production of chicory;

(b) in relation to any quantity of chicory which has been acquired from any person as a consideration for the right to use land on which that person has produced a quantity of chicory, or as remuneration for services rendered to a producer of chicory, the person who so acquired that chicory;

(c) in relation to any quantity of chicory which is imported into the Republic, the person who so imports that chicory;

“production area” in relation to chicory, means the area comprising the Magisterial Districts of Albany, Alexandria, Bathurst, Kirkwood, Komga, East London, Port Elizabeth and Port Elizabeth;

“Republic” excludes the Territory;

“the Act” means the Marketing Act, 1968 (No. 59 of 1968).

No. R. 155, 1978

SKEMA KRAGTENS DIE BEMARKINGSWET, 1968 (No. 59 VAN 1968), VIR DIE REËLING VAN DIE BEMARKING VAN SIGOREI EN AANGELEENTHEDE IN VERBAND DAARMEE

Nademaal die Minister van Landbou kragtens artikel 9 (2) (c) van die Bemarkingswet, 1968 (No. 59 van 1968), die Skema in die Bylae hiervan uiteengesit, aangeneem het en kragtens artikel 12 (1) (b) van genoemde Wet goedkeuring van die voorgestelde Skema aanbeveel het;

So is dit dat ek, kragtens die bevoegdheid my verleen by artikel 14 (1) (a) van genoemde Wet hierby verklaar dat die genoemde Skema op 1 Julie 1978 in werking tree ter vervanging van die Sigoreireëlinskema, afgekondig by Proklamasie R. 235 van 1962, soos gewysig, wat hierby herroep word.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Kaapstad, op hede die Eerste dag van Junie Eenduisend Negehoonderd Agt-en-sewentig.

N. DIEDERICHS, Staatspresident.

Op las van die Staatspresident-in-rade:

H. S. J. SCHOEMAN.

BYLAE

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WOORDOMSKRYWINGS

1. In hierdie Skema, tensy uit die samehang anders blyk, het 'n woord of uitdrukking waaraan in die Wet 'n betekenis geheg is, 'n ooreenstemmende betekenis, en beteken—

“die Wet” die Bemarkingswet, 1968 (No. 59 van 1968);

“produksiegebied”, met betrekking tot sigorei, die gebied bestaande uit die landdrosdistrikte van Albanie, Alexandria, Bathurst, Kirkwood, Komga, Oos-Londen, Port Elizabeth en Port Elizabeth;

“Produsent”—

(a) met betrekking tot sigorei, iemand wat betrokke is by die produksie van sigorei;

(b) met betrekking tot 'n hoeveelheid sigorei wat van iemand verkry is as vergoeding vir die reg om grond te gebruik waarop daardie persoon 'n hoeveelheid sigorei geproduseer het, of as beloning vir dienste aan 'n produsent van sigorei gelewer, die persoon wat daardie hoeveelheid aldus verkry het;

(c) met betrekking tot 'n hoeveelheid sigorei wat in die Republiek ingevoer word, die persoon wat daardie hoeveelheid aldus invoer;

“Raad” die by artikel 6 ingestelde Sigoreiraad;

“Republiek” nie ook die Gebied nie;

“Sigorei” die wortel van die sigoreiplant *Cichorium intybus* L in sy ongebrande vorm, hetsy gekerf of ongekorf, gedroog of ongedroog en vir die toepassing van artikel 17 ook gebrande en gemaalde sigorei.

PART I

NAME, SCOPE AND APPLICATION OF SCHEME

Name of Scheme

2. This Scheme shall be called the Chicory Scheme.

Product to which Scheme relates

3. (1) This Scheme relates to chicory produced in or imported into the Republic.

(2) Any requirements of, or prohibition imposed or decision taken by the Board which relates to any class of chicory, may differ from any such requirement or prohibition or decision which relates to any other class of chicory.

Area in which Scheme applies

4. (1) This Scheme shall apply in the Republic.

(2) Any requirement of, or prohibition imposed or decision taken by the Board which relates to any portion of the Republic, may differ from any such requirement or prohibition or decision which relates to any other portion of the Republic.

Persons to whom Scheme applies

5. This Scheme shall apply to persons producing or dealing in the course of trade with chicory.

PART II

THE CONTROL BOARD

Establishment

6. (1) This Scheme shall be administered by the Chicory Control Board referred to in the Chicory Control Scheme, published by Proclamation R. 235 of 1962, as amended, which shall notwithstanding the substitution for that Scheme of this Scheme, continue to exist as a control board and will henceforth be known as the Chicory Board.

(2) The Board shall be a body corporate capable of suing and being sued in its own name, and of performing all such acts as are necessary for or incidental to the carrying out of its objects and powers under this Scheme.

Constitution

7. (1) The Board shall consist of eight members of whom—

(a) six shall be the representatives of producers of chicory; and

(b) two shall be the representatives of manufacturers of coffee.

(2) The Board may co-opt one person as an advisory member of the Board.

Period of office of members

8. (1) A member of the Board shall, subject to the provisions of section 28A of the Act, be appointed by the Minister for a period of three years: Provided that no person of or over the age of sixty-eight years shall be appointed as a member.

(2) If at the expiration of the period for which a member was appointed, no new appointment was made in his place, that member shall continue to hold office until such an appointment has been made, but in no case for a period longer than three months.

(3) A retiring member shall be eligible for re-appointment.

Allowances

9. The Board may, with the approval of the Minister, determine the allowances payable out of the funds of the Board to its members and advisory members.

DEEL I

NAAM, OMVANG EN TOEPASSING VAN SKEMA

Naam van Skema

2. Hierdie Skema heet die Sigoreiskema.

Produk waarop Skema van toepassing is

3. (1) Hierdie Skema het betrekking op sigorei wat in die Republiek geproduseer of daarin ingevoer is.

(2) 'n Voorskrif van, of verbod opgelê of besluit geneem deur, die Raad met betrekking tot 'n klas sigorei, kan verskil van so 'n voorskrif of verbod of besluit met betrekking tot 'n ander klas sigorei.

Gebied waarin Skema van toepassing is

4. (1) Hierdie Skema is in die Republiek van toepassing.

(2) 'n Voorskrif van, of verbod opgelê of besluit geneem deur, die Raad met betrekking tot 'n gedeelte van die Republiek, kan verskil van so 'n voorskrif of verbod of besluit met betrekking tot 'n ander gedeelte van die Republiek.

Persone op wie Skema van toepassing is

5. Hierdie Skema is van toepassing op alle persone wat sigorei produseer of as 'n besigheid daarmee handel.

DEEL II

DIE BEHEERRAAD

Instelling

6. (1) Hierdie Skema word uitgevoer deur die Sigorei-beheerraad vermeld in die Sigorei-beheerskema, afgekondig by Proklamasie R. 253 van 1962, soos gewysig, wat ondanks die vervanging van daardie Skema deur hierdie Skema, bly voortbestaan as 'n beheerraad en voortaan bekend sal staan as die Sigoreiraad.

(2) Die Raad is met regs persoonlikheid beklee en kan sy eie naam as eiser en verweerder in regte optree en die handelinge verrig wat nodig is of verbonde is aan die bereiking van sy doelstellings en die uitoefening van bevoegdhede ingevolge hierdie Skema.

Samestelling

7. (1) Die Raad bestaan uit agt lede van wie—

(a) ses die verteenwoordigers moet wees van produsente van sigorei; en

(b) twee die verteenwoordigers moet wees van koffiefabrikante.

(2) Die Raad kan een persoon as 'n adviserende lid van die Raad koöpteer.

Ampstermyn van lede

8. (1) 'n Lid van die Raad word, behoudens die bepalinge van artikel 28A van die Wet, vir 'n tydperk van drie jaar deur die Minister aangestel: Met dien verstande dat geen persoon wat agt-en-sestig jaar of ouer is as aangestel mag word nie.

(2) Indien daar, by verstryking van die termyn van 'n lid aangestel was, geen nuwe aanstelling in sy plek gedoen is nie, bly daardie lid in sy amp aan totdat so 'n aanstelling gedoen is, maar in geen geval vir langer as drie maande nie.

(3) 'n Aftredende lid kan weer aangestel word.

Toelaes

9. Die Raad kan, met die Minister se goedkeuring, toelaes vasstel wat uit die Raad se fondse aan sy lede adviserende lede betaal moet word.

Chairman and Vice-Chairman

10. (1) The Board shall whenever it becomes necessary, elect one of its members to be the Chairman and one of its members to be the Vice-Chairman of the Board.

(2) The Chairman of the Board shall, subject to his remaining a member of the Board, hold office as Chairman for the period terminating on the date of the first meeting of the Board [excluding a special meeting of the Board referred to in section 11 (2) or (3)] held subsequent to the expiration of 11 months after the date of his election and be eligible for re-election as Chairman.

(3) The provisions of subsection (2) shall *mutatis mutandis* apply in respect of the Vice-Chairman.

(4) Whenever the Chairman is absent or unable to fulfil any of his functions, the Vice-Chairman shall act in his stead and whenever both of the Chairman and the Vice-Chairman are absent or unable to fulfil their functions the Board shall elect another of its members to act as Chairman during that meeting.

Meetings

11. (1) The meetings of the Board shall be held at such times and places as the Board, or the Chairman, if authorised thereto by the Board, may from time to time determine.

(2) At the written request of not less than three members of the Board, the Chairman shall call a special meeting of the Board to be held within 14 days from the date of receipt of such request and at a time and place determined by him.

(3) A meeting of the Board shall be convened by notice given by or by direction of the Chairman or an official of the Board authorised thereto by the Board.

Quorum and decisions

12. (1) Five members of the Board (excluding advisory members) shall constitute a quorum for any meeting of the Board.

(2) The decision of the majority of the members of the Board present at a meeting of the Board, shall constitute a decision of the Board and in the event of an equality of votes in regard to any matters, the Chairman of the Board shall have a casting vote in addition to his deliberative vote.

Committees of the Board

13. (1) The Board may, with the consent of the Minister and subject to such conditions as the Board may impose, appoint one or more committees from among its members and invest any such committee with such of its powers as it may deem fit: Provided that the Board shall not be divested of any power with which it may invest any such committee.

(2) The Chairman of the Board shall *ex officio* be a member of any committee appointed by the Board under subsection (1).

(3) The Board shall in respect of every committee appointed by it under subsection (1) make rules with regard to the conduct of and procedure at meetings (including the quorum), the manner in which meetings shall be called and matters incidental thereto.

(4) The decision of the majority of all the members of such a committee shall constitute a decision of the committee unless the Board with the approval of the Minister, determines otherwise.

Employment of persons

14. The Board may, subject to such directions as the Minister may issue in a particular case, employ such persons as the Board may consider necessary for the proper performance of its functions and for the attainment of the objects of this Scheme.

Voorsitter en Ondervoorsitter

10. (1) Die Raad kies so dikwels as wat dit nodig word, een van sy lede as Voorsitter en een van sy lede as Ondervoorsitter van die Raad.

(2) Mits hy lid van die Raad bly, beklee die Voorsitter van die Raad sy amp as Voorsitter vir die tydperk wat eindig op die datum van die eerste vergadering van die Raad [uitgesonderd 'n in artikel 11 (2) of (3) bedoelde spesiale vergadering van die Raad] gehou na verstryking van 11 maande na die datum van sy verkiesing en kan hy as Voorsitter herkies word.

(3) Die bepalings van subartikel (2) is *mutatis mutandis* ten opsigte van die Ondervoorsitter van toepassing.

(4) Wanneer die Voorsitter afwesig is of nie in staat is om sy werksaamhede te verrig nie, moet die Ondervoorsitter in sy plek optree en wanneer die Voorsitter sowel as die Ondervoorsitter afwesig is of nie in staat is om hul werksaamhede te verrig nie, moet die Raad een van sy ander lede kies om as Voorsitter op te tree gedurende daardie vergadering.

Vergaderings

11. (1) Die vergaderings van die Raad word gehou op die tye en plekke wat die Raad, of die Voorsitter indien deur die Raad dartoe gemagtig, van tyd tot tyd mag bepaal.

(2) Op skriftelike versoek van minstens drie lede van die Raad moet die Voorsitter 'n spesiale vergadering van die Raad belê wat binne 14 dae na die datum van ontvangs van so 'n versoek, gehou moet word op 'n tyd en plek wat hy bepaal.

(3) 'n Vergadering van die Raad word belê by kennisgewing deur of op gesag van die Voorsitter of enige beamppte van die Raad wat deur die Raad daartoe gemagtig is.

Kworum en besluite

12. (1) Vyf lede van die Raad (uitgesonderd adviserende lede) maak 'n kworum uit vir 'n vergadering van die Raad.

(2) Die beslissing van die meerderheid van die lede van die Raad wat op 'n raadsvergadering teenwoordig is, maak 'n besluit van die Raad uit en by 'n staking van stemme oor enige aangeleentheid het die Voorsitter van die Raad, benewens sy beraadslagende stem, ook 'n beslissende stem.

Raadskomitees

13. (1) Die Raad kan, met die Minister se toestemming en onderworpe aan die voorwaardes wat die Raad op lê, een of meer komitees uit sy lede aanstel en na goeddunke van sy bevoegdhede aan so 'n komitee oordra: Met dien verstande dat die Raad nie ontdoen word van 'n bevoegdheid wat hy aan so 'n komitee oordra nie.

(2) Die Voorsitter van die Raad is *ex officio* lid van 'n komitee deur die Raad kragtens subartikel (1) aangestel.

(3) Die Raad moet ten opsigte van elke komitee wat hy kragtens subartikel (1) aanstel, reëls neerlê met betrekking tot die hou van en die prosedure op vergaderings (met inbegrip van die kworum), die wyse waarop vergaderings belê moet word en aangeleenthede in verband daarmee.

(4) Die beslissing van die meerderheid van al die lede van so 'n komitee maak 'n besluit van die komitee uit, tensy die Raad met die goedkeuring van die Minister anders bepaal.

Indiensneming van persone

14. Die Raad kan, behoudens die voorskrifte wat die Minister in 'n bepaalde geval uitreik, dié persone in diens neem wat die Raad nodig ag vir die behoorlike verrigting van sy werksaamhede en vir die bereiking van die oogmerke van hierdie Skema.

Acquisition of property

15. The Board may—

(a) subject to the provisions of section 34 (2) of the Act, acquire or hire such property as it may consider necessary for the proper performance of its functions and for the attainment of the objects of this Scheme;

(b) accept money or property given to the Board by way of donation, grant or otherwise, and utilise such money or property in such manner as the Minister may approve.

Assistance to undertakings and research work

16. The Board may, with the approval of the Minister, assist by grant or loan or in any other manner—

(a) any undertaking for preserving, processing, manufacturing, storing or conditioning of chicory or of anything which is derived from chicory;

(b) research work relating to the improvement, production, manufacture, processing, storing and marketing of chicory or of anything of which is derived from chicory.

Furnishing of information and advice

17. The Board may—

(a) establish an information service in order to inform producers from time to time about marketing conditions in general or about the condition of a particular market;

(b) advise the Minister as to—

(i) the conditions regarding grades, standards of quality, methods of packing and the marking of chicory or of any receptacle or cover containing it, subject to which such chicory may be sold or imported for sale;

(ii) the prohibition, control or regulation of the importation or export of chicory;

(iii) all matters relating to the marketing or processing of chicory.

Stimulating demand for chicory

18. The Board may take such steps as may be approved by the Minister for fostering or stimulating the demand, whether within or outside the Republic, for chicory or for anything which is derived from chicory.

Co-operation with other persons or another Board

19. The Board may, subject to the provisions of section 38 of the Act, co-operate, with the approval of the Minister, with any person in doing any act which the Board may perform, and do on behalf of any other Board established under any law for or in respect of an agricultural or related industry, any act which such other Board may perform.

PART III

FINANCIAL PROVISIONS

Imposition of levies

20. (1) The Board may, subject to the provisions of section 43 of the Act, with the approval of the Minister and on such basis as the Board may determine, impose a levy on chicory or chicory of a particular class, grade or standard of quality sold by a producer.

(2) A levy imposed under subsection (1) on chicory or chicory of a particular class, grade or standard of quality shall be paid to the Board at such times and in such manner as may be prescribed by regulation under section 89 of the Act, and shall be so payable by a producer on the total quantity of chicory, or on the total quantity of chicory of a particular class, grade or standard of quality,

Verkryging van eiendom

15. Die Raad kan—

(a) behoudens die bepalings van artikel 34 (2) van die Wet, dié eiendom aanskaf of huur wat hy nodig ag vir die behoorlike verrigting van sy werksaamhede en vir die bereiking van die oogmerke van hierdie Skema;

(b) geld of eiendom aanneem wat by wyse van geskenk, toekenning of andersins aan die Raad gegee word, en kan sodanige geld of eiendom gebruik op die wyse wat die Minister goedkeur.

Bystand aan ondernemings en navorsingswerk

16. Die Raad kan, met die Minister se goedkeuring, deur middel van toekenning of lening of op 'n ander wyse bystand verleen—

(a) aan enige onderneming vir die bewaring, verwerking, vervaardiging, opberging of bewerking van sigorei of van iets wat van sigorei verkry word;

(b) in verband met navorsingswerk met betrekking tot die verbetering, produksie, vervaardiging, verwerking opberging of bemarking van sigorei of van iets wat van sigorei verkry word.

Verstreking van inligting en advies

17. Die Raad kan —

(a) 'n inligtingsdiens instel ten einde produsente van tyd tot tyd in te lig aangaande bemarkingstoestande op die algemeen of aangaande die toestand ten opsigte van 'n besondere mark;

(b) die Minister van advies dien aangaande—

(i) die voorwaardes wat betref grade, kwaliteitstandaarde, verpakkingsmetodes en die merk van sigorei of van 'n houer of omhulsel wat dit bevat en waarop sodanige sigorei verkoop mag word of vir verkoop ingevoer mag word;

(ii) die verbod op, of beheer of reëling van, die invoer of uitvoer van sigorei;

(iii) alle aangeleenthede betreffende die bemarking of verwerking van sigorei.

Bevordering van vraag na sigorei

18. Die Raad kan die stappe doen wat die Minister goedkeur ter bevordering of stimulering van die vraag hetsy binne of buite die Republiek, na sigorei.

Samewerking met ander persone of 'n ander Raad

19. Die Raad kan, behoudens die bepalings van artikel 38 van die Wet en met die Minister se goedkeuring, meeneem aan 'n handeling wat die Raad kan verrig en kan namens 'n ander raad wat kragtens 'n wet bepaling vir of ten opsigte van 'n landbou- of verwant bedryf ingestel is, alle handelinge verrig wat daardie ander Raad kan verrig.

DEEL III

FINANSIËLE MAATREËLS

Oplegging van heffings

20. (1) Die Raad kan, behoudens die bepalings van artikel 43 van die Wet, met die goedkeuring van die Minister en op 'n grondslag wat die Raad bepaal, 'n heffing opleë op sigorei of op sigorei van 'n bepaalde klas, graad of kwaliteitstandaard wat deur 'n produsent verkoop word.

(2) 'n Heffing kragtens subartikel (1) opgelê op sigorei of op sigorei van 'n bepaalde klas, graad of kwaliteitstandaard word aan die Raad betaal op die wyse en die tyd wat by regulasie kragtens artikel 89 van die Wet voorgeskryf word en is aldus betaalbaar deur 'n produsent op die totale hoeveelheid sigorei, of op die totale hoeveelheid sigorei van 'n bepaalde klas, graad of kwaliteitstandaard.

as the case may be, sold by him: Provided that the levy on chicory sold by a producer through the Board in terms of a prohibition imposed under section 33, may be deducted from the amount owing to such producer.

Imposition of special levy

21. (1) The Board may, subject to the provisions of section 43 of the Act, with the approval of the Minister and on such basis as the Board may determine, impose a special levy on chicory or chicory of a particular class, grade or standard of quality sold by a producer.

(2) In the application of this section the provisions of section 20 (2) shall *mutatis mutandis* apply and in such application a reference in that section to a levy shall be construed as a reference to a special levy imposed under subsection (1) of this section.

Borrowing of money

22. The Board may borrow money with the approval of the Minister to be utilised for the purpose of attaining the objects of this Scheme.

General Fund

23. (1) There is hereby established a fund to be known as the General Fund, which shall be administered and controlled by the Board and into which shall be paid all moneys received by the Board except such moneys as are to be paid into the Reserve Fund referred to in section 24 or into a special fund contemplated in section 25.

(2) All administrative expenses of the Board shall be paid from the General Fund.

(3) The Board may utilise, with the approval of the Minister, money in the General Fund for any other object which in the opinion of the Board will be to the advantage of persons interested in chicory.

Reserve Fund

24. (1) There is hereby established a fund, to be known as the Reserve Fund, which shall be administered and controlled by the Board and into which shall be paid such moneys received by the Board as may be determined by the Minister and such amounts at the disposal of the Board as may from time to time be approved by the Minister or as may after the end of any financial year under this Scheme be determined by the Minister after consultation with the Board.

(2) The Board shall deal with money in the Reserve Fund in such manner as may be approved by the Minister.

Special funds

25. (1) The Board may establish one or more special funds which shall be administered and controlled by the Board, into which shall be paid the moneys derived from a special levy imposed under section 21, such other moneys received by the Board as may be determined by the Minister and such amounts at the disposal of the Board as may be approved by the Minister.

(2) The Board may deal with money in any such special fund in such manner as may be approved by the Minister.

Disposal of assets of the Board in event of discontinuance of Scheme

26. In the event of discontinuance of this Scheme—

(a) all the assets of the Board after all its debts have been paid, shall be handed over to the Minister and the assets so handed over shall be utilised by the Minister at his discretion for the advancement of the chicory industry;

(b) any deficit which may exist after all the assets of the Board have been realised, shall be borne by producers of chicory in proportion to the respective quantities of chicory sold by such producers during the period of three years immediately preceding the date on which this Scheme is discontinued.

na gelang van die geval deur hom verkoop: Met dien verstande dat die heffing, op sigorei wat 'n produsent ingevolge 'n verbod kragtens artikel 33 deur bemiddeling van die Raad verkoop, afgetrek kan word van die bedrag verskuldig aan sodanige produsent.

Oplegging van spesiale heffing

21. (1) Die Raad kan, behoudens die bepalings van artikel 43 van die Wet, met die goedkeuring van die Minister en op 'n grondslag wat die Raad bepaal, 'n spesiale heffing opleë op sigorei of op sigorei van 'n bepaalde klas, graad of kwaliteitstandaard, wat deur 'n produsent verkoop word.

(2) By die toepassing van hierdie artikel is die bepalings van artikel 20 (2) *mutatis mutandis* van toepassing en by sodanige toepassing word 'n verwysing in daardie artikel na 'n heffing uitgelê as 'n verwysing na 'n spesiale heffing opgelê kragtens subartikel (1) van hierdie artikel.

Leen van geld

22. Die Raad kan, met die Minister se goedkeuring, geld leen wat ter verwesenliking van die oogmerke van hierdie Skema aangewend moet word.

Algemene fonds

23. (1) Hierby word 'n fonds ingestel wat die Algemene Fonds heet, wat deur die Raad bestuur en beheer moet word en waarin alle gelde gestort word wat deur die Raad ontvang word, behalwe die gelde wat in artikel 24 bedoelde reserwefonds of in 'n spesiale fonds in artikel 25 beoog, gestort moet word.

(2) Alle administratiewe uitgawes van die Raad word uit die Algemene Fonds betaal.

(3) Die Raad kan, met die Minister se goedkeuring geld in die Algemene Fonds vir enige ander doel aanwend wat na oordeel van die Raad tot die voordeel sal strek van persone wat belang het by sigorei.

Reserwefonds

24. (1) Hierby word 'n fonds ingestel wat die Reserwefonds heet, wat deur die Raad bestuur en beheer moet word en waarin die gelde deur die Raad ontvang wat die Minister bepaal en die bedrae tot die beskikking van die Raad wat die Minister van tyd tot tyd goedkeur of wat die Minister na die end van 'n boekjaar ingevolge hierdie Skema en na oorlegpleging met die Raad bepaal, gestort moet word.

(2) Die Raad kan oor die geld in die Reserwefonds op die wyse beskik wat die Minister goedkeur.

Spesiale fondse

25. (1) Die Raad kan een of meer spesiale fondse instel wat deur die Raad bestuur en beheer moet word en waarin die gelde verkry uit 'n spesiale heffing kragtens artikel 21 opgelê die ander gelde deur die Raad ontvang wat die Minister bepaal en die bedrae tot die beskikking van die Raad wat die Minister goedkeur, gestort moet word.

(2) Die Raad kan oor die geld in so 'n spesiale fonds beskik op die wyse wat die Minister goedkeur.

Beskikking oor bates van Raad by opheffing van Skema

26. Ingeval hierdie Skema opgehef word—

(a) word alle bates van die Raad, nadat al sy skulde betaal is, aan die Minister oorhandig en die bates aldus oorhandig word deur die Minister na goedgekeur vir die bevordering van die sigoreinywerheid aangewend;

(b) word enige tekort wat mag bestaan nadat al die bates van die Raad tot geld gemaak is, gedra deur produsente van sigorei in verhouding tot die onderskeie hoeveelhede sigorei deur sodanige produsente verkoop gedurende die tydperk van drie jaar onmiddellik voor die datum waarop hierdie Skema opgehef word.

Financial year

27. The financial year under this Scheme shall be the period from the first day of October in any year to the thirtieth day of September in the next succeeding year, both days inclusive.

PART IV

CONTROL UNDER SCHEME

Records, returns and information

28. The Board may, with the approval of the Minister—

(a) require any person, or any person belonging to any class or group of persons, or any person other than a person belonging to any class or group of persons, to furnish the Board with such information relating to chicory, as may be available to such person and as the Board may specify;

(b) prescribe the records to be kept in connection with chicory, the period for which any such record shall be retained and the returns to be rendered in regard to chicory to the Board by any person, or by any person belonging to any class or group of persons or by any person other than a person belonging to any class or group of persons, and the times at which and the form and manner in which such returns shall be so rendered.

Appointment of agents

29. (1) The Board may, subject to conditions approved by the Minister, appoint such agents as it may consider necessary for the proper performance of its functions.

(2) Any person whose application for appointment as an agent under subsection (1) has been refused, or whose appointment as an agent under that subsection has been terminated, may appeal against such refusal or termination to the Minister in terms of section 53 (2) of the Act in the manner prescribed by regulation under section 89 of the Act.

Dealings with chicory, packing material and containers

30. The Board may—

(a) buy chicory at such a price or on such a basis as the Minister may approve;

(b) treat in such manner as it may deem fit, grade, pack, store, process, adapt for sale, insure, transport and, subject to the provisions of section 18, advertise chicory;

(c) sell, whether in its original form or processed wholly or in part, chicory which it has bought, at such a price or on such a basis as the Minister may approve, or withhold any part of it from the market;

(d) on such conditions as the Minister may approve—

(i) purchase packing material and containers which producers may require for the marketing of chicory;

(ii) sell such packing material and containers to producers of chicory or to persons who in the course of their business sell such packing material and containers to such producers;

(iii) finance out of its funds the purchase of such packing material and containers by such producers or persons.

Dealings with plant material

31. The Board may on such conditions as the Minister may approve—

(a) acquire or develop any plant material which producers use for the production of chicory;

(b) multiply or improve such plant material, or sell such plant material to producers of chicory or to persons who in the course of their business sell such plant material to such producers;

Boekjaar

27. Die boekjaar ingevolge hierdie Skema is die tydperk vanaf die eerste dag van Oktober in enige jaar tot die dertigste dag van September in die daaropvolgende jaar, albei dae ingesluit.

DEEL IV

BEHEER KRAGTENS SKEMA

Aantekeninge, opgawes en inligting

28. Die Raad kan, met die Minister se goedkeuring—

(a) enigiemand, of enigiemand wat tot 'n klas of groep persone behoort, of enigiemand behalwe iemand wat tot 'n klas of groep persone behoort, gelas om aan die Raad die inligting met betrekking tot sigorei te verstrek waaroor bedoelde persoon beskik en wat die Raad spesifiseer;

(b) aantekeninge wat in verband met sigorei gehou moet word, die tydperk waarvoor so 'n aantekening behou moet word en die opgawes wat ten opsigte van sodanige sigorei aan die Raad verstrek moet word deur enigiemand, of deur enigiemand wat tot 'n klas of groep persone behoort, of deur enigiemand behalwe iemand wat tot 'n klas of groep persone behoort, voorskryf asook die tye waarop, die vorm waarin en die wyse waarop die bedoelde opgawes aldus verstrek moet word.

Aanstelling van agente

29. (1) Die Raad kan, onderworpe aan voorwaarde deur die Minister goedgekeur, die agente aanstel wat die Raad nodig ag vir die behoorlike verrigting van sy werksaamhede.

(2) Iemand wie se aansoek om aanstelling kragtens subartikel (1) geweier is, of wie se aanstelling kragtens daardie subartikel as 'n agent beëindig is, kan ingevolge artikel 53 (2) van die Wet op die wyse by regulasie kragtens artikel 89 van die Wet voorgeskryf, teen sodanige weiering of beëindiging by die Minister appèl aanteken.

Handeling met sigorei, pakmateriaal en houers

30. Die Raad kan—

(a) teen dié prys of dié grondslag wat die Minister goedkeur, sigorei koop;

(b) sigorei wat hy gekoop het, behandel soos hy goed vind, gradeer, verpak, opberg, verwerk, vir verkoo geskik maak, verseker, vervoer en behoudens dié bepalinge van artikel 18, adverteer;

(c) sigorei wat hy gekoop het, teen dié prys of op dié grondslag wat die Minister goedkeur, verkoop, hets in sy oorspronklike of in gedeeltelike of geheel en al verwerkte vorm, of 'n deel daarvan aan die mark onthou;

(d) op die voorwaardes wat die Minister goedkeur—

(i) pakmateriaal en houers koop wat produsente nodig het vir die bemerking van sigorei;

(ii) sodanige pakmateriaal en houers verkoop aan produsente van sigorei of aan persone wat in die loop van hulle besigheid sodanige pakmateriaal en houers aan bedoelde produsente verkoop;

(iii) die aankoop van sodanige pakmateriaal en houers deur bedoelde produsente of persone uit sy fondse finansier.

Handeling met plantmateriaal

31. Die Raad kan op die voorwaardes wat die Minister goedkeur—

(a) plantmateriaal verkry of ontwikkel wat produsente gebruik vir die produksie van sigorei;

(b) sodanige plantmateriaal vermeerder of verbeter, sodanige plantmateriaal verkoop aan produsente van sigorei of aan persone wat in die loop van hul besigheid sodanige plantmateriaal aan bedoelde produsente verkoop;

(c) finance out of its funds the development, improvement or multiplication of such plant material.

Registration of producers

32. (1) No producer of chicory shall sell chicory within an area in the Republic which the Board has determined with the approval of the Minister, unless he has been registered with the Board.

(2) No person shall be so registered unless he has complied with such requirements as prescribed by regulation; and the Board may—

(a) grant such registration for a period as the Board may determine; and

(b) cancel the registration of such producer who has contravened or failed to comply with such requirements.

(3) The Board may—

(a) grant an application for registration on the conditions determined by the Board;

(b) annually with effect from 1 October render the continued validity of any such registration subject to such conditions as the Board may then determine, whether by the imposition of further or new conditions or by the amendment or cancellation of conditions then existing;

(c) cancel any such registration if the person registered has contravened or failed to comply with any condition imposed by the Board under paragraph (a) or (b).

(4) Any person who is dissatisfied with a decision of the Board in connection with any matter relating to his registration by the Board, may in terms of section 59 (6) of the Act, appeal to the Minister against such decision in the manner prescribed by regulation under section 89 of the Act.

Prohibition of the sale of chicory except to or through the Board

33. (1) The Board may with the approval of the Minister prohibit any producer of chicory from selling chicory, or any class, grade, quantity or percentage thereof, as determined by the Board, from time to time, except to or through the Board.

(2) Whenever the Board has under subsection (1) prohibited the sale of chicory except through the Board, it shall conduct pools for the sale of chicory delivered for sale to the Board by producers in terms of such prohibition.

Prohibition of the purchase or sale of chicory except under permit

34. (1) The Board may, with the approval of the Minister, prohibit any person or any person belonging to any class or group of persons, or person other than a person belonging to any class or group of persons from purchasing or selling chicory, or any class or grade thereof except under authority of a permit, the issue of which shall be in the discretion of the Board and which may be cancelled by the Board if the holder thereof has contravened or failed to comply with any condition specified therein or any provision of this Scheme or of any regulation made under the Act.

(2) The Board may, with the approval of the Minister, determine the applications for permits referred to in subsection (1) shall be considered by the Board during one or more specified months of each calendar year, and fix a date in respect of each such months as the last date on which such applications shall be accepted for consideration during that month, and postpone the consideration of all such applications received after a date so fixed, until the next ensuing month so specified.

(c) die ontwikkeling, verbetering of vermeerdering van sodanige plantmateriaal uit sy fondse finansier.

Registrasie van produsente

32. (1) Geen produsent van sigorei mag sigorei binne 'n gebied in die Republiek wat die Raad met die goedkeuring van die Minister bepaal het, verkoop nie, tensy hy by die Raad geregistreer is.

(2) Geen produsent word aldus geregistreer nie tensy hy voldoen het aan die vereistes by regulasie voorgeskryf en die Raad kan—

(a) so 'n registrasie verleen vir 'n tydperk wat die Raad bepaal; en

(b) die registrasie van so 'n produsent wat bedoelde vereistes oortree het of in gebreke bly om daaraan te voldoen, intrek.

(3) Die Raad kan—

(a) 'n aansoek om registrasie toestaan op die voorwaardes wat die Raad bepaal;

(b) jaarliks met ingang van 1 Oktober, die voortdurende geldigheid van 'n registrasie wat hy toegestaan het onderworpe stel aan die voorwaardes wat die Raad dan bepaal hetsy deur die oplegging van verdere of nuwe voorwaardes of deur die wysiging of intrekking van voorwaardes wat dan bestaan;

(c) so 'n registrasie intrek indien die geregistreerde persoon 'n voorwaarde wat deur die Raad kragtens paragraaf (a) of (b) opgelê is oortree het of versuim het om daaraan te voldoen.

(4) Iemand wat ontevrede is met 'n besluit van die Raad in verband met 'n aangeleentheid betreffende 'n registrasie deur die Raad, kan ingevolge artikel 59 (6) van die Wet, op die wyse by regulasie kragtens artikel 89 van die Wet voorgeskryf, teen sodanige besluit by die Minister appél aanteken.

Verbod op die verkoop van sigorei behalwe deur bemiddeling van die Raad

33. (1) Die Raad kan met die Minister se goedkeuring 'n produsent van sigorei verbied om sigorei, of enige klas, graad, hoeveelheid of persentasie daarvan wat die Raad van tyd tot tyd bepaal, te verkoop behalwe aan of deur bemiddeling van die Raad.

(2) Wanneer die Raad ingevolge subartikel (1) die verkoop van sigorei verbied het behalwe deur bemiddeling van die Raad, moet hy poele bestuur vir die verkoop van sigorei wat deur produsente ingevolge bedoelde verbod aan die Raad vir verkoop gelewer word.

Verbod op die koop of verkoop van sigorei behalwe kragtens permit

34. (1) Die Raad kan met die Minister se goedkeuring enigiemand, of enigiemand wat tot 'n klas of groep persone behoort, of enigiemand behalwe iemand wat tot 'n klas of groep persone behoort, verbied om sigorei of 'n klas of graad daarvan, te koop of te verkoop, behalwe kragtens 'n permit wat na goeddunke deur die Raad uitgereik word en wat deur die Raad ingetrek kan word as die houer daarvan 'n voorwaarde daarin genoem of 'n bepaling van hierdie Skema of van 'n regulasie kragtens die Wet uitgevaardig, oortree het of versuim het om daaraan te voldoen.

(2) Die Raad kan, met die Minister se goedkeuring, bepaal dat aansoeke om die in subartikel (1) bedoelde permitte deur die Raad oorweeg sal word gedurende een of meer vermelde maande van elke kalenderjaar, en ten opsigte van elke sodanige maand 'n datum vasstel as die laaste datum waarop sodanige aansoeke vir oorweging gedurende daardie maand aanvaar sal word, en die oorweging van alle sodanige aansoeke wat na 'n aldus vasgestelde datum ontvang word, tot die eersvolgende aldus vermelde maand uitstel.

(3) Any person whose application for a permit in terms of a prohibition imposed under subsection (1) has been refused, or whose permit in terms of that subsection has been cancelled, may in terms of section 72 (2) of the Act, appeal to the Minister against such refusal or cancellation in the manner prescribed by regulation under section 89 of the Act.

Conduct of pools

35. (1) The Board shall, in respect of each financial year in terms of this Scheme conduct pools for—

(a) undried chicory delivered to the Board during the relevant financial year (hereinafter referred to as the drier pool) and

(b) dried chicory delivered to the Board during the relevant financial year or transferred for the relevant financial year in terms of subsection (3) (a), to the pool contemplated in this paragraph (hereinafter referred to as the sales pool).

(2) Each quantity—

(a) of undried chicory delivered to the Board for drying and sale shall be graded by the Board and on the basis of the mass thereof, be assigned to the drier pool for the account of the person by whom it was so delivered;

(b) of dried chicory delivered to the Board for sale or transferred in terms of subsection (3) (a) from the drier pool to the sales pool, shall be graded by the Board and on the basis of the mass of each grade in such quantity, be assigned to the sales pool for the account of the person by whom it was so delivered or the relevant drier pool from where it was so transferred, as the case may be.

(3) The Board may—

(a) treat in such manner as it may deem fit, store, insure and transport chicory assigned to the drier pool and process undried chicory into dried chicory and pack the dried chicory and transfer such chicory to the sales pool for the corresponding financial year for the account of the drier pool: Provided that F size group dried chicory shall not be so transferred but be sold directly for the account of the drier pool or otherwise be disposed of;

(b) treat in such manner as it may deem fit, pack, store, adapt for sale, insure, transport and advertise, subject to section 18, chicory assigned to the sales pool and sell such chicory, on the basis as the Board may with the approval of the Minister determine.

(4) (a) As soon as possible after all the chicory accepted by the Board for the account of the sales pool as been sold, the Board shall calculate the net proceeds of the sales pool for the various grades of dried chicory in that pool, by deducting from the gross proceeds of each grade of dried chicory the costs in connection with the sale of such chicory of each grade, which shall include the pro rata expenses directly incurred in connection with the receipt, handling, financing and packing of the chicory in that pool and the pro rata costs of conducting the pool as determined by the Board.

(b) The net proceeds of the sales pool calculated for each grade of dried chicory in accordance with paragraph (a), shall after the deduction of the amount of the levy in terms of section 20 and the special levy in terms of section 21 due to the Board on such chicory, and subject to the provisions of subsection (b), be paid to the participants (including the drier pool) for whose account dried chicory was assigned to the relevant grade in the sales pool in terms of subsection (2) (b), in proportion to the respective masses of dried chicory so assigned to that grade for account of the various participants in the sales pool.

(3) Iemand wie se aansoek om 'n permit ingevolge 'n verbod opgelê kragtens subartikel (1) geweier is, of wie se permit kragtens daardie subartikel ingetrek is, kan ingevolge artikel 72 (2) van die Wet op die wyse by regulasie kragtens artikel 89 van die Wet voorgeskryf, teen sodanige weiering of intrekking by die Minister appèl aanteken.

Bestuur van poele

35. (1) Die Raad moet ten opsigte van elke boekjaar ingevolge hierdie Skema poele bestuur vir—

(a) ongedroogte sigorei gedurende die betrokke boekjaar aan die Raad gelewer (hierna die droërpoel genoem); en

(b) gedroogte sigorei gedurende die betrokke boekjaar aan die Raad gelewer of kragtens subartikel (3) (a) aan die in hierdie paragraaf beoogde poel vir die betrokke boekjaar oorgedra (hierna die verkoopspoel genoem).

(2) Elke hoeveelheid—

(a) ongedroogte sigorei aan die Raad vir droging en verkoop gelewer, word deur die Raad gegradeer en op die grondslag van die massa daarvan vir die rekening van die persoon deur wie dit aldus gelewer is, in die droërpoel toegewys;

(b) gedroogte sigorei aan die Raad vir verkoop gelewer of kragtens subartikel (3) (a) uit die droërpoel na die verkoopspoel oorgedra, word deur die Raad gegradeer en op die grondslag van die massa van elke graad in bedoelde hoeveelheid vir die rekening van die persoon deur wie dit aldus gelewer is of die betrokke droërpoel waarvandaan dit aldus oorgedra is, na gelang van die geval, in die verkoopspoel toegewys.

(3) Die Raad kan—

(a) sigorei in die droërpoel toegewys, behandel soos hy goedvind, opberg, verseker, vervoer en ongedroogde sigorei tot gedroogde sigorei verwerk en die gedroogde sigorei verpak en na die verkoopspoel vir die ooreenstemmende boekjaar vir rekening van die droërpoel oordra: Met dien verstande dat F-groottegroep gedroogde sigorei nie aldus oorgedra word nie maar regstreeks vir rekening van die droërpoel verkoop of andersins oorbekik word;

(b) sigorei in die verkoopspoel toegewys, behandel soos hy goedvind, verpak, opberg, vir verkoop geskilmaak, verseker, vervoer en behoudens artikel 18 adverteer en kan sodanige sigorei op die grondslag wat die Raad met goedkeuring van die Minister mag bepaal verkoop.

(4) (a) So gou doenlik nadat al die sigorei wat die Raad vir die rekening van die verkoopspoel aangeneem het, verkoop is, moet die Raad die netto opbrengs van die verkoopspoel vir die verskillende grade gedroogde sigorei in daardie poel, bereken deur van die bruto opbrengs van elke graad gedroogde sigorei af te trek die koste verbond aan die verkoop van sodanige sigorei van elke graad waarby ingesluit word die *pro rata*-uitgawes regstreeks in verband met die ontvangs, hantering, finansiering en verpakking van die sigorei in daardie poel aangegaan en die *pro rata* koste van bestuur van die poel soos deur die Raad bepaal.

(b) Die netto opbrengs van die verkoopspoel vir elk graad gedroogde sigorei ooreenkomstig paragraaf (a) bereken, moet na aftrekking van die bedrag van die heffing kragtens artikel 20 en die spesiale heffing kragtens artikel 21 op die betrokke sigorei aan die Raad verskuldig, en behoudens die bepalings van subartikel (6), aan die deelnemers (met inbegrip van die droërpoel) vir wie se rekening gedroogde sigorei aan die betrokke graad in die verkoopspoel kragtens subartikel (2) (b) toegewys is, betaal word in verhouding tot die onderskeie massas gedroogde sigorei aldus aan daardie graad vir rekening van die verskillende deelnemers in die verkoopspoel toegewys.

(5) (a) As soon as the share of the dried pool in the net proceeds of the sales pool has been paid to the drier pool in terms of subsection (4) and all supplies of F size group dried chicory in the drier pool have been sold or otherwise disposed of the Board shall calculate the net proceeds of the drier pool by deducting from the sum of such payment out of the sales pool and the gross proceeds from the sale of such supplies of F size group chicory, the costs in connection with the drying, transfer and sale or disposal of the chicory in the drier pool, which shall include all expenses directly incurred in connection with the receipt, handling and packing of the chicory in that pool and the costs of conducting the pool as determined by the Board.

(b) The net proceeds of the drier pool as calculated in accordance with paragraph (a) shall, subject to the provisions of subsection (6), be paid to the participants for whose account undried chicory was assigned to the drier pool in terms of subsection (2) (a), in proportion to the respective masses undried chicory so assigned for account of the various participants in the drier pool.

(6) The total amount payable to a participant in a pool in terms of subsection (4) (b) or (5) (b), shall be reduced—

(a) by the amount of any advance payments paid to such participants in terms of subsection (7);

(b) by any other amount which may be owing by him to the Board in terms of this Scheme.

(7) The Board may from time to time but prior to the calculation of the net proceeds of a pool in terms of subsection (4) (a) or (5) (a) make advance payments to participants in a pool as may be approved by the Minister—

(a) in the case of the sales pool, in proportion to the respective masses of dried chicory of each grade assigned for account of the various participants to the sales pool in terms of subsection (2) (b); and

(b) in the case of the drier pool, in proportion to the respective masses of undried chicory assigned for account of the various participants in the drier pool in terms of subsection (2) (a):

Provided that the total advances so made to a participant shall not exceed 80 per cent of the amount which the Board estimates as the value of the chicory on which the advances are made.

(8) The Board may, with the approval of the Minister, transfer a portion of the proceeds in a drier or sales pool to another drier or sales pool conducted by the Board, as the case may be.

(9) For the purposes of this section—

“F size group”, in relation to dried chicory, means chicory root which passes through a sieve with meshes of 3,2 mm by 6,4 mm;

“grade”—

(a) in relation to undried chicory, means a grade prescribed for undried chicory under section 89 of the Act;

(b) in relation to dried chicory means a grade so prescribed for dried chicory;

“deliver” means to deliver at the drier or at the stores of the Board;

“mass”—

(a) in relation to a quantity of undried chicory, means the mass of that quantity at the time of assignment thereof to a pool, or, if the Board is of the opinion that the yield potential of that quantity, due to the grade thereof, is lower than that of undried chicory of a higher grade, the mass of that quantity at such assignment as reduced in accordance with a formula determined by the Board;

(5) (a) Sodra die droërpoel se aandeel in die netto opbrengs van die verkoopspeel kragtens subartikel (4) aan die droërpoel betaal is en alle voorrade F-groottegroep gedroogte sigorei in die droërpoel verkoop of andersins oor beskik is, moet die Raad die netto opbrengs van die droërpoel bereken deur van die som van bedoelde betaling uit die verkoopspeel en die bruto opbrengs van die verkoop van bedoelde voorrade F-groottegroep sigorei, af te trek die koste verbonde aan die droging, oordrag en verkoop van of beskikking oor die sigorei in die droërpoel, waarby ingesluit word alle uitgawes regstreeks in verband met die ontvangs, hantering en verpakking van die sigorei in daardie poel aangegaan en die koste van bestuur van die poel soos deur die Raad bepaal.

(b) Die netto opbrengs van die droërpoel ooreenkomstig paragraaf (a) bereken, moet behoudens die bepalinge van subartikel (6), aan die deelnemers vir wie se rekening ongedroogte sigorei in die droërpoel kragtens subartikel (2) (a) toegewys is, betaal word in verhouding tot die onderskeie massas ongedroogte sigorei aldus vir rekening van die verskillende deelnemers in die droërpoel toegewys.

(6) Die totale bedrag wat aan 'n deelnemer in 'n poel ingevolge subartikel (4) (b) of (5) (b) betaalbaar is, moet verminder word—

(a) met die bedrag van enige voorskot kragtens subartikel (7) aan so 'n deelnemer betaal;

(b) met enige ander bedrag wat kragtens hierdie Skema deur hom aan die Raad verskuldig mag wees.

(7) Die Raad kan van tyd tot tyd, maar voordat die netto opbrengs van 'n poel kragtens subartikel (4) (a) of (5) (a) bereken is, aan die deelnemers in 'n poel sodanige voorskotte betaal as wat die Minister mag goedkeur—

(a) in die geval van die verkoopspeel, in verhouding tot die onderskeie massas gedroogde sigorei van elke graad vir rekening van die verskillende deelnemers in die verkoopspeel kragtens subartikel (2) (b) toegewys; en

(b) in die geval van die droërpoel, in verhouding tot die onderskeie massas gedroogde sigorei vir rekening van die verskillende deelnemers in die droërpoel kragtens subartikel (2) (a) toegewys:

Met dien verstande dat die totale voorskotte aldus aan 'n deelnemer voorgeskiet nie 80 persent van die bedrag wat na skatting van die Raad die waarde is van die sigorei waarop die voorskotte bepaal word, mag oorskry nie.

(8) Die Raad kan, met die goedkeuring van die Minister, 'n gedeelte van die opbrengs in 'n droër- of verkoopspeel oordra na 'n ander droër- of verkoopspeel na gelang van die geval, deur die Raad bestuur.

(9) By die toepassing van hierdie artikel beteken—

“F-groottegroep”, met betrekking tot gedroogde sigorei, sigoreiwortel wat deur 'n sif met mate 3,2 mm by 6,4 mm gaan;

“graad”—

(a) met betrekking tot ongedroogde sigorei, 'n graad voorgeskryf vir ongedroogde sigorei kragtens artikel 89 van die Wet;

(b) met betrekking tot gedroogde sigorei, 'n graad aldus voorgeskryf vir gedroogde sigorei;

“lewer” lewer by die droër of pakhuis van die Raad;

“massa”—

(a) met betrekking tot 'n hoeveelheid ongedroogde sigorei, die massa van daardie hoeveelheid op die tydstip van toewysing daarvan in 'n poel, of, indien die Raad van oordeel is dat die opbrengspotensiaal van daardie hoeveelheid as gevolg van die graad daarvan laer is as dié van ongedroogte sigorei van 'n hoër graad, die massa van daardie hoeveelheid by sodanige toewysing soos verminder volgens 'n formule deur die Raad bepaal;

(b) in relation to a quantity of dried chicory, means the mass of that quantity at the time of assignment thereof to a pool.

PART V

MISCELLANEOUS PROVISIONS

Offences and penalties

36. Any person who—

(a) fails to pay a levy imposed under section 20 or a special levy imposed under section 21 in the prescribed manner or within the prescribed period;

(b) fails to comply with a requirement issued under section 28;

(c) contravenes the provisions of section 32;

(d) contravenes the provisions of any prohibition imposed under sections 33 or 34;

shall be guilty of an offence and liable on conviction to a fine not exceeding R200 or to imprisonment for a period not exceeding six months or to both such fine and such imprisonment.

Savings

37. Any appointment, authorisation, registration, decision, levy, special levy, prohibition, requirement, direction, determination, regulation or notice made, issued, taken, imposed, promulgated or published or any other thing done under a provision of the Chicory Control Scheme, published by Proclamation R. 235 of 1962, as amended, shall be deemed to have been made, issued, taken, imposed, promulgated, published or done under the corresponding provision of this Scheme.

No. R. 160, 1978

COMING INTO OPERATION OF THE CIVIL AVIATION OFFENCES AMENDMENT ACT, 1978 (ACT 63 OF 1978)

Under and by virtue of the powers vested in me by section 6 (1) of the Civil Aviation Offences Amendment Act, 1978 (Act 63 of 1978), I hereby fix the 23rd day of June, One thousand Nine hundred and Seventy-eight, as the date of the coming into operation of the said Act.

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

N. DIEDERICH, State President.

By Order of the State President-in-Council:

S. L. MULLER.

GOVERNMENT NOTICES

DEPARTMENT OF AGRICULTURAL ECONOMICS AND MARKETING

No. R. 1228

16 June 1978

PRICES OF SOUTH AFRICAN WINE EXPORTED TO THE EUROPEAN ECONOMIC COMMUNITY

Under the powers vested in me by section 84E of the Marketing Act, 1968 (Act 59 of 1968), I, Hendrik Stephanus Johan Schoeman, Minister of Agriculture, hereby make known that I have imposed the prohibition set out in the Schedule hereto, in substitution of the prohibition published by Government Notice R. 2665 of 30 December 1977, as amended.

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

(b) met betrekking tot 'n hoeveelheid gedroogde sigorei, die massa van daardie hoeveelheid op die tydstip van toewysing daarvan in 'n pool.

DEEL V

DIVERSE BEPALINGS

Misdrywe en strawwe

36. Iemand wat—

(a) versuim om 'n kragtens artikel 20 opgelegde heffing of kragtens artikel 21 opgelegde spesiale heffing op die voorgeskrewe wyse of binne die voorgeskrewe tydperk te betaal;

(b) versuim om aan 'n voorskrif uitgereik kragtens artikel 28 te voldoen;

(c) die bepaling van artikel 32 oortree;

(d) die bepaling van 'n kragtens artikel 33 of 34 opgelegde verbod oortree;

is aan 'n misdryf skuldig en by skuldigbevinding strafbaar met 'n boete van hoogstens R200 of met gevangenisstraf vir 'n tydperk van hoogstens ses maande of met sowel sodanige boete as sodanige gevangenisstraf.

Voorbehoude

37. Enige aanstelling, magtiging, registrasie, besluit, heffing, spesiale heffing, verbod, voorskrif, lasgewing, bepaling, reëling of kennisgewing gemaak, verleen, geneem, opgelê, uitgevaardig of gepubliseer of enige ander stappe of enigiets gedoen kragtens 'n bepaling van die Sigorei-reëlingskema, afgekondig by Proklamasie R. 235 van 1962, soos gewysig, word geag gemaak, verleen, geneem, opgelê, uitgevaardig, gepubliseer of gedoen te gewees het kragtens die ooreenstemmende bepaling van hierdie Skema.

No. R. 160, 1978

INWERKINGTREDING VAN DIE WYSIGINGSWET OP MISDRYWE TEEN BURGERLIKE LUGVAART 1978 (WET 63 VAN 1978)

Kragtens die bevoegdheid my verleen by artikel 6 (1) van die Wysigingswet op Misdrywe teen Burgerlike Lugvaart, 1978 (Wet 63 van 1978), bepaal ek hierby dat die datum van die inwerkingtreding van genoemde Wet, die 23ste dag van Junie Eenduisend Negehoenderd Agt-en-sewentig is.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Kaapstad, op hede die Eerste dag van Junie Eenduisend Negehoenderd Agt-en-sewentig.

N. DIEDERICH, Staatspresident.

Op las van die Staatspresident-in-rade:

S. L. MULLER.

GOEWERMENTSKENNISGEWINGS

DEPARTEMENT VAN LANDBOU-EKONOMIE EN -BEMARKING

No. R. 1228

16 Junie 1978

PRYSE VAN SUID-AFRIKAANSE WYN WAT NA DIE EUROPESE EKONOMIESE GEMEENSKAP UITGEVOER WORD

Kragtens die bevoegdheid my verleen by artikel 84E van die Bemerkingswet, 1968 (Wet 59 van 1968), maak ek Hendrik Stephanus Johan Schoeman, Minister van Landbou, hierby bekend dat ek die verbod in die Bylae hiervan uiteengesit, opgelê het ter vervanging van die verbod bepaling afgekondig by Goewermentskennisgewing R. 2665 van 30 Desember 1977, soos gewysig.

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

SCHEDULE

1. In this notice any word or expression to which a meaning has been assigned in the Marketing Act, 1968, shall have a corresponding meaning and—

“degree” means 1 per cent alcohol by volume;

“specified country” means Belgium, Denmark, Federal Republic of Germany, France, Ireland, Italy, Luxemburg, The Netherlands and the United Kingdom of Great Britain and Northern Ireland;

“unit of account” means the monetary value of 0,888 670 88 gram fine gold.

2. No person shall export from the Republic wine of any of the following types to any specified country by reason of or with a view to a sale at a price below the price indicated hereunder for the type concerned:

Type of wine	Minimum price in units of account delivered at a point of entry in the specified country in question
(a) Red wine.....	2,60 units of account per degree/hl less an amount equal to the customs duty per degree/hl of the specified country in question.
(b) White wine offered on importation into a specified country under the designation “Riesling” or “Sylvaner”	52,16 units of account per hl less an amount equal to the customs duty per hl of the specified country in question.
(c) White wine excluding the white wine referred to in paragraph (b)	2,47 units of account per degree/hl less an amount equal to the customs duty per degree/hl of the specified country in question.
(d) Distillation wine.....	1,60 units of account per degree/hl less an amount equal to the customs duty per degree/hl of the specified country in question.
(e) Liqueur wine:	
(i) 13°–18°:	
(aa) Two litres or less....	49 units of account per hl less an amount equal to the customs duty per hl of the specified country in question.
(bb) More than two litres....	34 units of account per hl less an amount equal to the customs duty per hl of the specified country in question.
(ii) 18°–22°:	
(aa) Two litres or less....	59 units of account per hl less an amount equal to the customs duty per hl of the specified country in question.
(bb) More than two litres	41 units of account per hl less an amount equal to the customs duty per hl of the specified country in question.
(iii) 22° plus:	
(aa) Two litres or less....	38,80 units of account per hl less an amount equal to the customs duty per hl of the specified country in question.
(bb) More than two litres	30,80 units of account per hl less an amount equal to the customs duty per hl of the specified country in question.
f) Liqueur wine destined to be transformed into vermouth and other wine flavoured with aromatic extracts:	
(i) 13°–18°.....	26 units of account per hl less an amount equal to the customs duty per hl of the specified country in question.
(ii) 18°–22°.....	31 units of account per hl less an amount equal to the customs duty per hl of the specified country in question.
(iii) 22° plus.....	20,80 units of account per hl less an amount equal to the customs duty per hl of the specified country in question.

BYLAE

1. In hierdie kennisgewing het 'n woord of uitdrukking waaraan in die Bemarkingswet, 1968, 'n betekenis geheg is, 'n ooreenstemmende betekenis en beteken—

“gespesifiseerde land”, België, Denemarke, Federale Republiek van Duitsland, Frankryk, Ierland, Italië, Luxemburg, Nederland en die Verenigde Koninkryk van Groot Brittanje en Noord Ierland;

“graad” 1 persent alkohol per volume;

“rekeneenheid” die geldwaarde van 0,888 670 88 gram fyn goud.

2. Niemand mag wyn van enige van die volgende tipes uit die Republiek na 'n gespesifiseerde land uitvoer op grond van of met die oog op 'n verkoping teen 'n laer prys as die prys hieronder vir die betrokke tipe aangedui nie:

Tipe wyn	Minimum prys in rekeneenhede gelewer by die inklaringspunt in die betrokke gespesifiseerde land
(a) Rooiwyn.....	2,60 rekeneenhede per graad/hl minus 'n bedrag gelykstaande aan die doeanereg per graad/hl van die betrokke gespesifiseerde land.
(b) Witwyn by invoer in 'n gespesifiseerde land aangebied onder die benaming “Riesling” of “Sylvaner”	52,16 rekeneenhede per hl minus 'n bedrag gelykstaande aan die doeanereg per hl van die betrokke gespesifiseerde land.
(c) Witwyn uitgesonderd dié in paragraaf (b) bedoelde wyn	2,47 rekeneenhede per graad/hl minus 'n bedrag gelykstaande aan die doeanereg per graad/hl van die betrokke gespesifiseerde land.
(d) Stookwyn.....	1,60 rekeneenhede per graad/hl minus 'n bedrag gelykstaande aan die doeanereg per graad/hl van die betrokke gespesifiseerde land.
(e) Likeurwyn:	
(i) 13°–18°:	
(aa) Twee liter of minder	49 rekeneenhede per hl minus 'n bedrag gelykstaande aan die doeanereg per hl van die betrokke gespesifiseerde land.
(bb) Meer as twee liter....	34 rekeneenhede per hl minus 'n bedrag gelykstaande aan die doeanereg per hl van die betrokke gespesifiseerde land.
(ii) 18°–22°:	
(aa) Twee liter of minder...	59 rekeneenhede per hl minus 'n bedrag gelykstaande aan die doeanereg per hl van die betrokke gespesifiseerde land.
(bb) Meer as twee liter....	41 rekeneenhede per hl minus 'n bedrag gelykstaande aan die doeanereg per hl van die betrokke gespesifiseerde land.
(iii) 22° plus:	
(aa) Twee liter of minder..	38,80 rekeneenhede per hl minus 'n bedrag gelykstaande aan die doeanereg per hl van die betrokke gespesifiseerde land.
(bb) Meer as twee liter....	30,80 rekeneenhede per hl minus 'n bedrag gelykstaande aan die doeanereg per hl van die betrokke gespesifiseerde land.
(f) Likeurwyn bestem vir omsetting in vermoet en ander wyn gegeur met aromatiese ekstrakte:	
(i) 13°–18°.....	26 rekeneenhede per hl minus 'n bedrag gelykstaande aan die doeanereg per hl van die betrokke gespesifiseerde land.
(ii) 18°–22°.....	31 rekeneenhede per hl minus 'n bedrag gelykstaande aan die doeanereg per hl van die betrokke gespesifiseerde land.
(iii) 22° plus.....	20,80 rekeneenhede per hl minus 'n bedrag gelykstaande aan die doeanereg per hl van die betrokke gespesifiseerde land.

3. A fixed amount of 18 units of account per hectolitre shall be added in respect of the products listed in paragraphs (a), (b) and (c) of clause 2, where these products are exported in containers of two litres or less.

4. This Notice shall come into operation on the date of publication hereof and repeals Government Notice R. 2665 of 30 December 1977 with effect from the same date.

No. R. 1235

16 June 1978

IMPOSITION OF LEVY AND SPECIAL LEVY ON WOOL

In terms of section 79 (a) of the Marketing Act, 1968 (Act 59 of 1968), I, Hendrik Stephanus Johan Schoeman, Minister of Agriculture, hereby make known that the South African Wool Board, referred to in section 6 of the Wool Scheme, published by Proclamation R. 155 of 1972, as amended, has, under sections 22 and 23 of that Scheme, with my approval and with effect from 1 July 1978 imposed the levy and special levy as set out in the Schedule hereto in substitution for the levy and special levy published by Government Notice R. 1556 of 27 August 1976, as amended, which is hereby repealed with effect from the same date.

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

SCHEDULE

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

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

2. A levy of 2,8c per kg is hereby imposed on—

(a) wool sold through the Board;

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

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

3. (a) A special levy of 5 per cent of the gross selling price of wool is hereby imposed on wool sold through the Board;

(b) a special levy of 1,3c per kg is hereby imposed on wool, excluding karakul wool and wool produced in Lesotho, the Transkei and Ciskei which is sold through the Board.

No. R. 1236

16 June 1978

GENERAL LEVY ON WOOL

In terms of section 46A of the Marketing Act, 1968 (Act 59 of 1968), I, Hendrik Stephanus Johan Schoeman, Minister of Agriculture, hereby make known that I have, under the powers vested in me by the said section 46A, imposed the general levy, set out in the Schedule hereto in substitution for the general levy, published by Government Notice R. 609 of 31 March 1978.

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

3. 'n Vaste bedrag van 18 rekeneenhede per hektoliter moet bygevoeg word ten opsigte van die produkte genoem in paragrawe (a), (b) en (c) van klousule 2, wanneer sodanige produkte in houters van twee liter of minder uitgevoer word.

4. Hierdie kennisgewing tree in werking op die datum van publikasie hiervan en herroep Goewermentskennisgewing R. 2665 van 30 Desember 1977 met ingang vanaf dieselfde datum.

No. R. 1235

16 Junie 1978

OPLEGGING VAN HEFFING EN SPESIALE HEFFING OP WOL

Ingevolge artikel 79 (a) van die Bemarkingswet, 1968 (Wet 59 van 1968), maak ek, Hendrik Stephanus Johan Schoeman, Minister van Landbou, hierby bekend dat die Suid-Afrikaanse Wolraad, vermeld in artikel 6 van die Wolskema, afgekondig by Proklamasie R. 155 van 1972, soos gewysig, kragtens artikels 22 en 23 van daardie Skema, met my goedkeuring en met ingang van 1 Julie 1978, die heffing en spesiale heffing in die Bylae hiervan uiteengesit, opgelê het ter vervanging van die heffing en spesiale heffing afgekondig by Goewermentskennisgewing R. 1556 van 27 Augustus 1976, soos gewysig, hierby herroep word, met ingang van dieselfde datum.

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

BYLAE

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

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

2. 'n Heffing van 2,8c per kg word hierby opgelê op—

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

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

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

3. (a) 'n Spesiale heffing van 5 persent van die bruto verkoopprijs van wol word hierby opgelê op wol wat deur bemiddeling van die Raad verkoop word;

(b) 'n spesiale heffing van 1,3c per kg word hierby opgelê op wol, uitgesonder karakoelwol en wol geproduseer in Lesotho, die Transkei en Ciskei, wat deur bemiddeling van die Raad verkoop word.

No. R. 1236

16 Junie 1978

ALGEMENE HEFFING OP WOL

Ingevolge artikel 46A van die Bemarkingswet, 1968 (Wet 59 van 1968), maak ek, Hendrik Stephanus Johan Schoeman, Minister van Landbou, hierby bekend dat ek, kragtens die bevoegdheid my verleen by die genoemde artikel 46A die algemene heffing, in die Bylae hiervan uiteengesit opgelê het ter vervanging van die algemene heffing afgekondig by Goewermentskennisgewing R. 609 van 31 Maart 1978.

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

SCHEDULE

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

“wool” means the natural coat of the sheep (*genus ovis*), excluding such wool produced in South West Africa, Lesotho, Transkei and the Ciskei.

2. A general levy of 0,2c per kg is hereby imposed on—

(a) all wool produced in the Republic and sold through the Board;

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

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

3. The Board may recover the amount of the levy imposed under clause 1, by deducting it from the amount to be paid out as an advance payment for such wool in terms of section 36 (8) of the said Scheme.

4. Government Notice R. 609 of 31 March 1978 is hereby repealed.

BYLAE

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

“wol” die natuurlike bedekking van die skaap (*genus ovis*), behalwe sodanige wol wat in Suidwes-Afrika, Lesotho, Transkei en die Ciskei geproduseer is.

2. 'n Algemene heffing van 0,2c per kg word hierby opgelê op—

(a) alle wol wat in die Republiek geproduseer en deur bemiddeling van die Raad verkoop word;

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

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

3. Die Raad kan die bedrag van die in klousule 2 opgeleide algemene heffing verhaal deur dit af te trek van die bedrag wat uitbetaal word as voorskot vir sodanige wol kragtens artikel 36 (8) van genoemde Skema.

4. Goewermentskennisgewing R. 609 van 31 Maart 1978 word hierby herroep.

DEPARTMENT OF CUSTOMS AND EXCISE

No. R. 1225

16 June 1978

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE 5 (No. 5/79)

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

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

DEPARTEMENT VAN DOEANE EN AKSYNS

No. R. 1225

16 Junie 1978

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE 5 (No. 5/79)

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

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

SCHEDULE

I Item	II Tariff Heading and Description	III Extent of Drawback
502.02	By the insertion after tariff heading No. 10.06 of the following: “28.31 Sodium chlorite, used in the bleaching of flowers	Full duty”
511.16	By the insertion before tariff heading No. 56.05 of the following: “53.07 Yarn of combed sheep's or lambs' wool (worsted yarn), not put up for retail sale, used in the weaving of fabrics	Full duty”

Notes.—

- Provision is made for a drawback of the full duty on sodium chlorite used in the bleaching of flowers for export.
- Provision is made for a drawback of the full duty on yarn of combed sheep's or lambs' wool (worsted yarn), not put up for retail sale, used in the weaving of fabrics for export.

BYLAE

I Item	II Tariefpos en Beskrywing	III Mate van Teruggawe
502.02	Deur na tariefpos No. 10.06 die volgende in te voeg: „28.31 Natriumchloriet, gebruik by die bleik van blomme	Volle reg”
511.16	Deur voor tariefpos No. 56.05 die volgende in te voeg: „53.07 Garing van gekamde skaap- of lamwol (kamgaring), nie vir kleinhandelverkoop bemark nie, gebruik by die weef van stowwe	Volle reg”

Opmerkings.—

- Voorsiening word gemaak vir 'n teruggawe van die volle reg op natriumchloriet gebruik by die bleik van blomme vir uitvoer.
- Voorsiening word gemaak vir 'n teruggawe van die volle reg op garing van gekamde skaap- of lamwol (kamgaring), nie vir kleinhandelverkoop bemark nie, gebruik by die weef van stowwe vir uitvoer.

No. R. 1223

16 June 1978

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE 3 (No. 3/551)

Under section 75 of the Customs and Excise Act, 1964, Schedule 3 to the said Act is hereby amended to the extent set out in the Schedule hereto.

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

No. R. 1223

16 Junie 1978

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE 3 (No. 3/551)

Kragtens artikel 75 van die Doeane- en Aksynswet, 1964, word Bylae 3 by genoemde Wet hierby gewysig in die mate in die Bylae hiervan aangetoon.

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

SCHEDULE

I Item	II Tariff Heading and Description	III Extent of Rebate
306.08	By the insertion after tariff heading No. 29.15 of the following: "29.22 Monomethylamine, for the manufacture of explosives	Full duty"
312.01	By the substitution for tariff heading No. 59.11 of the following: "59.11 Rubberised textile fabrics (excluding rubberised knitted or crocheted goods)	Full duty"
316.08	By the substitution for item 316.08 of the following: "316.08 Industry: Electric filament lamps and electric discharge lamps (including infra-red and ultra-violet lamps), and arc lamps	
	32.12 Capping paste, for the manufacture of electric filament lamps of voltages not exceeding 24 V	Full duty
	70.11 (1) Glass envelopes (including bulbs and tubes), for the manufacture of electric filament lamps of voltages not exceeding 24 V	Full duty
	(2) Glass envelopes, for the manufacture of electric discharge lamps	Full duty
	85.20 (1) Mountings, filaments, caps and leading-in wires, for the manufacture of electric filament lamps of voltages not exceeding 24 V	Full duty
	(2) Glass envelopes equipped with mountings, filaments and leading-in wires, for the manufacture of electric filament lamps (excluding stop light and tail light filament lamps, whether or not combined, for vehicles) of voltages not exceeding 24 V	Full duty
	(3) Filaments, leading-in wires and quartz burners, for the manufacture of electric discharge lamps	Full duty
	85.24 Resistors, of carbon, for the manufacture of electric discharge lamps	Full duty"

Note.—The effect of this notice is that—

- provision is made for a rebate of the full duty on monomethylamine for the manufacture of explosives;
- rubberised textile fabrics (excluding rubberised knitted or crocheted goods) may now be used under rebate of duty by the footwear industry for any purpose; and
- the heading of item 316.08 is extended and provision is made for a rebate of the full duty on glass envelopes, filaments, leading-in wires, quartz burners and carbon resistors for the manufacture of electric discharge lamps.

BYLAE

I Item	II Tariefpos en Beskrywing	III Mate van Korting
306.08	Deur na tariefpos No. 29.15 die volgende in te voeg: „29.22 Monometielamien, vir die vervaardiging van ontplofbare stowwe	Volle reg"
312.01	Deur tariefpos No. 59.11 deur die volgende te vervang: „59.11 Gerubberde tekstielstowwe (uitgesonderd gerubberde gebreide of gehekelde goedere)	Volle reg"
316.08	Deur item 316.08 deur die volgende te vervang: „316.08 Nywerheid: Elektriese gloeilampe en elektriese ontladingslampe (met inbegrip van infrarooi- en ultravioletlampe), en booglampe	
	32.12 Doppasta, vir die vervaardiging van elektriese gloeilampe met spannings van hoogstens 24 V	Volle reg
	70.11 (1) Glasomhulsels (met inbegrip van bolle en buise), vir die vervaardiging van elektriese gloeilampe met spannings van hoogstens 24 V	Volle reg
	(2) Glasomhulsels, vir die vervaardiging van elektriese ontladingslampe	Volle reg
	85.20 (1) Beslae, gloeidrade, doppe en inleidrade, vir die vervaardiging van elektriese gloeilampe met spannings van hoogstens 24 V	Volle reg
	(2) Glasomhulsels met beslae, gloeidrade en inleidrade toegerus, vir die vervaardiging van elektriese gloeilampe (uitgesonderd stoplig- en sterliggloeilampe, hetsy gekombineer al dan nie, vir voertuie) met spannings van hoogstens 24 V	Volle reg

I Item	II Tariefpos en Beskrywing	III Mate van Korting
	(3) Gloeidrade, inleidrade en kwartsbranders, vir die vervaardiging van elektriese ontladingslampe	Volle reg
85.24	Weerstande, van koolstof, vir die vervaardiging van elektriese ontladingslampe	Volle reg"

Opmerking.—Die uitwerking van hierdie kennisgewing is dat—

- voorsiening gemaak word vir 'n volle korting op reg op monometielamien vir die vervaardiging van ontplofbare stowwe;
- gerubberde tekstielstowwe (uitgesonderd gebreide of gehekelde goedere) nou met korting op reg deur die skoeiselnwyerheid vir enige doel gebruik mag word; en
- die opskrif van item 316.08 uitgebrei word en voorsiening gemaak word vir 'n volle korting op reg op glasomhulsels, gloeidrade, inleidrade, kwartsbranders en koolstofweerstande vir die vervaardiging van elektriese ontladingslampe.

No. R. 1222

16 June 1978

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE 1 (No. 1/1/565)

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

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

No. R. 1222

16 Junie 1978

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE 1 (No. 1/1/565)

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

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

SCHEDULE

I Tariff Heading	II Statistical Unit	III IV V Rate of Duty		
		General	M.F.N.	Preferential
39.07 By the insertion after subheading No. 39.07.90.20 of the following: „.25 Life-jackets	no.	40%		
62.05 By the insertion after subheading No. 62.05.50 of the following: „62.05.60 Life-jackets	no.	20%		
85.20 By the substitution for subheading No. 85.20.97 of the following: „85.20.97 Glass envelopes, equipped with mountings, filaments and leading-in wires	no.	15% or 3,5c each		

Notes.—

- Specific provisions, at the existing rates of duty, are made for life-jackets classifiable within tariff headings Nos. 39.07 and 62.05.
- Subheading No. 85.20.97 is restated.

BYLAE

I Tariefpos	II Statistiese Eenheid	III IV V Skaal van Reg		
		Algemeen	M.B.N.	Voorkeur
39.07 Deur na subpos No. 39.07.90.20 die volgende in te voeg: „.25 Reddingsbaadjies	getal	40%		
62.05 Deur na subpos No. 62.05.50 die volgende in te voeg: „62.05.60 Reddingsbaadjies	getal	20%		
85.20 Deur subpos No. 85.20.97 deur die volgende te vervang: „85.20.97 Glasomhulsels, met beslae, gloeidrade en inleidrade toegerus	getal	15% of 3,5c elk		

Opmerkings.—

- Spesifieke voorsienings, teen die huidige skale van reg, word gemaak vir reddingsbaadjies by tariefposte Nos. 39.07 en 62.05 indeelbaar.
- Subpos No. 85.20.97 word herskryf.

No. R. 1224 16 June 1978

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE 4 (No. 4/222)

Under section 75 of the Customs and Excise Act, 1964, Schedule 4 to the said Act is hereby amended to the extent set out in the Schedule hereto.

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

No. R. 1224

16 Junie 1978

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE 4 (No. 4/222)

Kragtens artikel 75 van die Doeane- en Aksynswet, 1964, word Bylae 4 by genoemde Wet hierby gewysig in die mate in die Bylae hiervan aangetoon.

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

SCHEDULE

I Item	II Tariff Heading and Description	III Extent of Rebate
412.05	By the substitution for item 412.05 of the following: "412.05 Life saving apparatus, including mine rescue apparatus (excluding life-jackets), and fire extinguishing equipment (excluding textile hosepiping and similar tubing, with or without lining, armour or accessories of other materials)"	Full duty"

Note.—The provision for a rebate of duty on life-jackets is withdrawn.

BYLAE

I Item	II Tariefpos en Beskrywing	III Mate van Korting
412.05	Deur item 412.05 deur die volgende te vervang: „412.05 Reddingsapparate, met inbegrip van mynreddingsapparate (uitgesonderd reddingsbaadjies), en brandblustoerusting (uitgesonderd tekstielslang en dergelike buisleiding, met of sonder voering, bewapening of toebehoorsels van ander stowwe)	Volle reg"

Opmerking.—Die voorsiening vir 'n korting op reg op reddingsbaadjies word ingetrek.

DEPARTMENT OF LABOUR

No. R. 1213

16 June 1978

INDUSTRIAL CONCILIATION ACT, 1956

LEATHER INDUSTRY, REPUBLIC OF SOUTH AFRICA.—TANNING SECTION

I, Stephanus Petrus Botha, Minister of Labour, hereby—

(a) in terms of section 48 (1) (a) of the Industrial Conciliation Act, 1956, declare that the provisions of the Agreement which appears in the Schedule hereto and which relates to the Tanning Section of the Leather Industry, shall be binding, with effect from 1 July 1978 and for the period ending 30 June 1979, upon the employers' organisations and the trade unions which entered into the said Agreement and upon the employers and employees who are members of the said organisations or unions;

(b) in terms of section 48 (1) (b) of the said Act, declare that the provisions of the said Agreement, excluding those contained in clauses 2 (1) (a), 3, 18, 22 and 23 (1) (2), shall be binding, with effect from 1 July 1978 and for the period ending 30 June 1979, upon all employers and employees other than those referred to in paragraph (a) of this notice, who are engaged or employed in the said industry in the areas specified in clause 2 (1) (b) of the said Agreement; and

(c) in terms of section 48 (3) (a) of the said Act, declare that in the areas specified in clause 2 (1) (b) of the said Agreement and with effect from 1 July 1978 and for the period ending 30 June 1979, the provisions of the said Agreement, excluding those contained in clauses 2 (1) (a), 3, 4 (3) (e), 18, 22 and 23, shall *mutatis mutandis* be binding upon all Bantu employed in the said Industry by the employers upon whom any

DEPARTEMENT VAN ARBEID

No. R. 1213

16 Junie 1978

WET OP NYWERHEIDSVERSOENING, 1956

LEERNYWERHEID, REPUBLIEK VAN SUID-AFRIKA.—LOOISEKSIE

Ek, Stephanus Petrus Botha, Minister van Arbeid, verklaar hierby—

(a) kragtens artikel 48 (1) (a) van die Wet op Nywerheidsversoening, 1956, dat die bepalings van die Ooreenkoms wat in die Bylae hiervan verskyn en op die Looiseksie van die Leernywerheid betrekking het, met ingang van 1 Julie 1978 en vir die tydperk wat op 30 Junie 1979 eindig, bindend is vir die werkgewersorganisasies en die vakverenigings wat genoemde Ooreenkoms aangegaan het en vir die werkgewers en werknemers wat lede van genoemde organisasies of verenigings is;

(b) kragtens artikel 48 (1) (b) van genoemde Wet, dat die bepalings van genoemde Ooreenkoms, uitgesonderd dié vervat in klousules 2 (1) (a), 3, 18, 22 en 23 (1) (2), met ingang van 1 Julie 1978 en vir die tydperk wat op 30 Junie 1979 eindig, bindend is vir alle ander werkgewers en werknemers as dié genoem in paragraaf (a) van hierdie kennisgewing, wat betrokke is by of in diens is in genoemde Nywerheid in die gebiede gespesifiseer in klousule 2 (1) (b) van genoemde Ooreenkoms en

(c) kragtens artikel 48 (3) (a) van genoemde Wet, dat die bepalings van genoemde Ooreenkoms, uitgesonderd dié vervat in klousules 2 (1) (a), 3, 4 (3) (e), 18, 22, en 23, met ingang van 1 Julie 1978 en vir die tydperk wat op 30 Junie 1979 eindig, in die gebiede gespesifiseer in klousule 2 (1) (b) van genoemde Ooreenkoms *mutatis mutandis* bindend is vir alle Bantoes in diens in genoemde Nywerheid by dié werkgewers vir wie enigen va

of the said provisions are binding in respect of employees and upon those employers in respect of Bantu in their employ.

S. P. BOTHA, Minister of Labour.

SCHEDULE

NATIONAL INDUSTRIAL COUNCIL OF THE LEATHER INDUSTRY OF SOUTH AFRICA.—TANNING SECTION

AGREEMENT

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

(a) South African Tanning Employers' Organisation

and

(b) Transvaal Footwear, Tanning and Leather Trades Association

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

(c) National Union of Leather Workers

and

(d) Transvaal Leather and Allied Trades Industrial Union

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

being parties to the National Industrial Council of the Leather Industry of South Africa.

PROVISIONS APPLICABLE TO THE TANNING SECTION OF THE LEATHER INDUSTRY

1. DEFINITIONS

All expressions used in this Agreement which are defined in the Industrial Conciliation Act, 1956, shall have the same meaning as in that Act; any reference to an Act shall include any amendments of such Act, and unless the contrary intention appears, words importing the masculine gender shall include females; further, unless inconsistent with the context—

"Act" means the Industrial Conciliation Act, 1956;

"artisan" means an employee who is engaged in work normally performed by a skilled artisan and for the purposes of this definition the expression "skilled artisan" means a person who has served his apprenticeship in a trade designated or deemed to have been designated under the Apprenticeship Act, 1944, or who holds a certificate of proficiency issued to him by the Registrar of Apprenticeship in terms of section 6 of the Training of Artisans Act, 1951, or a certificate issued to him by the said Registrar in terms of either section 2 (7) or section 7 (3) of the said Act;

"assistant storeman and/or assistant warehouseman" means an employee who, under the supervision of a storeman and/or warehouseman, is wholly or mainly engaged in performing one or more of the operations referred to in the definition of storeman and/or warehouseman;

"boiler attendant" means an employee who is actively employed in maintaining steam pressure and water content in any boiler, and who may also be employed on the making and maintaining of fires;

"Council" means the National Industrial Council of the Leather Industry of South Africa, registered in terms of section 2 of Act 1 of 1924, and deemed to have been registered under the Industrial Conciliation Act, 1956;

"day watchman" means an employee who is engaged in guarding premises or property between the hours 06h00 and 18h00;

"despatch clerk" means an employee who is responsible for receiving goods, into or from a store or warehouse or from departments, for despatch or delivery and who is responsible for the packing and/or assembling of such goods, the checking of packages and the mass-measuring, marking or addressing hereof;

"District Committee" means a committee established in accordance with the Constitution of the Council for the administration of agreements in a particular area;

"driver of a motor vehicle" means an employee who is engaged in driving a motor vehicle;

"employee engaged on day work" means an employee, including a day watchman, who is required or permitted to work on such a basis that his ordinary hours of work fall between the hours of 06h00 and 18h00;

"employee engaged on night work" means an employee other than a night watchman, who is required or permitted to work on such a basis that all or a portion of his ordinary hours of work falls between the hours of 18h00 and 06h00;

"establishment" means any place in which any operations in connection with the Industry are carried on;

"Executive Committee" means the Executive Committee of the Council appointed in terms of its Constitution;

genoemde bepalings ten opsigte van werknemers bindend is en vir daardie werkgewers ten opsigte van Bantoes in hul diens.

S. P. BOTHA, Minister van Arbeid.

BYLAE

NASIONALE NYWERHEIDSRaad VIR DIE LEERNYWERHEID VAN SUID-AFRIKA.—LOOISEKSIE

OOREENKOMS

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

(a) South African Tanning Employers' Organisation

en

(b) Transvaal Footwear, Tanning and Leather Trades Association

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

(c) National Union of Leather Workers

en

(d) Transvaal Leather and Allied Trades Industrial Union

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

wat die partye is by die Nasionale Nywerheidsraad vir die Leernywerheid van Suid-Afrika.

BEPALINGS VAN TOEPASSING OP DIE LOOISEKSIE VAN DIE LEERNYWERHEID

1. WOORDOMSKRYWING

Alle uitdrukkings wat in hierdie Ooreenkoms gebesig is en in die Wet op Nywerheidsversoening, 1956, omskryf word, het dieselfde betekenis as in daardie Wet; waar daar van 'n wet melding gemaak word, omvat dit ook alle wysigings van sodanige wet, en tensy die teenoorgestelde bedoeling blyk, omvat woorde wat die manlike geslag aandui, ook vroue; voorts, tensy onbestaanbaar met die samehang, beteken—

"Wet" die Wet op Nywerheidsversoening, 1956;

"ambagsman" 'n werknemer wat werk verrig wat gewoonlik deur 'n geskoolde ambagsman gedoen word, en vir die toepassing van hierdie omskrywing beteken die uitdrukking "geskoolde ambagsman" iemand wat sy leertyd uitgedien het in 'n ambag wat ingevolge die Wet op Vakleerlinge, 1944, aangewys is of geag word aangewys te wees, of wat in besit is van 'n vaardigheidsertifikaat wat deur die Registrateur van Vakleerlinge kragtens artikel 6 van die Wet op Opleiding van Ambagsmanne, 1951, aan hom uitgereik is, of 'n sertifikaat wat deur genoemde Registrateur kragtens of artikel 2 (7) of artikel 7 (3) van genoemde Wet aan hom uitgereik is;

"assistent-magasynmeester en/of assistent-pakhuisman" 'n werknemer wat onder toesig van 'n magasynmeester en/of pakhuisman uitsluitlik of hoofsaaklik een of meer van die werksaamhede verrig wat in die omskrywing van "magasynmeester en/of pakhuisman" vermeld word;

"ketelbediener" 'n werknemer wat aktief werksaam is in verband met die instandhouding van die stoomdruk en waterpeil in 'n stoomketel, en wat ook vure kan maak en in stand hou;

"Raad" die Nasionale Nywerheidsraad vir die Leernywerheid van Suid-Afrika wat ingevolge artikel 2 van Wet 11 van 1924 geregistreer is en geag word geregistreer te wees kragtens die Wet op Nywerheidsversoening, 1956;

"dagwag" 'n werknemer wat tussen die ure 06h00 en 18h00 persele of eiendom bewaak;

"versendingsklerk" 'n werknemer wat verantwoordelik is vir die ontvangs van goedere in of uit 'n magasyn of pakhuis of van afdelings af vir versending of aflewering, en wat verantwoordelik is vir die verpakking en/of bymekaarmaak van sodanige goedere en die nagaan, massameet, merk of adresseer van pakette;

"distrikskomitee" 'n komitee wat ooreenkomstig die konstitusie van die Raad ingestel is om die administrasie van ooreenkomste in 'n bepaalde gebied te behartig;

"motorvoertuigdrywer" 'n werknemer wat 'n motorvoertuig dryf;

"dagwerker" 'n werknemer, met inbegrip van 'n dagwag, van wie vereis word of wat toegelaat word om op so 'n grondslag te werk dat sy gewone werkure tussen 06h00 en 18h00 val;

"nagwerker" 'n werknemer, uitgesonderd 'n nagwag, van wie vereis word of wat toegelaat word om op so 'n grondslag te werk dat al sy gewone werkure of 'n gedeelte daarvan tussen 18h00 en 06h00 val;

"bedryfsinrigting" 'n plek waarin werksaamhede in verband met die Nywerheid verrig word;

"Uitvoerende Komitee" die Uitvoerende Komitee van die Raad wat ooreenkomstig die konstitusie van die Raad aangestel is;

"experience" means the total period or periods of employment, whether prior or subsequent to the date on which this Agreement comes into operation, which an employee has had in the Industry;

"general labourer" means an employee employed wholly or mainly in one or more of the following operations:

- (1) Cleaning premises, machinery, plant, tools, utensils, animals, furniture or other articles;
- (2) washing or cleansing containers;
- (3) carrying, moving and/or stacking raw materials, manufactured or semi-manufactured products, machinery, plant, tools, utensils or other articles;
- (4) loading or unloading vehicles or receptacles;
- (5) removing refuse or ashes;
- (6) opening, closing or packing boxes, packages, bales or crates;
- (7) branding, marking, stencilling boxes, packages or bales;
- (8) making tea, coffee, cocoa or similar beverages;
- (9) assisting on delivery vans or vehicles;
- (10) delivering letters, messages or goods on foot or by means of a bicycle or any manually-propelled vehicle;

"half-day" means the usual morning period of work of the establishment concerned;

"handyman" means an employee who is engaged in making minor repairs to machinery or equipment, and who may effect minor repairs or renovations to buildings but who does not do work normally performed by an artisan;

"hourly wage" means the weekly wage divided by 42, except in the case of a night watchman, when it shall mean the weekly wage divided by 72, and except in the case of an employee engaged on night work, when it shall mean the weekly wage divided by 38;

"Industry" means the Tanning Section of the Leather Industry;

"learner" means an employee who is engaged in learning one or more operations in the Industry;

"Leather Industry" means the Industry in which employers and employees are associated—

(1) for the manufacture mainly from leather of—

(a) footwear, including all types, but not including bespoke made footwear;

(b) attaché cases, bags and all other containers designed to hold personal effects, sporting kit, tools and documents;

(c) harness, bridles, saddlery, saddle bags, leggings, girths, strip straps, military equipment other than clothing, ladies' bags, shopping bags, knitting bags, Bantu bags of the type commonly known as "Xhosa bags", wallets, purses, watch straps, wrist straps, dog collars, dog leads, rug straps, braces, belts, suspenders, garters, armlets and all other like articles, irrespective of their description but which are designed as substitutes for any of the aforementioned;

(2) for the tanning, dressing and fellmongering of hides and skins;

(3) in establishments in which leather goods are also manufactured for the manufacture from materials other than leather of the articles mentioned in paragraph (1): Provided that this paragraph does not include the manufacture of shopping bags made mainly of paper;

(4) for the manufacture of all types of footwear from materials other than leather;

(5) for the manufacture of travelling requisites, including trunks, mainly from leather, fibre, wood, cloth, canvas or fabric or any combination thereof;

(6) for the manufacture of handbags from materials other than leather, in establishments in which leather goods referred to in paragraph (1) are not manufactured, but excluding the manufacture of handbags—

(a) wholly or mainly from metal;

(b) from cardboard (corrugated or otherwise) and/or paper or any compound of paper and/or any like material a constituent part of which is cardboard and/or paper and/or any constituent of paper;

(c) wholly or mainly from plastics other than plastic sheeting material;

(7) for the manufacture, wholly or mainly from leather, of footballs, punchballs, netball balls and boxing gloves;

"motor vehicle" means any power-driven vehicle used for conveying goods and in respect of which a motor carrier certificate or certificate of exemption is required in terms of the Road Transportation Act, 1977;

"night watchman" means an employee who is engaged in guarding premises or property between the hours of 18h00 and 06h00;

"operator" means an employee engaged in feeding leather and/or hides and/or skins into a machine and includes an employee who controls a machine;

"ondervinding" die totale tydperk of tydperke, hetsy voor of na die datum waarop hierdie Ooreenkoms in werking tree, wat 'n werknemer in die Nywerheid werksaam was;

"algemene arbeider" 'n werknemer wat uitsluitlik of hoofsaaklik een of meer van die volgende werksaamhede verrig:

(1) Persele, masjinerie, uitrusting, gereedskap, gerei, diere, meubels of ander artikels skoonmaak;

(2) houters was of skoonmaak;

(3) grondstowwe, vervaardigde of halfvervaardigde produkte, masjinerie, uitrusting, gereedskap, gerei of ander artikels dra, verskuif en/of opstapel;

(4) voertuie of houters laai of aflaai;

(5) afval of as verwyder;

(6) kiste, pakkette, bale of kratte oopmaak, toemaak of volpak;

(7) kiste, pakkette of bale brandmerk, merk of sjabloneer;

(8) tee, koffie, kakao of dergelike drank maak;

(9) op bestelwaens of voertuie help;

(10) briewe, boodskappe of goedere te voet of deur middel van 'n fiets of handvoertuig aflewer;

"halfdag" die gewone oggendwerktydperk van die betrokke bedryfsinrigting;

"faktotum" 'n werknemer wat geringe herstelwerk aan masjinerie of uitrusting doen en wat geringe herstelwerk of opknappingswerk aan geboue kan doen, maar wat nie werk doen wat gewoonlik deur 'n ambagsman verrig word nie;

"uurloon" die weekloon gedeel deur 42, behalwe in die geval van 'n nagwag, waar dit die weekloon gedeel deur 72 beteken, en in die geval van 'n nagwerker, waar dit die weekloon gedeel deur 38 beteken;

"Nywerheid" die Looiseksie van die Leernywerheid;

"leerling" 'n werknemer wat besig is om een of meer werksaamhede in die Nywerheid te leer;

"Leernywerheid" die Nywerheid waarin werkgewers en werknemers met mekaar geassosieer is—

(1) vir die vervaardiging, hoofsaaklik uit leer, van—

(a) alle tipes skoeisel, maar uitgesonderd skoeisel op maat gemaak;

(b) dokumenttasse, tasse en alle ander houters ontwerp om persoonlike besittings, sportuitrusting, gereedskap en dokumente te bevat;

(c) tuie, tooms, saaltuig, saalsakke, kamaste, buikgorde, stiegrieme, militêre uitrusting (uitgesonderd klerasie), damesakke, inkoopsakke, breisakke, Bantoetasse van die tipe algemeen bekend as "Xhosasakke", notebeurse, beursies, horlosiebande, polsbande, halsbande en leiband vir honde, kombesrieme, kruisbande, gordels, kousophouters, kousbande, armband en alle ander dergelike artikels, afgesien van die aard daarvan maar wat bedoel is as plaasvervangers vir enige van bogenoemde artikels;

(2) vir die looi, bewerking en bloting van huide en velle

(3) in bedryfsinrigtings waarin leergoedere ook vervaardig word, vir die vervaardiging, uit ander materiaal as leer, van die artikels in paragraaf (1) vermeld: Met dien verstande dat hierdie paragraaf nie die vervaardiging van inkoopsakke hoofsaaklik van papier gemaak insluit nie;

(4) vir die vervaardiging van alle tipes skoeisel uit ander materiaal as leer;

(5) vir die vervaardiging van reisbenodigdhede, met inbegrip van koffers, hoofsaaklik uit leer, vesel, hout, doek, seildoel of kleedstof, of enige kombinasie daarvan;

(6) vir die vervaardiging van handsakke uit ander materiaal as leer in bedryfsinrigtings waarin leergoedere in paragraaf (1) bedoel, nie vervaardig word nie, maar uitgesonderd die vervaardiging van handsakke—

(a) geheel en al of hoofsaaklik uit metaal;

(b) uit karton (geriffel al dan nie) en/of papier of 'n samestelling van papier en/of 'n soortgelyke materiaal waarvaan enige bestanddeel karton en/of papier en/of 'n bestanddeel van papier is;

(c) geheel en al of hoofsaaklik uit plastiek, uitgesonderd plastiekbladmateriaal;

(7) vir die vervaardiging, geheel en al of hoofsaaklik uit leer van voetballe, slaanballe, netbalballe en bokshandskoene;

"motorvoertuig" 'n kragaangedrewe voertuig wat gebruik word vir die vervoer van goedere en ten opsigte waarvan 'n motorvoertuigsertifikaat of 'n vrystellingsertifikaat ingevolge die Motorvoertuigwet, 1977, vereis word;

"nagwag" 'n werknemer wat tussen die ure 18h00 en 06h00 persele of eiendom bewaak;

"bediener" 'n werknemer wat leer en/of huide en/of velle in 'n masjien voer en dit sluit 'n werknemer in wat 'n masjien beheer;

"plastics" means any one of the group of materials which consists of or contains as an essential ingredient an organic substance of a large molecular mass and which, while solid in the finished state, at some stage in its manufacture has been or can be forced, i.e. cast, calendered, extruded or moulded into various shapes by flow, usually through the application, singly or together, of heat and pressure;

"pay-load" means the "net carrying capacity" or the "net load" which a vehicle may carry or haul in terms of any motor carrier certificate or certificate of exemption issued in respect of such vehicle by the Local Road Transportation Board in terms of the Road Transportation Act, 1977;

"piece-work" means any system by which earnings are based on the quantity or output of work done;

"qualified employee" means an employee who has become entitled by experience to receive the full wage prescribed in his Agreement for the operation upon which he is employed;

"Secretary of the Council" means the General Secretary of the Council and includes any assistant secretary of the Council;

"short-time" means a temporary reduction in the number of ordinary hours of work owing to shortage of work and/or raw materials or a general breakdown of plant or machinery or a breakdown or threatened breakdown of buildings caused by accident or other unforeseen emergency;

"storeman and/or warehouseman" means an employee who is in general charge of stores and who is responsible for receiving goods into store and the storing and handling of same, the delivery of same out of store to departments or for transit and/or for packing within the store or warehouse and the unpacking thereof;

"Tanning Section" means the section of the Leather Industry in which employers and employees are associated for the tanning, pressing and/or fellmongering of hides and skins;

"weekly wage" means the amount of money payable to an employee in terms of clause 4 (1) (a) in respect of his ordinary hours of work as prescribed in clause 5: Provided that—

(i) if an employer regularly pays an employee in respect of such ordinary hours of work an amount higher than that prescribed in clause 4, it means such higher amount;

(ii) the first proviso shall not be construed so as to refer to or include any remuneration which an employee who is employed on any basis provided for in clause 14 received over and above the amount which he would have received if he had not been employed on such basis;

"wool-skin processing" means the processing of skins with the wool on.

2. SCOPE OF APPLICATION OF AGREEMENT

(1) The terms of this Agreement shall be observed in the Tanning Section of the Leather Industry—

(a) by all employers who are members of the employers' organisations and by all employees who are members of the trade unions and who are engaged or employed therein; and

(b) in the Magisterial Districts of The Cape, Wynberg, Paarl, Stellenbosch, Oudtshoorn, Wellington, Mossel Bay, George, Uitenhage, Kirkwood, Barberton, Port Elizabeth, King William's Town, Durban, Pietermaritzburg, Pretoria, Johannesburg, Krugersdorp, Heidelberg (Tvl), Brits, White River, Witbank, Nigel, Germiston and Bloemfontein.

(2) Notwithstanding the provisions of subclause (1), the terms of this Agreement shall apply only to employees for whom wages are prescribed and to the employers of such employees.

3. DATE AND PERIOD OF OPERATION

This Agreement shall come into operation on such date as may be specified by the Minister in terms of section 48 of the Act, and shall remain in operation for the period ending 30 June, 1979 or such period as may be determined by him.

4. WAGES AND RATES

(1) (a) (i) Subject to the provisions of clauses 6 and 20, no employer shall pay and no employee shall accept remuneration rates less than those prescribed in Column A of subclause (i) in respect of any operation performed by such employee and every employer shall further comply with any ratio or other conditions prescribed in this Agreement.

(ii) In the event of an employee not absenting himself from work on any day for any reason, other than on the instructions at the request of or with the consent of the employer, or on account of illness, the wages due to him for that week shall, notwithstanding the provisions of subparagraph (i), be deemed to be the amount reflected in Column B of subclause (6): Provided that in the case of absence owing to illness, the employer may require the employee to produce a certificate signed by a

"plastiek" enigeen van die groep materiale wat uit 'n organiese stof met 'n hoë molekulêre massa bestaan of dit as noodsaaklike bestanddeel bevat en wat, hoewel dit in die voltooide toestand 'n vaste stof is, in een of ander stadium tydens die vervaardiging daarvan in verskillende fatsoene geforseer, d.w.s. gegiet, gekalandeerd, deurgedruk of gevorm is of kan word deur vloeï, gewoonlik deur die aanwending van hitte en druk, afsonderlik of gesamentlik;

"loonvrag" die "netto dravermoë" of "netto vrag" wat 'n voertuig mag dra of trek ooreenkomstig 'n motortransportsertifikaat of vrystellingsertifikaat wat die plaaslike padvervoerraad kragtens die Motortransportwet, 1977, ten opsigte van sodanige voertuig uitgereik het;

"stukwerk" 'n stelsel waarvolgens verdienste gebaseer word op die hoeveelheid werk verrig of produksie gelewer;

"gekwalifiseerde werknemer" 'n werknemer wat op grond van ondervinding daarop geregtig is om die volle loon te ontvang wat in hierdie Ooreenkoms voorgeskryf word vir die werksaamheid wat hy verrig;

"Sekretaris van die Raad" die Hoofsekretaris van die Raad, en dit omvat enige assistent-sekretaris van die Raad;

"korttyd" 'n tydelike vermindering van die getal gewone werkkure weens 'n tekort aan werk en/of grondstowwe of 'n algemene onklaarraking van uitrusting of masjinerie of weens die feit dat die geboue onbruikbaar is of dreig om dit te word as gevolg van 'n ongeluk of ander onvoorsiene noodtoestand;

"magasynmeester en/of pakhuisman" 'n werknemer wat algemene beheer oor voorrade uitoefen en verantwoordelik is vir die ontvangs van goedere in 'n magasyn, die berging en hantering daarvan, die aflewering daarvan uit voorraad aan afdelings of vir deursending en/of verpakking in die magasyn of pakhuis en vir uitpak daarvan;

"Looiseksie" daardie seksie van die Leernywerheid waarin werkgewers en werknemers met mekaar geassosieer is vir die looi, bewerking en/of bloting van huide en velle;

"weekloon" die bedrag betaalbaar aan 'n werknemer ingevolge klousule 4 (1) (a) ten opsigte van sy gewone werkkure soos in klousule 5 voorgeskryf: Met die verstande dat—

(i) as 'n werkgewer 'n werknemer gereeld ten opsigte van sodanige gewone werkkure 'n hoër bedrag betaal as dié in klousule 4 voorgeskryf, dit sodanige hoër bedrag beteken;

(ii) die eerste voorbehoudsbepaling nie so vertolk mag word dat dit op besoldiging betrekking het of besoldiging insluit wat 'n werknemer wat in diens is op enige grondslag in klousule 14 bepaal, ontvang het benewens die bedrag wat hy sou ontvang het as hy nie op sodanige grondslag in diens was nie;

"wolvewerking" die bewerking van velle met die wol nog daaraan.

2. TOEPASSINGSBESTEK VAN OOREENKOMS

(1) Hierdie Ooreenkoms moet nagekom word in die Looiseksie van die Leernywerheid—

(a) deur alle werkgewers wat lede van die werkgewers-organisasies is en deur alle werknemers wat lede van die vakverenigings is en wat onderskeidelik by die Nywerheid betrokke of daarin werksaam is; en

(b) in die landdrosdistrikte Die Kaap, Wynberg, Paarl, Stellenbosch, Oudtshoorn, Wellington, Mosselbaai, George, Uitenhage, Kirkwood, Barberton, Port Elizabeth, King William's Town, Durban, Pietermaritzburg, Pretoria, Johannesburg, Krugersdorp, Heidelberg (Tvl.), Brits, Witrivier, Witbank, Nigel, Germiston en Bloemfontein.

(2) Ondanks subklousule (1), is hierdie Ooreenkoms slegs van toepassing op werknemers vir wie lone voorgeskryf word en op die werkgewers van sodanige werknemers.

3. DATUM VAN INWERKINGTREDE EN GELDIGHEIDSDUUR

Hierdie Ooreenkoms tree in werking op dié datum wat die Minister kragtens artikel 48 van die Wet bepaal en bly van krag vir die tydperk eindigende 30 Junie 1979 of vir dié tydperk wat hy bepaal.

4. LONE EN LOONSKALE

(1) (a) (i) Behoudens klousules 6 en 20, mag geen lone laer as dié voorgeskryf in kolom A van subklousule (6) deur 'n werkgewer betaal en deur 'n werknemer aangeneem word ten opsigte van 'n werksaamheid wat deur so 'n werknemer verrig word nie, en elke werkgewer moet verder voldoen aan enige getalsverhouding of ander voorwaardes in hierdie Ooreenkoms voorgeskryf.

(ii) Ingeval 'n werknemer op enige dag nie om 'n ander rede as op las of op versoek of met toestemming van die werkgewer of weens siekte van die werk af wegby nie, moet die loon wat vir daardie week aan hom verkuldig is, ondanks subparagraaf (i), geag word die bedrag te wees wat in kolom B van subklousule (6) verskyn: Met dien verstande dat, in die geval van afwesigheid weens siekte, die werkgewer van die werknemer kan vereis om as bewys van die oorsaak van afwesigheid 'n sertifikaat onder teken deur 'n geregistreerde geneesheer voor te lê: Voorts met

registered medical practitioner as proof of cause of absence: Provided further that an employee who arrives late for work and the time so lost does not exceed 15 minutes in the aggregate during any one week shall be deemed not to have absented himself from work.

(b) Except in the case of a night watchman and an employee engaged on night work, the wages laid down in this clause shall be payable for a working week of 42 hours, and in the case of night watchmen, the wages shall be payable for a working week of 72 hours, and in the case of an employee engaged on night work the wages shall be payable for a working week of 38 hours. The working week shall end not earlier than on Wednesday in a calendar week.

(2) All remuneration due to an employee shall be paid in cash weekly not later than on Friday and during ordinary working hours of the establishment or on termination of employment if this takes place before the ordinary pay-day of the establishment. The earnings shall be placed in a sealed envelope on the outside of which the name or number and rate of wages of the employee, the date of payment, the hours worked, details of deductions made and the net amount of earnings contained therein shall be written in indelible pencil or ink in the following manner:

Employee.....
 Wage rate.....
 Remuneration for work performed on a Sunday.....
 Hours worked.....
 Wages due.....
 Deductions:
 P.A.Y.E.....
 Unemployment Insurance Fund.....
 Sick Benefit Fund.....
 Provident Fund.....
 Insurance or pension funds.....
 Trade union subscriptions.....
 Council levies.....
 Net earnings.....
 Employer.....
 Date.....

(3) No deductions of any kind, other than the following, may be made from the remuneration due to any employee:

(a) Except where otherwise provided in this Agreement, whenever an employee is absent from work otherwise than on the instructions or at the request of his employer, a deduction proportionate to the period of his absence and calculated on the basis of the wage which such employee was receiving in respect of his ordinary hours of work at the time thereof;

(b) with the written consent of the employee, deductions for holiday, unemployment, sick, insurance or pension funds and for savings funds approved by the Council;

(c) levies in terms of clause 9 of the Agreement;

(d) any amount paid by an employer compelled by a statutory enactment, ordinance or legal process to make payment on behalf of an employee;

(e) with the written consent of the employee, deductions for contributions to the funds of a registered trade union;

(f) whenever the ordinary hours of work prescribed in clause 5 are reduced on account of short-time, a deduction in respect of each hour of such reduction of the employee's weekly wage divided by 42 in the case of an employee engaged on day work and 38 in the case of an employee engaged on night work: Provided that no deduction shall be made—

(i) in the case of short-time arising out of shortage of work and/or raw materials, unless the employer has given his employees notice either individually or in writing posted in the department or departments in which they are employed, not later than the day prior to that in which such short-time is to be worked;

(ii) in the case of short-time owing to a general breakdown of plant or machinery or a breakdown or threatened breakdown of buildings caused by accident or other unforeseen emergency, in respect of the first hour not worked unless the employer has given his employees notice on the previous day that no work will be available.

Notwithstanding the provisions of this paragraph no deduction for short-time shall be made from the wages of a night watchman or a motor vehicle driver.

(4) No premium for the training of an employee shall be charged or accepted by an employer: Provided that this sub-clause shall not apply in respect of a training scheme to which the employer is legally required to contribute.

(5) Where in any establishment work is performed by employees organised in sets or teams, each employee shall be paid his earnings by the employer.

dien verstande dat 'n werknemer wat laat by die werk aankom nie geag word van die werk afwesig te gewees het nie as die tyd aldus verloor in 'n bepaalde week altesaam hoogstens 15 minute beloop.

(b) Behalwe in die geval van nagwagte en nagwerkers, is die lone in hierdie klousule voorgeskryf, vir 'n werkweek van 42 uur betaalbaar. In die geval van nagwagte is die lone vir 'n werkweek van 72 uur betaalbaar en in die geval van nagwerkers, vir 'n werkweek van 38 uur. Die werkweek mag nie vroeër as op Woensdag van 'n kalenderweek eindig nie.

(2) Alle besoldiging wat aan 'n werknemer verskuldig is, moet weekliks voor of op Vrydag in kontant betaal word gedurende die gewone werkure van die bedryfsinrigting of by diensbeëindiging as dit voor die gewone betaaldag van die bedryfsinrigting plaasvind. Die verdienste moet in 'n verseëelde koevert geplaas word waarop die naam of nommer en loonskaal van die werknemer, die betaaldatum, die ure gewerk, besonderhede van aftrekkings en die netto verdienste daarin vervat met 'n inktpotlood of inkskryf moet word en wel soos volg:

Werknemer.....
 Loonskaal.....
 Besoldiging vir werk op 'n Sondag verrig.....
 Ure gewerk.....
 Loon verskuldig.....
 Aftrekkings:
 L.B.S.....
 Werkloosheidsversekeringsfonds.....
 Siektebystandsfonds.....
 Bystandsfonds.....
 Versekerings- of pensioenfonds.....
 Ledegeld vir vakvereniging.....
 Raadsheffings.....
 Netto verdienste.....
 Werkgewer.....
 Datum.....

(3) Hoegenaamd geen bedrae, uitgesonderd die volgende, mag afgetrek word van die besoldiging wat aan 'n werknemer verskuldig is nie:

(a) Behoudens andersluidende bepalings in hierdie Ooreenkoms, waar 'n werknemer van sy werk afwesig is, uitgesonderd op laas of versoek van sy werkgever, 'n bedrag in verhouding tot die tydperk van afwesigheid en bereken op die grondslag van die loon wat so 'n werknemer ten tyde van sy afwesigheid ten opsigte van sy gewone werkure ontvang het;

(b) met die skriftelike toestemming van die werknemer, bedrag vir vakansie-, werkloosheids-, siekte-, versekerings- of pensioenfondse en vir spaarfondse deur die Raad goedgekeur;

(c) heffings ingevolge klousule 9 van die Ooreenkoms;

(d) 'n bedrag wat 'n werkgever ingevolge 'n wet, ordonnans of regsprosedure ten behoeve van 'n werknemer moet betaal en wel betaal het;

(e) met die skriftelike toestemming van die werknemer, bedrag vir bydraes tot die fondse van 'n geregistreerde vakvereniging;

(f) waar die gewone werkure voorgeskryf in klousule 5 verminder word weens korttyd, 'n bedrag ten opsigte van elke uur van sodanige vermindering van die werknemer se weekloon gedeel deur 42 in die geval van 'n dagwerker en 38 in die geval van 'n nagwerker: Met die verstande dat geen aftrekking gemaak mag word nie in geval van korttyd—

(i) wat voortspruit uit 'n tekort aan werk en/of grondstowwe, tensy die werkgever voor of op die dag voor dié wat op sodanige korttyd gewerk moet word, of individueel by skriftelike kennisgewing opgeplak in die afdeling of afdelings waarin hulle werk, die werknemers daarvan in kennis gestel het;

(ii) wat voortspruit uit 'n algemene onklaarraking van uitrusting of masjinerie of uit die feit dat die geboue onbruikbaar is of dreig om dit te word as gevolg van 'n ongeluk of andersonvoorsiene noodtoestand, ten opsigte van die eerste uur waar daar nie gewerk is nie, tensy die werkgever op die vorige dag aan sy werknemers kennis gegee het dat daar geen werk beskikbaar sal wees nie.

Ondanks hierdie paragraaf mag geen aftrekkings vir korttyd van die loon van 'n nagwag of 'n motorvoertuigdrywer gemaak word nie.

(4) 'n Werkgever mag geen premie vir die opleiding van werknemer vra of aanvaar nie: Met dien verstande dat hierdie subklousule nie van toepassing is op 'n opleidingskema wat toe die werkgever volgens wet moet bydra nie.

(5) Waar werk in 'n bedryfsinrigting verrig word deur werknemers wat in spanne of ploë georganiseer is, moet die werkgever die verdienste van elke werknemer aan hom betaal.

(6) Nothing in this Agreement shall operate to reduce any time wage at present being paid which is more favourable to an employee than that laid down in this Agreement for such employee while he remains in the service of the same employer.

WAGES

	Column A	Column B
	Per week R	Per week R
A. Grade A:		
(i) Operators of splitting machines which shall include the setting and adjustments to such machines and the splitting either in the line or tanned conditions or both	52,08	57,33
(a) Learners, according to experience:		
First six months.....	27,72	30,45
Second six months.....	32,76	36,12
Third six months.....	36,75	40,32
Fourth six months.....	42,00	46,20
Fifth six months.....	45,99	50,61
Thereafter.....	52,08	57,33
(b) In every tannery in which a splitting machine is installed there shall be employed at least one splitter at the full rate under A (i) above.		
(ii) Operators of shaving and whitening machines.....	45,99	50,61
(a) Learners, according to experience:		
First six months.....	27,72	30,45
Second six months.....	34,65	38,01
Third six months.....	39,48	43,47
Thereafter.....	45,99	50,61

Grade B:

(a) Employees other than those specified in (b) and (c):		
(i) Employed as first grade table-hands, i.e. hand buffers and whiteners, hand shavers, hand sprayers and employees employed on rounding.....	39,48	43,47
<i>Note.</i> —"Rounding" is the cutting up of untanned hide into bends, bellies, shoulders or backs, but does not include cutting a hide into two sides.		
(ii) Employed as operator of a staking or buffing machine.....	36,96	40,74
(iii) Employed as operator of glazing, all types of measuring, sole substance measuring, sole rolling, hydraulic press, fleshing, sammying, setting, bark milling, unhairing, scudding, seasoning, oiling, washing, brushing, spraying, padding, curtain coating, dust removal, oscillating knife, necking and wrinkle setting machines and employees employed as table-hands (other than first grade) who are using currier's tools or improvised currier's tools on any class of leather and who are using these aforementioned tools on pasting plants or vacuum drying plants, employees engaged on repairing defects in leather, mixing and matching of pigment finish colours, matching dyes, square cutting, sueding by brush and/or emery paper, assisting a splitter in feeding into the front of a splitting machine, operating a mobile hoist truck of the type which requires the driver to be on the vehicle, and employees employed on blackening, greasing, staining, pigmentation and seasoning leather by hand (brush or pad) and as lime yard hand fleshers.....	35,07	38,64

(6) Geen bepaling in hierdie Ooreenkoms mag die uitwerking hê dat dit die tydloon verminder wat tans betaal word en wat vir die werknemer gunstiger is as dié in hierdie Ooreenkoms vir so 'n werknemer voorgeskryf, solank hy by dieselfde werknemer in diens bly nie.

LONE

	Kolom A	Kolom B
	Per week R	Per week R
A. Graad A:		
(i) Bedieners van splitsmasjiene, wat die instel van en regstelling aan sodanige masjiene insluit, en wat leer in die kalk- of looi stadium of in albei splits.....	52,08	57,33
(a) Leerlinge, volgens ondervinding:		
Eerste ses maande.....	27,72	30,45
Tweede ses maande.....	32,76	36,12
Derde ses maande.....	36,75	40,32
Vierde ses maande.....	42,00	46,20
Vyfde ses maande.....	45,99	50,61
Daarna.....	52,08	57,33
(b) In elke looiery waarin daar 'n splitsmasjiene geïnstalleer is, moet daar minstens een splitter in diens wees wat die volle loon in A (i) hierbo vermeld, ontvang.		
(ii) Bedieners van skaaf- en witmaakmasjiene	45,99	50,61
(a) Leerlinge, volgens ondervinding:		
Eerste ses maande.....	27,72	30,45
Tweede ses maande.....	34,65	38,01
Derde ses maande.....	39,48	43,47
Daarna.....	45,99	50,61
B. Graad B:		
(a) Werknemers, uitgesonderd dié in (b) en (c) vermeld:		
(i) In diens as eerstegraadse tafelwerkers, d.w.s. werknemers wat met die hand fynskuur, witmaak, skaaf en spuit en werknemers wat opsniewerk doen...	39,48	43,47
<i>Opmerking.</i> —"Opsniewerk" beteken die opsniewe van ongelooide huide in rugsystukke, pensstukke, bladstukke of rugstukke, maar nie die opsniewe van die huid in twee systukke nie.		
(ii) In diens as bediener van 'n rek-enbreimasjiene of fynskuurmasjiene.....	36,96	40,74
(iii) In diens as bediener van verglansmasjiene, alle tipes meetmasjiene, soolstofmeetmasjiene, sooluitrolmasjiene, hidrouliese perse, ontvleismasjiene, bevochtigingsmasjiene, setmasjiene, basfynmaalmasjiene, onthaarmasjiene, skraapmasjiene, nabehandelmingsmasjiene, oliemasjiene, wasmasjiene, borselmasjiene, spuitmasjiene, opstopmasjiene, gordynbekleermasjiene, stofverwyderingsmasjiene, ossilleermesse, nek vorm- en plooi setmasjiene, en werknemers in diens as tafelwerkers (uitgesonderd eerstegraadse tafelwerkers) wat leerbreiersgereedskap of geïmproviseerde leerbreiersgereedskap op enige soort leer gebruik en wat bogenoemde gereedskap gebruik op lyminstallasies of vakuumdrooginstallasies, werknemers wat gebreke in leer herstel, pigmentafwerkingskleurmeng en pas, kleurstowwe pas, vierkante sny, suède met 'n borsel en/of skuurpapier bewerk, 'n splitter help om materiaal in die voorkant van 'n splitsmasjiene in te voer, 'n mobiele hyswa bedien van die tipe waar die drywer op die voertuig moet sit, en ook werknemers wat leer met die hand (borsel of kussinkie) swart maak, vetsmeer, beits, pigmenteer en nabehandelen in diens doen as vleisskrapers wat die werk met die hand in 'n kalkskuur doen.....	35,07	38,64

	Column A Per week R	Column B Per week R
(b) Learners under the age of 18 years employed on operations specified in paragraph (a) above:		
According to experience:		
First six months.....	19,11	21,00
Second six months.....	21,42	23,52
Third six months.....	26,88	29,61
Thereafter, if employed under—		
(a) (i).....	39,48	43,47
(ii).....	36,96	40,74
(iii).....	35,07	38,64
(c) Learners of the age of 18 years or over employed on operations specified in paragraph (a) above:		
According to experience:		
First six months.....	26,88	29,61
Second six months.....	28,77	31,71
Thereafter, if employed under—		
(a) (i).....	39,48	43,47
(ii).....	36,96	40,74
(iii).....	35,07	38,64
<i>Ratio.</i> —Not more than one learner receiving less than the full rate prescribed for his occupation may be employed to each three or part of three employees on semi-skilled operations receiving the full rate.		
“Part of three” shall mean a remainder of not less than one after the total number of employees receiving full rates has been divided by three.		
C. Grade C:		
(i) Employees—		
(a) employed on scudding, cobbing, tacking, toggling and trimming hides and skins and trimming, breaking and/or fleshing skins with wool or hair on..	27,30	30,03
<i>Note.</i> —“Cobbing” means the trimming of the loose fleshings hanging from the edges of the hides after fleshing;		
(b) employed on oiling, fleshwashing and all shed work, on unskilled labouring operations in the lime yard, tan yard, drum house and on all loading and off-loading work and washing skins with the wool or hair on, and employees engaged on unskilled labouring operations in the manufacture of pump, cup, hat, ram, U, V, or other type of hydraulic leathers.....	26,46	29,19
(c) employed as general labourers.....	26,46	29,19
(d) employed on batch stamping of raw hides or skins.....	28,14	30,87
<i>Note.</i> —All wages prescribed in paragraph (i) above are inclusive of a “dirt allowance” at the rate of 25c per week awarded by the Arbitrator in 1945.		
D. Wool-skin processing machines and operations not elsewhere specified:		
(a) Ironing and/or shearing and/or combing	31,71	34,86
(b) Carding.....	31,71	34,86
(c) Stitching by machine.....	32,55	35,91
(d) Cutting to patterns.....	28,77	31,71
E. Welting, randing and lace cutting departments:		
(a) Operators of splitting, skiving, cutting, grooving and bevelling machines.....	32,55	35,91
(b) All other operations.....	27,30	30,03
F. (i) Storemen and/or warehousemen, despatch clerks.....	32,55	35,91
(ii) Assistant storemen and/or assistant warehousemen.....	30,45	33,39
G. Motor vehicle drivers—		
employed on vehicles of a pay-load of up to and including 2 722 kg.....	34,65	38,01
employed on vehicles of a pay-load of over 2 722 kg but not exceeding 4 536 kg....	38,85	42,63
employed on vehicles of a pay-load of over 4 536 kg.....	43,05	47,25

	Kolom A Per week R	Kolom B Per week R
(b) Leerlinge onder die ouderdom van 18 jaar wat werksaamhede in paragraaf (a) hierbo vermeld, verrig:		
Volgens ondervinding:		
Eerste ses maande.....	19,11	21,00
Tweede ses maande.....	21,42	23,52
Derde ses maande.....	26,88	29,61
Daarna, indien in diens kragtens—		
(a) (i).....	39,48	43,47
(ii).....	36,96	40,74
(iii).....	35,07	38,64
(c) Leerlinge, 18 jaar oud of ouer, wat werksaamhede vermeld, in paragraaf (a) hierbo verrig:		
Volgens ondervinding:		
Eerste ses maande.....	26,88	29,61
Tweede ses maande.....	28,77	31,71
Daarna, indien in diens kragtens—		
(a) (i).....	39,48	43,47
(ii).....	36,96	40,74
(iii).....	35,07	38,64
<i>Getelsverhouding.</i> —Hoogstens een leerling wat minder ontvang as die volle loon vir sy beroep voorgeskryf, kan in diens geneem word vir elke drie of gedeelte van drie werknemers wat halfgeskoolde werk teen die volle loon verrig.		
“Gedeelte van drie” beteken 'n res van minstens een nadat die totale getal werknemers wat volle lone ontvang, deur drie gedeel is.		
C. Graad C:		
(i) Werknemers—		
(a) wat huide en velle skraap, skoonsny, spalk en regsny en velle waaraan daar nog wol of hare is, regsny, sagskraap en/of die vleis daarvan afskraap....	27,30	30,03
<i>Opmerking.</i> —“Skoonsny” beteken die afsny van stukkie vleis wat nog aan die kant van die huide hang nadat die vleis afgeskraap is;		
(b) wat olie- en vleiswaswerk, alle werk in skure en ongeskoolde arbeid in die kalkskure, looiskure en trommelskure verrig en alle laai- en aflaaiwerk doen en die velle waaraan daar nog wol of hare is, was en ongeskoolde arbeid verrig by die vervaardiging van pomp-, dop-, L-, ram-, U-, V-, of ander soorte hidrouliese leerpakstukke....	26,46	29,19
(c) wat as algemene arbeiders werksaam is	26,46	29,19
(d) wat rou huide of velle in lotte stempel	28,14	30,87
<i>Opmerking.</i> —Alle lone in paragraaf (i) hierbo voorgeskryf, sluit 'n “toelae vir vuilwerk” van 25c per week in wat in 1945 deur die Arbitrator toegeken is.		
D. Wolveelverwerkingsmasjiene en werksaamhede nie elders vermeld nie:		
(a) Stryk en/of skeer en/of kam.....	31,71	34,86
(b) Kaarding.....	31,71	34,86
(c) Stikwerk met masjiene.....	32,55	35,91
(d) Snywerk volgens patrone.....	28,77	31,71
E. Afdelings vir die sny van randstrokies, hakstrokies en veters:		
(a) Bedieners van splits-, skaaf-, sny-, groef-, sny- en afskuinsmasjiene.....	32,55	35,91
(b) Alle ander werksaamhede.....	27,30	30,03
F. (i) Magasynmeesters en/of pakhuismanne, versendingsklerke.....	32,55	35,91
(ii) Assistent-magasynmeesters en/of assistent-pakhuismanne.....	30,45	33,39
G. Motorvoertuigdrywers—		
werksaam op voertuie met 'n loonvrag van tot en met 2 722 kg.....	34,65	38,01
werksaam op voertuie met 'n loonvrag van meer as 2 722 kg maar hoogstens 4 536 kg	38,85	42,63
werksaam op voertuie met 'n loonvrag van meer as 4 536 kg.....	43,05	47,25

	Column A	Column B
	Per week R	Per week R
H. Boiler attendant.....	28,14	30,87
I. Night watchmen.....	30,45	33,39
J. Day watchmen.....	28,14	30,87
K. Handymen.....	30,45	33,39
L. (a) Operations relating to the production of upholstery leather not elsewhere specified:		
(i) Marking and/or pattern cutting.....	43,26	47,67
(ii) Cutting to patterns.....	39,48	43,47
(iii) Piece marking.....	28,14	30,87
(b) Learners employed on operations specified in paragraph (a) (i) above:		
First six months of experience.....	34,65	38,22
Second six months of experience.....	38,85	42,84
(c) Learners employed on the operation referred to in paragraph (a) (ii) above:		
First six months of experience.....	30,66	33,81
Second six months of experience.....	35,07	38,64

(7) (a) Notwithstanding anything to the contrary contained in this Agreement, the commencing wage of an employee who is promoted to or re-engaged on an operation for which a learnership scale is prescribed, and for which a higher wage is prescribed than the wage for the operation on which he is or was employed, shall be that notch of the learnership scale of the new operation which is immediately higher than the wage he is or was receiving, and he shall, thereafter, progress according to the learnership scale for the new operation.

(b) The provisions of paragraph (a) shall not apply to an employee who is re-engaged and subsequently promoted to an operation in respect of which he previously received the qualified rate.

(8) On proof, satisfactory to the employer, of the death of an employee, the employer shall pay to such dependant of the deceased employee as he may deem fit, any remuneration which has accrued to but which, at the date of death, has not been paid to such employee, and the estate of the deceased employee shall have no claim on the employer.

(9) (a) Notwithstanding anything to the contrary contained herein, an employee who, on 12 April 1978, was in receipt of remuneration higher than the wage prescribed for the class of work on which he was engaged and who, on the date on which this Agreement comes into operation, is still in the employ of the same employer on the same class of work, shall continue to be paid an additional amount equal to the difference between the remuneration he was receiving on 12 April 1978 and the wage which, on that date, was prescribed for the operation on which he was employed.

(b) For the purposes of this subclause "remuneration" shall be deemed not to include any payment in respect of overtime or additional payments in respect of a piece-work system being applied in terms of clause 14.

5. HOURS OF WORK

(1) Save as is otherwise provided in this Agreement, no employer shall require or permit an employee, other than one exclusively employed as a night watchman—

(a) to work for more than 42 hours, excluding meal times, in any one week; or

(b) to work for more than eight hours, excluding meal times, on any one day: Provided that in any establishment in which—

(i) one day in every week the ordinary hours of work are not more than five, an employee may be required or permitted to work for an additional period not exceeding half an hour on each of the remaining days of the week; or

(ii) the employees do not ordinarily work on more than five days in the week, an employee may on any work-day be required or permitted to work for an additional period not exceeding one and a quarter hours; or

(c) to work for a continuous period of more than five hours without an uninterrupted interval of at least one hour: Provided that—

(i) an employer may, by mutual arrangement with not less than 75 per cent of his employees, reduce the period of such meal interval to not less than half an hour, and in that event and after the employer has lodged a statement of such agreement with the District Committee for his area, the meal interval may be reduced;

(ii) periods of work interrupted by intervals of less than one hour, except when proviso (i) applies, shall be deemed to be continuous;

	Kolom A	Kolom B
	Per week R	Per week R
H. Ketelbediener.....	28,14	30,87
I. Nagwag.....	30,45	33,39
J. Dagwag.....	28,14	30,87
K. Faktotum.....	30,45	33,39
L. (a) Werksaamhede in verband met die produksie van bekledselleer wat nie elders vermeld word nie:		
(i) Merk- en/of patroonsnywerk.....	43,26	47,67
(ii) Snywerk, volgens patrone.....	39,48	43,47
(iii) Stukmerkwerk.....	28,14	30,87
(b) Leerlinge wat die werksaamhede verrig wat in paragraaf (a) (i) hierbo vermeld word:		
Eerste ses maande onervinding.....	34,65	38,22
Tweede ses maande ondervinding.....	38,85	42,84
(c) Leerlinge wat die werksaamhede verrig wat in paragraaf (a) (ii) hierbo bedoel word:		
Eerste ses maande ondervinding.....	30,66	33,81
Tweede ses maande ondervinding.....	35,07	38,64

(7) (a) Ondanks andersluidende bepalings in hierdie Ooreenkoms, moet die aanvangsloon van 'n werknemer wat bevorder word tot of weer in diens geneem word vir 'n werksaamheid waarvoor 'n leerlingskaal voorgeskryf word, en waarvoor 'n hoër loon voorgeskryf word as die loon vir die werksaamheid wat hy verrig of verrig het, daardie kerf van die leerlingskaal van die nuwe werk wees wat onmiddellik hoër is as die loon wat hy ontvang of ontvang het, en hy moet daarna ooreenkomstig die leerlingskaal vir die nuwe werk vorder.

(b) Paragraaf (a) is nie van toepassing op 'n werknemer wat weer in diens geneem word en daarna bevorder word tot 'n werk ten opsigte waarvan hy voorheen die skaal vir gekwalifiseerdes ontvang het nie.

(8) By bewyslewering, tot tevredenheid van die werkgewer, van die dood van 'n werknemer, moet die werkgewer aan die afhanklike van die afgestorwe werknemer na eie goeddunke die besoldiging betaal wat opgeloopt het maar wat op die sterfdatum nog nie aan so 'n werknemer betaal is nie, en die boedel van die afgestorwe werknemer kan geen eis teen die werkgewer instel nie.

(9) (a) Ondanks andersluidende bepalings hierin, moet daar steeds aan 'n werknemer wat op 12 April 1978 hoër besoldiging ontvang het as die loon voorgeskryf vir die klas werk wat hy verrig het en wat op die datum van inwerkingtreding van hierdie Ooreenkoms nog steeds by dieselfde werkgewer vir dieselfde klas werk in diens is, 'n bykomende bedrag betaal word gelyk aan die verskil tussen die besoldiging wat hy op 12 April 1978 ontvang het en die loon wat op daardie datum voorgeskryf was vir die werksaamheid wat hy verrig het.

(b) Vir die toepassing van hierdie subklousule word "besoldiging" geag nie enige betaling ten opsigte van oortydwerk of bykomende betalings ten opsigte van 'n stukwerkstelsel wat kragtens klousule 14 in werking is, in te sluit nie.

5. WERKURE

(1) Behoudens andersluidende bepalings in hierdie Ooreenkoms, kan geen werkgewer van 'n werknemer, uitgesonderd 'n werknemer wat uitsluitlik as nagwag in diens is, vereis of hom toelaat om—

(a) langer as 42 uur, uitgesonderd etensstye, in 'n enkele week te werk nie; of

(b) langer as agt uur, uitgesonderd etensstye, op 'n bepaalde dag te werk nie: Met dien verstande dat daar in enige bedryfsinrigting waarin—

(i) die gewone werkure op een dag in elke week hoogstens vyf is, van 'n werknemer vereis of hy toegelaat kan word om vir 'n bykomende tydperk van hoogstens 'n halfuur op elk van die oorblywende dae van die week te werk; of

(ii) die werknemers gewoonlik hoogstens vyf dae per week werk, van 'n werknemer vereis of hy toegelaat kan word om op enige werkdag vir 'n bykomende tydperk van hoogstens een en 'n kwart uur te werk; of

(c) vir 'n aaneenlopende tydperk van langer as vyf uur te werk nie, sonder 'n ononderbroke pouse van minstens een uur: Met dien verstande dat—

(i) 'n werkgewer, by onderlinge ooreenkoms met minstens 75 persent van sy werknemers, die duur van sodanige etenspouse tot minstens 'n halfuur kan verminder, en in daardie geval, en nadat die werkgewer 'n verklaring oor sodanige ooreenkoms by die distrikskomitee vir sy gebied ingedien het, kan die etenspouse verkort word;

(ii) werktidperke onderbreek deur pouses van minder as een uur geag word aaneenlopend te wees, behalwe waar voorbehoedsbepaling (i) van toepassing is;

(iii) if such interval be longer than one hour, any period in excess of one and one-quarter hours shall be deemed to be time worked;

(iv) when on any day by reason of overtime work an employer is required to give an employee a second meal interval, such interval may, at the request of the employee, be reduced to 15 minutes, so long as the total period worked by the employee after the first meal interval of the day does not exceed seven hours, and such second interval may be deemed not to be part of the ordinary hours of work or overtime; or

(d) who is a female, to work—

(i) between 18h00 and 06h00; or

(ii) after 13h00 on more than five days in any week.

(2) For the purposes of subclause (1) (a), an employee who does not work on any holiday referred to in clause 7 (8) (a) or who on such holiday works less than his average ordinary working hours for that day of the week on which such holiday falls, shall be deemed to have worked his average ordinary working hours on that day.

(3) The ordinary hours of work for a night watchman shall not exceed 72 hours per week and such night watchman shall be allowed one night off in seven consecutive nights.

(4) Notwithstanding the provisions of subclause (1) (a), the hours of work of an employee engaged on night work in an establishment in which two or more shifts are worked shall not exceed 38 hours in any one week: Provided that an employee who is engaged on shift work and whose ordinary hours of work are less than 42 hours in the case of an employee engaged on day work and less than 38 hours in the case of an employee engaged on night work shall, for the purposes of clause 4 (1) (b) be deemed to have worked 42 hours or 38 hours respectively.

(5) An employee engaged on shift work shall not be required or permitted to remain on the same shift for a period exceeding one week at any one time and an employee engaged on night work shall not be required or permitted to remain on night work for a period exceeding two weeks at any one time.

(6) (a) Every employer shall, within one month from the date on which the Agreement comes into operation, furnish the Council, in writing, with the starting and finishing times of each section or each department of his establishment.

(b) Every employer who proposes to vary the times referred to in paragraph (a) shall notify the Council, in writing, not less than seven days prior to the date on which he proposes to make such variation.

(7) If employees are not required to be present for work at an establishment on any day they shall be informed individually or by notice posted in the department or departments in which they are employed prior to such day, that their services will not be required.

If not so informed, employees present for work at the establishment at the ordinary starting time shall be entitled to be employed for at least one-half day or to receive a half day's pay in lieu thereof.

Employees present for work at the establishment in the afternoon shall be entitled to work two hours or to receive two hours' pay in lieu thereof, unless notice of intention not to work shall have been given by the employer during the morning.

(8) The following rest periods shall be allowed to each employee and shall be reckoned as time worked:

(a) Mondays to Saturdays, a period of not less than 10 minutes in the morning: Provided that one hour has been worked;

(b) Mondays to Fridays, a period of not less than 10 minutes in the afternoon: Provided that one hour has been worked after the lunch interval:

Provided further that in the event of the employer and not less than 75 per cent of his employees agreeing not to observe one or both of the rest intervals, such rest interval or intervals may be dispensed with after a statement of such agreement has been lodged with the District Committee for the area concerned and in that event the ordinary hours of work for each day shall be reduced pro rata: Provided further that the time not taken as rest intervals shall nevertheless be deemed to be part of the ordinary hours of work and be paid for as if such rest intervals had been observed.

(9) Where employees are called upon to "clock out" at the end of working periods, the employer shall provide facilities to enable employees to leave the establishment at the correct time at which work is to cease.

(10) Notwithstanding anything to the contrary contained in this Agreement, the hours of work of a motor vehicle driver shall include all periods of driving and any time spent on other work connected with the vehicle or the load and all periods during which an employee is obliged to remain at his post in readiness to work but shall not include meal times.

(iii) as so 'n pouse langer as een uur duur, enige tydperk van langer as een en 'n kwart uur geag word tyd gewerk te wees;

(iv) waar 'n werkgewer op 'n dag as gevolg van oortyd werk 'n tweede etenspouse aan 'n werknemer moet toestaan sodanige etenspouse op versoek van die werknemer tot 15 minute verkort kan word, mits die totale tydperk wat die werknemer na die eerste etenspouse van die dag werk nie langer as sewe uur is nie, en sodanige tweede pouse kan geag word nie deel van die gewone werkure of oortydure uit te maak nie; of

(d) as dit 'n vrou is—

(i) tussen 18h00 en 06h00 te werk nie; of

(ii) na 13h00 op meer as vyf dae per week te werk nie

(2) Vir die toepassing van subklousule (1) (a), word 'n werknemer wat nie op 'n vakansiedag in klousule 7 (8) (a) bedoe werk nie of wat op so 'n vakansiedag minder as sy gemiddeld getal gewone werkure werk vir daardie dag van die week waarop sodanige vakansiedag val, geag sy gemiddelde getal gewone werkure op daardie dag te gewerk het.

(3) Die gewone werkure van 'n nagweg mag hoogstens 7 uur per week wees en so 'n nagweg moet een vry nag u elke sewe agtereenvolgende nagte toegestaan word.

(4) Ondanks subklousule (1) (a), mag die werkure van 'n nagwerker in 'n bedryfsinrigting waarin twee of meer skofte gewerk word, hoogstens 38 uur in 'n bepaalde week wees: Met die verstande dat 'n skofwerker wie se gewone werkure minder as 42 uur in die geval van 'n dagwerker, en minder as 38 uur in die geval van 'n nagwerker is, vir die toepassing van klousule 4 (1) (b) geag word onderskeidelik 42 uur of 38 uur te gewerk het.

(5) 'n Skofwerker mag nie verplig of toegelaat word om langer as een week op 'n keer op dieselfde skof te bly nie, en 'n nagwerker mag nie verplig of toegelaat word om langer as twee weke op 'n keer nagwerk te verrig nie.

(6) (a) Elke werkgewer moet binne een maand vanaf die datum van inwerkingtreding van die Ooreenkoms die Raad skriftelik kennis stel van die aanvangs- en uitskeityd van elke seksie afdeling van sy bedryfsinrigting.

(b) Elke werkgewer wat voornemens is om die tye vermeld in paragraaf (a) te verander, moet die Raad minstens sewe dae vooraf kennis gee van die datum waarop hy voornemens is om sodanige verandering aan te bring, skriftelik daarvan in kennis stel.

(7) As werknemers hulle nie op 'n sekere dag by 'n bedryfsinrigting vir werk hoef aan te meld nie, moet hulle voor sodanige dag individueel of by kennisgewing, opgeplak in die afdelings afdelings waarin hulle werk, meegedeel word dat hulle diens nie nodig sal wees nie.

Werknemers wat nie aldus in kennis gestel is nie en wat hulle op die gewone aanvangstyd by die bedryfsinrigting aanmeld, is geregtig op minstens 'n halfdag diens of 'n halfdag se besoldiging in plaas daarvan.

Werknemers wat hulle in die middag by die bedryfsinrigting vir werk aanmeld, is geregtig op twee uur diens of twee uur besoldiging in plaas daarvan, tensy die werkgewer gedurende die oggend kennis gegee het van sy voorneme om hulle nie te laat werk nie.

(8) Die volgende rusttye moet aan elke werknemer toegestaan word en word gereken as tyd gewerk:

(a) Maandae tot Saterdag, minstens 10 minute in die oggend mits hy alreeds een uur gewerk het;

(b) Maandae tot Vrydae, minstens 10 minute in die middag mits hy alreeds een uur na die etenspouse gewerk het:

Met dien verstande dat as die werkgewer en minstens 75 persent van sy werknemers ooreenkom om een van of albei die rustpouses nie na te kom nie, daar van sodanige ruspouse of rustpouses afgesien kan word nadat 'n verklaring oor sodanige ooreenkoms by die distrikskomitee vir die betrokke gebied ingedien is, en in daardie geval moet die gewone werkure vir elke dag pro rata verminder word: Voorts met dien verstande dat die tyd wat nie as ruspouses geneem word nie, nogtans gewone deel van die gewone werkure uit te maak en daarvoor betaal word asof sodanige ruspouses nagekom is.

(9) As werknemers aan die einde van werktye moet "uittrekk" moet die werkgewer fasiliteite verskaf ten einde werknemers staat te stel om die bedryfsinrigting te verlaat op die korrekte tyd waarop die werk gestaak moet word.

(10) Ondanks andersluidende bepalings in hierdie Ooreenkoms omvat die werkure van 'n motorvoertuigdrywer alle dryfperke en alle tyd wat hy aan ander werk in verband met die voertuig of vrag bestee, en alle tydperke waarin 'n werknemer op sy pos moet bly, gereed om te werk, maar nie ook eten nie.

6. OVERTIME

(1) Notwithstanding the provisions of clauses 5 (1) (a) and (b) and 5 (4) and save as is provided for in this clause, an employer may require or permit an employee to work overtime for a total period not exceeding in any one week—

(a) 10 hours; or

(b) a number of hours (which may exceed 10) fixed by the Council by notice, in writing, to the employer, specifying the employee or the class of employee, in respect of whom the notice is applicable, and the period for which and the conditions under which it shall be valid:

Provided that no employer shall require or permit a female employee to work overtime—

(a) for more than two hours on any day;

(b) on more than three consecutive days;

(c) on more than 60 days in any year;

(d) after completion of her ordinary working hours for more than one hour on any day, unless he has—

(i) provided such employee with an adequate meal before she has to commence overtime; or

(ii) paid such employee an allowance of not less than 30 cents in sufficient time to enable the employee to obtain a meal before the overtime is due to commence.

(2) No employee shall be required to work overtime unless notice has been given by the employer to such employee the day prior to such overtime being worked.

(3) Except in the case of night watchmen, an employee who works before his usual starting time or after his usual finishing time shall, subject to the provisions of subclause (4) hereof, for each hour or part of an hour so worked, be paid if employed—

(a) on any day from Monday to Friday and/or Saturday morning inclusive, his hourly wage, plus 33½ per cent;

(b) on Saturday afternoon, his hourly wage, plus 50 per cent.

(4) When it is customary for any establishment to complete its normal working week of 42 hours between Monday and Friday, any employee other than a night watchman required to work on a Saturday morning shall be paid for each hour or part of an hour so worked, one and one-third times his hourly wage, irrespective of the number of hours actually worked between Monday and Friday.

(5) Whenever an employee works on a Sunday his employer shall either—

(a) pay to the employee—

(i) if he works for a period not exceeding four hours, not less than the ordinary remuneration payable in respect of the period ordinarily worked by him on a week day; or

(ii) if he so works for a period exceeding four hours, remuneration at a rate of not less than double his ordinary rate of remuneration, in respect of the total period worked on such Sunday, or remuneration which is not less than double the ordinary remuneration payable in respect of the period ordinarily worked by him on a week day, whichever is the greater; or

(b) pay the employee remuneration at a rate not less than one and one-third times his ordinary rate of remuneration in respect of the total period worked on such Sunday and grant him within seven days of such Sunday one day's holiday and pay him in respect thereof remuneration at a rate not less than his ordinary rate of remuneration as if he had on such holiday worked his average ordinary working hours for that day of the week.

(6) Whenever an employee is remunerated on a basis other than accordance with time actually worked by him, his ordinary rate of remuneration shall, for the purposes of this clause, be calculated as though he were paid by the hour and shall be ascertained at any date by dividing his total remuneration during the three months immediately preceding that date, or during the total period of his employment by the employer concerned, whichever is the shorter, by the number of hours worked during the period in respect of which such remuneration was paid.

(7) A night watchman who is on duty for time in excess of consecutive hours shall for such excess time be paid at the rate of his hourly wage plus 33½ per cent. A night watchman who is on duty on his night off shall be paid at double the rate of his hourly wage.

7. HOLIDAYS AND ANNUAL LEAVE

(1) Every employer shall, not later than 24 December of each year, close his establishment for a period of not less than two consecutive weeks and two days and grant to each of his employees, other than a night watchman, leave of absence of

6. OORTYDWERK

(1) Ondanks klousules 5 (1) (a) en (b) en 5 (4), en behoudens hierdie klousule, kan 'n werkgever van 'n werknemer vereis of hom toelaat om oortyd te werk vir 'n totale tydperk, in 'n bepaalde week, van hoogstens—

(a) 10 uur; of

(b) 'n getal ure (wat meer as 10 kan wees), deur die Raad vasgestel in 'n skriftelike kennisgewing aan die werkgever, waarin die werknemer of klas werknemer op wie die kennisgewing van toepassing is, asook die tydperk waarvoor en die voorwaardes waarop dit geldig is, gemeld word:

Met dien verstande dat geen werkgever van 'n vroulike werknemer kan vereis of haar toelaat om—

(a) langer as twee uur op 'n bepaalde dag oortyd te werk nie;

(b) op meer as drie agtereenvolgende dae oortyd te werk nie;

(c) op meer as 60 dae in 'n bepaalde jaar oortyd te werk nie;

(d) na voltooiing van haar gewone werkure langer as een uur op 'n bepaalde dag oortyd te werk nie, tensy hy—

(i) 'n toereikende maaltyd aan so 'n werknemer verskaf het voordat sy met die oortydwerk moet begin; of

(ii) 'n toelae van minstens 30 sent betyds aan so 'n werknemer betaal het om haar in staat te stel om 'n maaltyd te bekom voordat die oortydwerk begin.

(2) Daar mag nie van 'n werknemer vereis word om oortyd te werk nie, tensy die werkgever die werknemer op die vorige dag kennis daarvan gegee het.

(3) Behoudens subklousule (4) hiervan, moet 'n werknemer, uitgesonderd 'n nagwag, vir elke uur of gedeelte van 'n uur wat hy voor sy gewone aanvangstyd of na sy gewone uitskeityd werk, soos volg besoldig word:

(a) Sy uurloon plus 33½ persent indien hy op enige dag van Maandag tot en met Vrydag en/of Saterdagoggend werk;

(b) sy uurloon plus 50 persent indien hy op Saterdagmiddag werk.

(4) As dit in 'n bedryfsinrigting gebruiklik is om die gewone werkweek van 42 uur tussen Maandag en Vrydag te voltooi, moet 'n werknemer, uitgesonderd 'n nagwag, van wie vereis word om op 'n Saterdagoggend te werk, vir elke uur of gedeelte van 'n uur aldus gewerk, een en 'n derde maal sy uurloon betaal word, afgesien van die getal ure werklik tussen Maandag en Vrydag gewerk.

(5) As 'n werknemer op 'n Sondag werk, moet sy werkgever—

(a) of die werknemer soos volg betaal:

(i) As hy hoogstens vier uur werk, minstens die gewone besoldiging betaalbaar vir die tydperk wat hy gewoonlik op 'n weekdag werk; of

(ii) as hy aldus langer as vier uur werk, minstens dubbel sy gewone besoldiging vir die totale tydperk op sodanige Sondag gewerk, of minstens dubbel die gewone besoldiging betaalbaar vir die tydperk wat hy gewoonlik op 'n weekdag werk, naamlik die grootste bedrag;

(b) of die werknemer minstens een en 'n derde maal die gewone besoldiging betaal vir die totale tydperk op sodanige Sondag gewerk, en hom binne sewe dae vanaf sodanige Sondag een vakansiedag toestaan en hom daarvoor minstens sy gewone besoldiging betaal asof hy op sodanige vakansiedag sy gemiddelde getal gewone werkure vir daardie dag van die week gewerk het.

(6) As 'n werknemer op 'n ander grondslag besoldig word as volgens die tyd wat hy werklik gewerk het, moet sy gewone besoldiging vir die toepassing van hierdie klousule bereken word asof hy per uur betaal word, en moet dit op enige datum bereken word deur sy totale besoldiging gedurende die drie maande onmiddellik voor daardie datum, of gedurende sy totale diens-tydperk by die betrokke werknemer, naamlik die kortste tydperk, te deel deur die getal ure gewerk gedurende die tydperk waarvoor sodanige besoldiging betaal is.

(7) 'n Nagwag wat langer as 12 agtereenvolgende ure op diens is, moet vir sodanige ekstra tyd sy uurloon plus 33½ persent betaal word. 'n Nagwag wat op sy diensvrye nag op diens is, moet dubbel sy uurloon betaal word.

7. VAKANSIEDAE EN JAARLIKSE VERLOF

(1) Elke werkgever moet voor of op 24 Desember elke jaar sy bedryfsinrigting vir 'n tydperk van minstens twee agtereenvolgende weke en twee dae sluit en aan elkeen van sy werknemers, uitgesonderd 'n nagwag, verlof van minstens twee agter-

not less than two consecutive weeks and two days and pay to such employee not later than the last working day before the commencement of such leave as a leave allowance an amount equal to one-twelfth of the wages he would earn in two weeks and two days for each month of employment with the employer: Provided that—

(a) the period of such leave shall not be concurrent with any period during which the employee is under notice of termination of employment or is undergoing military service; and

(b) if any public holiday referred to in subclause (8) (a) of this clause falls within the period of such leave, such public holiday shall be added to the said period as a further period of leave and the employee shall be paid in respect of such public holiday, at the same time as the leave allowance, an amount equal to one-fifth of his weekly wage for each such public holiday falling within the said period of leave.

Note.—For the purpose of calculating the leave pay due in terms of this clause, the pay for “two days” shall be two-fifths of the weekly wage.

(2) Upon termination of employment, the employer shall pay to the employee the amount of leave allowance due as at the date of such termination, calculated as provided in subclause (1).

(3) Employment for half a month or over shall be reckoned as employment for a full month for the purpose of calculating the leave allowance payable in terms of subclauses (1) and (2) and “half a month” shall mean any period of 15 consecutive calendar days, irrespective of working days.

(4) (a) If an employee's service is terminated at any time during the months of November or December he shall receive the full holiday pay, calculated in terms of subclause (1), for those months: Provided that the provisions of this paragraph shall not apply to an employee whose services are terminated for any cause recognised by law as sufficient to justify instant dismissal.

(b) If an employee gives notice of termination of service during the week prior to the closing of the factory, he shall not be entitled to receive the additional one-twelfth holiday pay for the month of December.

(c) If an employee gives notice of termination of service coinciding with the closing of the factory, he shall be entitled to receive the additional one-twelfth holiday pay for the month of December.

(5) (a) Notwithstanding the provisions of subclause (1), an employer shall, in the case of a night watchman, grant to such an employee 21 consecutive calendar days' leave in respect of each completed period of 12 months of employment and shall pay such employee not later than the last working day before the commencement of such leave an amount of not less than three times the weekly wage to which he is entitled as from the first day of the leave.

(b) The leave prescribed in paragraph (a) shall be granted at the reasonable convenience of the employer: Provided that if such leave is not granted earlier, it shall be granted within three months of completion of the year of employment to which it relates: Provided further that if any public holiday referred to in subclause (8) (a) of this clause falls within the period of such leave such public holiday shall be added to the said period as a further period of leave and the employee shall be paid in respect of such public holiday at the same time as the leave allowance, an amount equal to the wage he would have earned had he on such public holiday worked his daily average ordinary working hours.

(c) A night watchman whose employment terminates during any period of 12 months of employment before the period of leave prescribed in paragraph (a) in respect of that period has accrued, shall, upon termination and in addition to any other remuneration which may be due to him, be paid in respect of each completed month of such period of employment an amount of not less than one-fourth of the weekly wage he was receiving immediately before the date of such termination.

(6) The amount of the leave allowance payable in terms of subclauses (1), (2) and (5) shall be calculated at the rate of remuneration which the employee was receiving immediately prior to the date from which his leave is granted or on which his employment is terminated, as the case may be; and the provisions of clause 6 (6) shall *mutatis mutandis* apply.

(7) Any period during which an employee—

(a) is on leave in terms of subclauses (1) and (5);

(b) undergoes military service in pursuance of the Defence Act, 1957;

(c) is absent from work on the instructions or at the request of his employer;

(d) is absent from work owing to illness or confinement; shall be deemed to be employment for the purposes of subclauses (1), (2), (5) and (12): Provided that the provisions of paragraph (d) shall not apply in respect of any period of absence owing to illness of more than three consecutive days if the employee fails, after a request for such a certificate by the employer,

eenvolgende weke en twee dae toestaan en aan so 'n werknemer voor op op die laaste werkdag voor die aanvang van sodanige verlof 'n verloftoelae vir elke maand diens by die werkgewer betaal gelyk aan een twaalfde van die loon wat hy in twee weke en twee dae sou verdien het: Met dien verstande dat—

(a) sodanige verloftydperk nie mag saamval met 'n diens opseggingstermyn van die werknemer of 'n tydperk waarin hy militêre diens ondergaan nie; en

(b) as 'n openbare vakansiedag in subklausule (8) (a) van hierdie klausule vermeld binne sodanige verloftydperk val, sodanige openbare vakansiedag by genoemde tydperk gevoeg moet word as 'n verdere verloftydperk en die werknemer vir sodanige openbare vakansiedag, gelyktydig met die verloftoelae, een vyfde van sy weekloon betaal moet word vir elke sodanige openbare vakansiedag wat binne genoemde verloftydperk val.

Opmerking.—By die berekening van die verlofbesoldiging verskuldig ingevolge hierdie klausule, word die besoldiging vir “Twee dae” geag twee vyfdes van die weekloon te wees.

(2) By diensbeëindiging moet die werkgewer die bedrag aan verloftoelae verskuldig op die datum van sodanige beëindiging bereken soos in subklausule (1) bepaal, aan die werknemer betaal.

(3) Diens van 'n halfmaand of langer word geag 'n volle maand diens te wees by die berekening van die verloftoelae betaalbaar ingevolge subklausules (1) en (2), en “halfmaand” beteken 'n tydperk van 15 agtereenvolgende kalenderdae, afgesien daarvan of dit werkdae is of nie.

(4) (a) As 'n werknemer se diens te enige tyd gedurende November of Desember beëindig word, moet hy die volle verlof besoldiging vir daardie maande, bereken ooreenkomstig subklausule (1), ontvang: Met dien verstande dat hierdie paragraaf nêr van toepassing is op 'n werknemer wie se dienste beëindig word om 'n regsgeldige rede wat as voldoende geag word om summier ontslag te regverdig nie.

(b) As 'n werknemer gedurende die week voor die sluiting van die fabriek kennis van diensbeëindiging gee, is hy nie op die bykomende verlofbesoldiging van een twaalfde vir Desember geregtig nie.

(c) As 'n werknemer saamvallend met die sluiting van die fabriek kennis van diensbeëindiging gee, is hy op die bykomende verlofbesoldiging van een twaalfde vir Desember geregtig.

(5) (a) Ondanks subklausule (1), moet 'n werkgewer aan 'n nagwag 21 agtereenvolgende kalenderdae verlof toestaan ten opsigte van elke voltooide tydperk van 12 maande diens en moet hy, voor of op die laaste werkdag voordat dié verlof begin, aan so 'n werknemer minstens drie maal die weekloon betaal waarop hy geregtig is vanaf die eerste dag van die verlof.

(b) Die verlof in paragraaf (a) voorgeskryf, moet toegestaan word wanneer dit die werkgewer redelikerwys pas: Met dien verstande dat indien sodanige verlof nie vroeër toegestaan word nie, dit toegestaan moet word binne drie maande na voltooiing van die diensjaar waarop dit betrekking het: Voorts met dien verstande dat as enige openbare vakansiedag in subklausule (8) (a) van hierdie klausule bedoel binne sodanige verloftydperk val, sodanige openbare vakansiedag by genoemde tydperk gevoeg moet word as 'n verdere verloftydperk en die werknemer ten opsigte van sodanige openbare vakansiedag en gelyktydig met die verloftoelae die loon betaal moet word wat hy sou verdien het as hy op so 'n openbare vakansiedag sy daaglikse gemiddelde getal gewone werkure gewerk het.

(c) 'n Nagwag wie se diens gedurende 'n tydperk van 12 maande beëindig word voordat die verloftydperk in paragraaf (a) voorgeskryf ten opsigte van daardie tydperk opgeloop het, moet by diensbeëindiging en benewens enige ander besoldiging 'n loon verskuldig, vir elke voltooide maand van sodanige tydperk minstens een vierde van die weekloon betaal word wat hy onmiddellik voor sodanige beëindigingsdatum ontvang.

(6) Die verloftoelae ingevolge subklausules (1), (2) en (5) betaalbaar moet bereken word volgens die besoldiging wat die werknemer ontvang het onmiddellik voor die datum waarop verlof toegestaan is of waarop sy diens beëindig word, na gelang van die geval, en klausule 6 (6) is *mutatis mutandis* van toepassing.

(7) 'n Tydperk waarin 'n werknemer—

(a) ingevolge subklausules (1) en (5) met verlof is;

(b) ingevolge die Verdedigingswet, 1957, militêre diens ondergaan;

(c) op las of versoek van sy werkgewer van die werk afwesig is;

(d) weens siekte of 'n bevalling van die werk afwesig word vir die toepassing van subklausules (1), (2), (5) en (12) geag diens te wees: Met dien verstande dat paragraaf (d) nie van toepassing is nie op 'n tydperk van afwesigheid weens siekte wat langer as drie agtereenvolgende dae duur, as die werknemer versuim om op versoek van die werkgewer 'n sertifikaat van

to submit to the employer a certificate from a medical practitioner that he was prevented by illness from doing his work, or in respect of that portion of any total period of absence during any 12 months of employment which is in excess of 30 days.

(8) (a) Good Friday, Easter Monday, Ascension Day, Day of the Covenant, Christmas Day, Boxing Day, New Year's Day and Republic Day shall be holidays on full pay: Provided that whenever an employee works on any of these days his employer shall pay him remuneration at a rate not less than his ordinary rate of remuneration in respect of the total period worked on such day in addition to the remuneration to which he would have been entitled had he not so worked.

(b) If an employee's service terminates during the week in which Good Friday falls he shall, in addition to any other remuneration due to him, be paid two days' pay in respect of Good Friday and Easter Monday.

(c) If any of the public holidays referred to in paragraph (a) of this subclause falls on a Saturday the pay for such holiday shall be calculated at the rate of one-fifth of the normal weekly wage.

(d) If an employee's service terminates during the month of November he shall be paid in addition to any other remuneration due to him, one day's pay in respect of each of the public holidays, viz. Day of the Covenant, Christmas Day, Boxing Day and New Year's Day, in respect of which no payment has already been made to him, and the wages payable for such holidays shall be calculated at the rate of four-fifths of the normal weekly wage: Provided that the provisions of this paragraph shall not apply to an employee whose services are terminated for any cause cognised by law as sufficient to justify instant dismissal.

(e) If an employee's service terminates during the month of December, he shall be paid in addition to any other remuneration due to him, one day's pay in respect of each of the public holidays, viz. Day of the Covenant, Christmas Day, Boxing Day and New Year's Day, in respect of which no payment has already been made to him and the wages payable for such holidays shall be calculated at the rate of four-fifths of the normal weekly wage.

(9) An employer prior to closing his establishment for the annual period referred to in subclause (1) of this clause shall—

(a) give his employees at least 30 days' notice of the provisional date of closing; and

(b) give his employees at least 14 days' notice of the actual date upon which the establishment will close and the period during which employees will not be required to work.

The notices referred to above shall be in writing, and shall be posted by the employer in a place readily accessible to his employees.

(10) Unless the employee so requests and the employer agrees in writing, the period of leave referred to in subclauses (1) and (2) shall not be concurrent with any period of military service pursuant to the Defence Act, 1957.

(11) Notwithstanding anything to the contrary contained herein, the term "remuneration" shall, for the purposes of subclause (6), mean the wage prescribed in Column B of clause 4 for the operation on which the employee is employed: Provided that if an employer regularly pays an employee an amount higher than that prescribed in the said Column B, it shall mean that higher amount: Provided further that the provisions of this clause shall not apply to an employee engaged on piece-work terms of clause 14.

(12) (a) Every employee who has completed 12 months of employment with the same employer when the establishment closes in terms of subclause (1), shall be paid a holiday bonus not less than three-fifths of the weekly wage which the employee is receiving when the establishment closes: Provided that an employee whose employment commences on the date on which an establishment re-opens after the annual leave period, shall be deemed to have been employed for a period of 12 months if he is still in the employ of the same employer when the establishment closes for the next period of annual leave in terms of subclause (1).

(b) The holiday bonus referred to in paragraph (a) shall be paid to the employee not later than the last working day before the establishment closes in terms of subclause (1).

8. PLACE OF EMPLOYMENT

(1) No employer shall require or allow any employee to perform work in the Industry in any place other than his regular establishment.

(2) An employee while in employment shall not work for more than one employer during the same working week.

mediese praktisyn in te dien wat meld dat hy weens siekte nie kon werk nie, of op daardie deel van 'n totale tydperk van afwesigheid wat meer as 30 dae gedurende enige 12 maande diens beloop.

(8) (a) Goeie Vrydag, Paasmaandag, Hemelvaartsdag, Gelofte-dag, Kersdag, Gesinsdag, Nuwejaarsdag en Republiekdag is vakansiedae met volle besoldiging: Met dien verstande dat as 'n werknemer op enigeen van hierdie dae werk, sy werknemer hom minstens sy gewone besoldiging moet betaal vir die totale tydperk op sodanige dag gewerk, benewens die besoldiging waarop hy geregtig sou gewees het as hy nie aldus gewerk het nie.

(b) As 'n werknemer se diens beëindig word gedurende die week waarin Goeie Vrydag val, moet hy, benewens enige ander besoldiging aan hom verskuldig, twee dae se besoldiging ten opsigte van Goeie Vrydag en Paasmaandag betaal word.

(c) As enigeen van die openbare vakansiedae in paragraaf (a) van hierdie subklousule vermeld op 'n Saterdag val, moet die besoldiging vir so 'n vakansiedag bereken word teen een vyfde van die gewone weekloon.

(d) As 'n werknemer se diens gedurende November beëindig word, moet hy, benewens enige ander besoldiging aan hom verskuldig, een dag se besoldiging betaal word vir elkeen van die openbare vakansiedae, naamlik Gelofte-dag, Kersdag, Gesinsdag en Nuwejaarsdag, waarvoor hy nog nie besoldiging ontvang het nie, en die loon betaalbaar vir sodanige vakansiedag moet teen vier vyfdes van die gewone weekloon gereken word: Met dien verstande dat hierdie paragraaf nie van toepassing is op 'n werknemer wie se diens beëindig word om 'n regsgeldige rede wat as voldoende geag word om summiere ontslag te regverdig nie.

(e) As 'n werknemer se diens gedurende Desember beëindig word, moet hy, benewens enige ander besoldiging aan hom verskuldig, een dag se besoldiging betaal word vir elkeen van die openbare vakansiedae, naamlik Gelofte-dag, Kersdag, Gesinsdag en Nuwejaarsdag waarvoor hy nog nie besoldiging ontvang het nie, en die loon vir sodanige vakansiedag betaalbaar moet teen vier vyfdes van die gewone weekloon bereken word.

(9) Voordat 'n werkgewer sy bedryfsinrigting sluit vir die jaarlikse tydperk in subklousule (1) van hierdie klousule vermeld, moet hy—

(a) sy werknemers minstens 30 dae kennis van die voorlopige sluitingsdatum gee; en

(b) sy werknemers minstens 14 dae kennis gee van die werklike datum waarop die bedryfsinrigting gaan sluit en die tydperk waarin daar nie van die werknemers vereis sal word om te werk nie.

Die kennisgewings hierbo vermeld, moet skriftelik wees en die werkgewer moet dit vertoon op 'n plek wat vir sy werknemers maklik toeganklik is.

(10) Tensy die werknemer dit versoek en die werkgewer skriftelik daartoe instem, mag die verloftydperk in subklousules (1) en (5) vermeld nie met 'n tydperk van militêre diens ingevolge die Verdedigingswet, 1957, saamval nie.

(11) Ondanks andersluidende bepalings hierin, beteken die woord "besoldiging", vir die toepassing van subklousule (6), die loon voorgeskryf in Kolom B van klousule 4 (6) vir die werksaamheid waarvoor die werknemer in diens is: Met dien verstande dat indien 'n werkgewer 'n werknemer gereeld 'n hoër bedrag betaal as dié in genoemde Kolom B voorgeskryf, dit dié hoër bedrag beteken: Voorts met dien verstande dat hierdie subklousule nie van toepassing is op 'n werknemer wat stukwerk ingevolge klousule 14 verrig nie.

(12) (a) Aan elke werknemer wat 12 maande diens by dieselfde werkgewer voltooi het as die bedryfsinrigting ingevolge subklousule (1) sluit, moet 'n vakansiebonus betaal word van minstens drie vyfdes van die weekloon wat hy ontvang wanneer die bedryfsinrigting sluit: Met dien verstande dat 'n werknemer wie se diens begin op die datum waarop die bedryfsinrigting na die jaarlikse verloftydperk heropen, geag word 12 maande in diens te gewees het as hy nog in diens by dieselfde werkgewer is wanneer die bedryfsinrigting vir die volgende tydperk van jaarlikse verlof ingevolge subklousule (1) sluit.

(b) Die vakansiebonus in paragraaf (a) bedoel, moet voor of op die laaste werkdag voordat die bedryfsinrigting ingevolge subklousule (1) sluit aan die werknemer betaal word.

8. WERKPLEK

(1) Geen werkgewer kan van 'n werknemer vereis of hom toelaat om werk in die Nywerheid op 'n ander plek as in sy gewone bedryfsinrigting te verrig nie.

(2) Terwyl 'n werknemer in diens is, mag hy nie vir meer as een werkgewer gedurende dieselfde werkweek werk nie.

9. COUNCIL FUNDS

For the purpose of meeting the expenses of the Council, every employer shall on each pay-day deduct 4 cents from the wages of each of his employees, and to the total or the amounts so deducted the employer shall add an equal amount and forward the total sum, not later than the 7th day of the following month, to the Secretary of the Council, P.O. Box 2221, Port Elizabeth, 6056, or such other official as may be specified by the Council or Executive Committee.

10. TERMINATION OF EMPLOYMENT

(1) Except as provided in subclause (2), every employee shall be required to give one week's notice to terminate his employment and every employer shall be required to give like notice to terminate the services of an employee. Such week's notice shall take effect from the end of the working week of the establishment concerned. A week's notice shall mean a full week's work or a full week's pay in lieu thereof. An employee whose services are not required after the leave referred to in clause 7, shall be given notice thereof one week before the leave begins, failing which he shall be entitled to receive a week's pay in lieu of notice.

(2) An employee who has in any week been working short-time for more than two consecutive days may terminate his employment by giving one day's notice.

(3) The provisions of this clause shall not affect any agreement which provides for a longer period of notice than one week: Provided that the period of notice agreed upon is of equal duration on both sides. Whenever an agreement is entered into in terms of the subclause, payment in lieu of notice shall be proportionate to the period of notice agreed upon.

(4) Where an employee has been on short-time amounting to less than 42 hours' work during a period of four consecutive weeks, his contract of employment shall at the expiration of that period be regarded as automatically terminated and the employee shall be entitled to payment of an amount equal to his ordinary weekly remuneration in addition to any payment in terms of this Agreement for the work he has performed. Any period during which an establishment is closed which immediately follows or precedes the annual leave period provided for in clause 7 (1) shall be regarded as short-time.

(5) An employee who is dismissed without notice except for cause recognised by law as sufficient, shall be paid a full week's pay in lieu of such notice at the wages he was receiving at the time of such dismissal.

(6) The period of notice shall not run concurrently with nor shall notice be given while an employee is undergoing military service in pursuance of the Defence Act, 1957.

(7) When an employee has been absent from work owing to illness or confinement for a period exceeding 30 consecutive days, the employer shall be entitled summarily to terminate the contract of employment without payment by notifying the employee and the Secretary of the Council to that effect, in writing.

11. INSURANCE OF WAGES IN CASE OF FIRE

(1) Every employer shall maintain a policy of insurance with a registered insurance company which shall provide for the payment to be made to all employees of the employer who are deprived of work through fire, the amount of one week's wages: Provided that, should the stoppage of work be for a period of less than one week, a pro rata payment may be made.

(2) Every employer who has taken out a policy in terms of subclause (1) shall, within 14 days of being requested to do so by an agent of the Council, produce a certificate from the insurance company certifying that insurance cover to meet the requirements of subclause (1) exists and further certifying the period for which the policy is valid.

(3) Should it not be possible for the employer to obtain such a policy of insurance, he shall, if he has not already done so, within two months of the date of coming into operation of this Agreement or within two months of becoming engaged in the Industry, whichever is the later, deposit with the Council an amount equal to one week's wages of all employees in the establishment which the Council shall retain in a special trust investment account until required for a like payment to employees: Provided that if not so paid to employees it shall be the property of the employer.

(4) Interest on any such moneys invested shall accrue to the general funds of the Council.

12. SERVICE CERTIFICATES

(1) Every employer shall issue to every employee leaving his service a service certificate in the form of Annexure A at the time of leaving. Such certificates shall be numbered consecutively and a copy of each shall be retained by the employer, and a copy forwarded to the Secretary of the Council, P.O. Box 2221, Port Elizabeth, 6056.

9. FONDSE VAN DIE RAAD

Ten einde die uitgawes van die Raad te bestry, moet elke werkgewer op elke betaaldag 4 sent van die loon van elkeen van sy werknemers aftrek, by die totaal van die bedrae aldus afgetrek 'n gelyke bedrag voeg en die totale bedrag voor of op die 7de dag van die volgende maand stuur aan die Sekretaris van die Raad, Posbus 2221, Port Elizabeth, 6056, of aan sodanige ander beampste as wat die Raad of Uitvoerende Komitee aanwys.

10. DIENSBEËINDIGING

(1) Behoudens subklousule (2), moet elke werknemer een week kennis van diensbeëindiging gee en moet elke werkgewer insgelyks een week kennis gee van sy voorneme om die diens van 'n werknemer te beëindig. Sodanige kennisgewing van een week werk van krag aan die einde van die werkweek van die betrokke bedryfsinrigting. 'n Week kennisgewing beteken 'n volle week se werk of 'n volle week se besoldiging in plaas daarvan. 'n Werknemer wie se dienste nie na die verloftydperk vermeld in klousule 7 nodig is nie, moet een week voordat die verlof begin kennis daarvan gegee word, anders is hy geregtig op 'n week se besoldiging in plaas daarvan.

(2) 'n Werknemer wat in 'n bepaalde week meer as twee agtereenvolgende dae korttyd gewerk het, kan sy diens beëindig deur een dag kennis te gee.

(3) Hierdie klousule raak nie enige ooreenkoms wat vir kennisgewingstermyn van langer as een week voorsiening maak nie: Met dien verstande dat die kennisgewingstermyn waarvoor ooreengekom is van gelyke duur vir albei partye is. Wanneer ooreenkoms kragtens hierdie subklousule aangegaan word, moet betaling in plaas van kennisgewing in verhouding wees tot die kennisgewingstermyn waarvoor ooreengekom is.

(4) Waar 'n werknemer korttyd gewerk het wat minder as 42 uur se werk gedurende 'n tydperk van vier agtereenvolgende weke beloop, word sy dienskontrak by verstryking van daardie tydperk geag outomaties beëindig te wees en is die werknemer geregtig op 'n bedrag gelyk aan sy gewone weeklikse besoldiging benevens enige besoldiging ingevolge hierdie Ooreenkoms, vir die werk wat hy verrig het. Enige tydperk waarin 'n bedryfsinrigting gesluit is en wat die jaarlikse verloftydperk waarvoor klousule 7 (1) voorsiening maak, onmiddellik voorafgaan of woonmiddellik daarop volg, word geag korttyd te wees.

(5) 'n Werknemer wat sonder kennisgewing ontslaan word uitgesonderd om 'n regsgeldige rede, moet in plaas van sodanige kennisgewing 'n volle week se besoldiging betaal word teen die loon wat hy ten tyde van sodanige ontslag ontvang het.

(6) Die kennisgewingstermyn mag nie saamval met en kenmerk nie gegee word gedurende 'n tydperk waarin 'n werknemer militêre diens ingevolge die Verdedigingswet, 1957, ondergaan.

(7) Waar 'n werknemer weens siekte of 'n bevalling vir 'n tydperk van meer as 30 agtereenvolgende dae van die werk afwesig was, is die werkgewer daarop geregtig om die dienskontrak summier sonder betaling te beëindig deur die werknemer en die Sekretaris van die Raad skriftelik daarvan in kennis te stel.

11. VERSEKERING VAN LONE IN GEVAL VAN BRAND

(1) Elke werkgewer moet 'n versekeringspolis by 'n gereguleerde versekeringsmaatskappy in stand hou wat voorsiening moet maak vir betaling van een week se loon aan alle werknemers van die werkgewer wat weens brand werkloos word: Met dien verstande dat betaling pro-rata gemaak kan word as wat vir 'n tydperk van minder as een week gestaak word.

(2) Elke werkgewer wat 'n polis ingevolge subklousule (1) uitgeneem het, moet binne 14 dae nadat 'n agent van die Raad hom daarom versoek het, 'n sertifikaat van die versekeringsmaatskappy toon wat meld dat daar versekeringsdekking bestaan teen die vereistes van subklousule (1) voldoen en wat ook 'n tydperk meld waarvoor die polis geldig is.

(3) As dit nie vir die werkgewer moontlik is om so 'n versekeringspolis te verkry nie, moet hy, as hy dit nie alreeds gedoen het nie, binne twee maande vanaf die datum van inwerkingtree van hierdie Ooreenkoms of binne twee maade nadat hy tot Nywerheid toetree, naamlik die jongste datum, 'n bedrag geaan een week se lone vir alle werknemers in die bedryfsinrigting by die Raad deponeer, en die Raad moet die bedrag in 'n spesiale trustbeleggingsrekening hou totdat dit vir so 'n betaling aan werknemers nodig is: Met dien verstande dat as dit nie aldus aan werknemers betaal word nie, dit die eiendom van die werkgewer word.

(4) Rente op al sodanige geld wat belê word, val aan die algemene fondse van die Raad toe.

12. DIENSSERTIFIKATE

(1) Elke werkgewer moet aan elke werknemer wat sy diens verlaat, by sy vertrek 'n dienssertifikaat in die vorm van Annexure A uitreik. Sodanige sertifikaat moet agtereenvolgend genummer word en 'n kopie van elkeen moet deur die werkgewer behou word en nog 'n kopie moet aan die Sekretaris van die Raad, Posbus 2221, Port Elizabeth, 6056, gestuur word.

In the event of an employee leaving without notice, both the employee's copy and the Council's copy shall be forwarded to the Secretary of the Council.

(2) Before engaging an employee, every employer shall require the applicant, if he has been previously employed in the Industry, to produce a service certificate in terms of subclause (1) hereof or a certificate signed by the secretary of a District Committee or the Secretary of the Council specifying the previous experience of the applicant, if any. If the applicant is a newcomer to the Industry or a learner, the employer shall require him to produce a birth certificate or other evidence in proof of age.

An employer may accept a signed statement from the employee's parent or guardian as "proof of age" for a period of three months during which time the employee must produce a birth certificate. If after three months, the employee is unable to produce such certificate, the employer must apply to the District Committee (or where no District Committee exists, to the Executive Committee) for exemption from this subclause.

If such exemption is not granted, the employee's service must be terminated by the employer giving such an employee one week's notice in terms of clause 10.

A signed statement by the employee shall not be accepted as proof of age.

In the case of Bantu, a certificate signed by the Bantu Affairs Commissioner certifying the employee's age may, in the absence of other acceptable evidence, be accepted as "proof of age".

13. DIFFERENTIAL RATES

(1) An employee may not be required or allowed to perform more than two operations specified in clause 4 (6) A and B for which different wages are prescribed. An employee who is employed in any two such operations shall be paid for each hour or part of an hour worked on each operation at not less than the hourly wage applicable to each such operation.

(2) The wage of an employee who is employed on any of the operations specified in clause 4 (6) A and B may not be reduced if he is employed in the same week on any of the operations specified in clause 4 (6) C.

(3) An employee who is employed on more than one of the operations or in more than one of the occupations specified in clause 4 (6) C (i) shall be paid at the higher rate prescribed for the operation or occupation.

(4) An employer shall provide the employee with a record book or card, in the form shown in Annexure B, in which the employer shall enter daily the nature of each operation performed and the actual time worked thereon. The entries shall be certified by the signature of the employee concerned.

14. PIECE-WORK

(1) No piece-work system shall be applied in any establishment less and until—

(a) the District Committee concerned has recommended piece-work rates; and

(b) the piece-work rates either as recommended by the District Committee or otherwise have been approved by the Council.

(2) Piece-work shall apply to all employees in the same establishment engaged on the operations concerned, and the piece-work rates shall be established on such a basis as to enable each employee to earn the prescribed minimum hourly wage for the operation plus 25 per cent.

(3) No piece-work basis which is in operation at the date of the Agreement shall be altered to a time basis without the consent of the Council.

15. LICENSING OF LEARNERS

(1) No employer shall employ a learner upon splitting or splitting except under a licence issued by the Council or Executive Committee. The Council or Executive Committee shall satisfy itself that proper facilities exist for the training of such learner.

(2) Application for permission to employ a learner upon an operation referred to in subclause (1) shall be made by the employer to the Council on such form as may be prescribed by the Council.

(3) Each licence referred to in subclause (1) shall be signed by the Secretary of the Council and shall show the learner's name, age, the operation on which he is employed, the minimum wages payable to him, the name of the employer and the period during which the licence shall be valid.

As 'n werknemer sy diens sonder kennisgewing verlaat, moet sowel die werknemer as die Raad se kopie aan die Sekretaris van die Raad gestuur word.

(2) Voordat hy 'n werknemer in diens neem, moet elke werkgever die aansoeker vereis om 'n dienssertifikaat ingevolge subklousule (1) hiervan te toon as hy reeds voorheen in die Nywerheid gewerk het, of om 'n sertifikaat te toon wat deur die sekretaris van die distrikskomitee of die Sekretaris van die Raad onderteken is en die vorige ondervinding (as daar is) van die aansoeker vermeld. As die aansoeker 'n nuwe toetredende tot die Nywerheid of 'n leerling is, moet die werkgever van hom vereis om 'n geboortesertifikaat of ander bewys van ouderdom te toon.

'n Werkgever kan 'n verklaring wat deur die werknemer se ouer of voog onderteken is as "bewys van ouderdom" aanvaar vir 'n tydperk van drie maande, waarin die werknemer 'n geboortesertifikaat moet toon. As die werknemer na drie maande nie in staat is om so 'n sertifikaat te toon nie, moet die werkgever by die distrikskomitee (of waar daar geen distrikskomitee bestaan nie, by die Uitvoerende Komitee) aansoek doen om vrystelling van hierdie subklousule.

As sodanige vrystelling nie verleen word nie, moet die werkgever die werknemer se diens beëindig deur een week kennis ingevolge klousule 10 aan so 'n werknemer te gee.

'n Verklaring deur die werknemer onderteken mag nie as "bewys van ouderdom" aanvaar word nie.

In die geval van 'n Bantoe kan 'n sertifikaat onderteken deur die Bantoesakekommissaris wat die werknemer se ouderdom sertifiseer, by gebrek aan ander aanvaarbare bewys as "bewys van ouderdom" aanvaar word.

13. DIFFERENSIËLE LONE

(1) 'n Werknemer mag nie verplig of toegelaat word om meer as twee werksaamhede in klousule 4 (6) A en B gespesifiseer, te verrig waarvoor verskillende lone voorgeskryf word nie. 'n Werknemer wat enige twee sodanige werksaamhede verrig, moet vir elke uur of gedeelte van 'n uur wat hy elke sodanige werksaamheid verrig, minstens die uurloon vir elke sodanige werksaamheid betaal word.

(2) Die loon van 'n werknemer wat enigteen van die werksaamhede gespesifiseer in klousule 4 (6) A en B verrig, mag nie verminder word as hy in dieselfde week enigteen van die werksaamhede gespesifiseer in klousule 4 (6) C verrig nie.

(3) 'n Werknemer wat meer as een van die werksaamhede verrig of meer as een van die beroepe uitoefen wat in klousule 4 (6) C (i) vermeld word, moet die hoër loon betaal word wat vir sodanige werksaamheid of beroep voorgeskryf word.

(4) 'n Werkgever moet 'n verslagboek of 'n verslagkaart in die vorm in Aanhangsel B getoon aan die werknemer verskaf waarin die werkgever daaglik die aard van elke werksaamheid verrig en die tyd werklik daaraan bestee, moet aanteken. Die betrokke werknemer moet die inskrywings met sy handtekening sertifiseer.

14. STUKWERK

(1) Geen stukwerkstelsel mag in enige bedryfsinrigting toegepas word nie, tensy en totdat—

(a) die betrokke distrikskomitee stukwerkklone aanbeveel het; en

(b) die stukwerkklone soos of deur die distrikskomitee of op 'n ander wyse aanbeveel, deur die Raad goedgekeur is.

(2) Stukwerk is van toepassing op alle werknemers in dieselfde bedryfsinrigting wat die betrokke werksaamhede verrig, en die stukwerkklone moet op so 'n grondslag ingestel word dat dit elke werknemer in staat stel om die voorgeskrewe minimum uurloon vir die werksaamheid plus 25 persent te verdien.

(3) Geen stukwerkgrondslag wat op die datum van hierdie Ooreenkoms in werking is, mag sonder die Raad se goedkeuring na 'n tydgrondslag verander word nie.

15. LISENSIERING VAN LEERLINGE

(1) Geen werkgever mag 'n leerling vir splits- of skaafwerk in diens neem nie, behalwe ooreenkomstig 'n lisensie deur die Raad of Uitvoerende Komitee uitgereik. Die Raad of Uitvoerende Komitee moet daarvan oortuig wees dat daar behoorlike fasiliteite vir die opleiding van sodanige leerling bestaan.

(2) Aansoek om toestemming om 'n leerling in diens te neem vir 'n werksaamheid in subklousule (1) vermeld, moet deur die werkgever by die Raad gedoen word op die vorm wat die Raad voorskryf.

(3) Elke lisensie in subklousule (1) vermeld, moet deur die Sekretaris van die Raad onderteken word en moet die volgende meld: Die leerling se naam en ouderdom, die werksaamheid waarvoor hy in diens geneem word, die minimum loon aan hom betaalbaar, die naam van die werkgever en die tydperk waarvoor die lisensie geldig is.

(4) The Council or Executive Committee, may, if it deems fit, after one week's notice, in writing, has been given to the employer and to the employee, withdraw any licence issued in terms of this clause, whether or not the period of validity has expired.

(5) A duplicate copy of every licence issued in terms of this clause shall be given to the employee.

(6) For the purpose of determining the minimum wages payable to a learner employed in terms of this clause, the length of all his service in the Industry shall be taken into consideration.

(7) No learner employed in terms of this clause may be discharged or may leave his employer without the approval of the Council.

(8) On completion of his period of learnership, the Council shall issue a certificate to this effect to the learner concerned.

16. WAGE REGISTERS

Every employer upon whom the provisions of this Agreement are binding shall at all times keep records in the form and manner prescribed in terms of Annexure I.C. 32 of the Regulations to the Industrial Conciliation Act, 1956, and the prescribed particulars shall be reflected under departmental headings.

17. CLOGS, CLOTHING AND TOOLS

(1) Employers shall supply, free of charge, to all employees protective clothing and appliances as required by regulation 18 of the Regulations to the Factories, Machinery and Building Work Act, 1941, published under Government Notice 1227, dated 4 September 1941, as amended, and, in respect of employees employed in the lime yard and upon any wet work, aprons, gloves, leggings and one pair of watertight clogs or other suitable footwear of such type as to provide adequate protection to feet for at least four months, and shall replace such equipment on its being returned in a worn condition.

(2) Employers shall supply, free of charge, proper masks to employees employed on spraying and bark mills.

(3) All tools shall be provided by the employer, free of charge.

18. TRADE UNION REPRESENTATIVES ON THE COUNCIL

Employers shall give to any of their employees who are representatives on the Council, Executive Committee or any District Committee, every facility to attend to their duties in connection with the work of such bodies.

19. ADMINISTRATION OF AGREEMENT

The Council shall be the body responsible for the administration of this Agreement and may issue expressions of opinion not inconsistent with its provisions for the guidance of employers and employees.

20. EXEMPTIONS

(1) The Council or Executive Committee may, subject to the proviso to section 51 (3) of the Act, on the recommendation of a District Committee, or on its own decision, grant exemption from any of the provisions of this Agreement to or in respect of any person or persons for any good and sufficient reason.

(2) The Council or Executive Committee shall fix in respect of any person granted exemption, the conditions subject to which such exemption is granted and the period during which such exemption shall operate: Provided that the Council or Executive Committee may, if it deems fit, after one week's notice, in writing, has been given to the person concerned, withdraw any licence of exemption.

(3) The Secretary of the Council or Executive Committee shall issue to every person granted exemption, a licence signed by him setting out—

- (a) the full name of the person concerned;
- (b) the provisions of the Agreement from which exemption is granted;
- (c) the conditions subject to which such exemption is granted;
- (d) the period during which exemption shall operate.

(4) The Secretary of the Council or Executive Committee shall—

- (a) number consecutively all licences issued;
- (b) retain a copy of each licence issued; and
- (c) where exemption is granted to an employee, forward a copy of the licence to the employer concerned.

(5) No exemption from the provisions of clause 5 (1) (d) of this Agreement shall be granted under the clause to or in respect of any female employee engaged in manual work, except for the purpose of performing work—

- (a) which is necessitated by an emergency; and
- (b) which is necessary to prevent loss of raw materials in the course of treatment which are subject to rapid deterioration.

(4) Die Raad of Uitvoerende Komitee kan, as hy dit goed dink, nadat een week skriftelike kennisgewing aan die werkgewer en werknemer gegee is, enige lisensie uitgereik ooreenkomstig hierdie klousule intrek, afgesien daarvan of die tydperk waarvoor dit geldig is, verstryk het of nie.

(5) 'n Kopie van elke lisensie ooreenkomstig hierdie klousule uitgereik, moet aan die werknemer gegee word.

(6) Ten einde die minimum loon vas te stel wat betaalbaar is aan 'n leerling wat ooreenkomstig hierdie klousule in diens is, moet die lengte van al sy diens in die Nywerheid in aanmerking geneem word.

(7) Geen leerling wat ooreenkomstig hierdie klousule in diens is, mag sonder die goedkeuring van die Raad ontslaan word of sy werknemer se diens verlaat nie.

(8) By voltooiing van sy leertyd moet die Raad 'n sertifikaat met dié strekking aan die betrokke leerling uitreik.

16. LOONREGISTERS

Elke werkgewer vir wie hierdie Ooreenkoms bindend is, moet te alle tye registers byhou in die vorm en op die wyse voor geskryf in Aanhangsel I.C. 32 van die Regulasies ingevolge die Wet op Nywerheidsversoenings, 1956, en die voorgeskrewe besonderhede moet onder afdelingshoofde verskyn.

17. OORSKOENE, KLERE EN GEREEDSKAP

(1) Werkgewers moet beskermende klere en toestelle soos vereis by regulasie 18 van die regulasies ingevolge die Wet o Fabrieke, Masjinerie en Bouwerk, 1941, gepubliseer by Goewermentskennisgewing 1227 van 4 September 1941, soos gewysig, kosteloos aan alle werknemers verskaf en moet voorskote, handskoene, kamaste en een paar waterdigte oorskoene of ander geskikte skoel wat minstens vier maande lank voldoende beskerming aan die voete sal verleen, aan werknemers verskaf wat in die kalkskuur werk of nat werk doen, en moet sodanige uitrusting vervang wanneer dit in 'n verslete toestand terug besorg word.

(2) Werkgewers moet geskikte maskers kosteloos verskaf aan werknemers wat spuitwerk verrig en met basmeulens werk.

(3) Die werkgewer moet alle gereedskap kosteloos verskaf.

18. VAKVERENIGINGVERTRETERENWOORDIGERS IN DIE RAAD

Werkgewers moet aan enigeen van hul werknemers wat 'n verteenwoordiger in die Raad, Uitvoerende Komitee of 'n distrikskomitee is, al die fasiliteite verleen om hul pligte in verband met die werk van sodanige liggame na te kom.

19. ADMINISTRASIE VAN OOREENKOMS

Die Raad is die liggaam wat verantwoordelik is vir die administrasie van hierdie Ooreenkoms en hy kan vir die leiding van werkgewers en werknemers menings uitspreek wat nie met die bepalinge van die Ooreenkoms onbestaanbaar is nie.

20. VRYSTELLINGS

(1) Die Raad of Uitvoerende Komitee kan, behoudens die voorbehoudbepaling van artikel 51 (3) van die Wet, op aanbeveling van 'n distrikskomitee of uit eie beweging, enige persoon of persone om 'n afdoende rede vrystel van enigeen van die bepalinge van hierdie Ooreenkoms.

(2) Die Raad of Uitvoerende Komitee moet ten opsigte van elkeen aan wie vrystelling verleen word, die voorwaardes vaststel waarop sodanige vrystelling verleen word, asook die tydperk waarvoor sodanige vrystelling geldig is: Met dien verstande dat die Raad of Uitvoerende Komitee, as hy dit goeddink, nadat een week skriftelike kennis aan die betrokke persoon gegee is, enige vrystellingsertifikaat kan intrek.

(3) Die Sekretaris van die Raad of Uitvoerende Komitee moet aan elkeen aan wie vrystelling verleen is, 'n sertifikaat uitreik wat deur hom onderteken is en waarin die volgende voorkom—

- (a) Die volle naam van die betrokke persoon;
- (b) die bepalinge van die Ooreenkoms waarvan vrystelling verleen word;
- (c) die voorwaardes waarop sodanige vrystelling verleen word;
- (d) die tydperk waarvoor die vrystelling geldig is.

(4) Die Sekretaris van die Raad of Uitvoerende Komitee moet—

- (a) alle sertifikate wat uitgereik is, agtereenvolgens nommer;
- (b) 'n kopie behou van elke sertifikaat wat uitgereik is;
- (c) waar vrystelling aan 'n werknemer verleen word, 'n kopie van die sertifikaat aan die betrokke werkgewer stuur.

(5) Geen vrystelling van klousule 5 (1) (d) van hierdie Ooreenkoms mag ooreenkomstig hierdie klousule verleen word aan en ten opsigte van 'n vroulike werknemer wat handwerk doen behalwe vir die verrigting van werk—

- (a) wat as gevolg van 'n noodtoestand veroorsaak is;
- (b) wat nodig is ten einde die verlies te voorkom van goeteware wat nog behandel word en maklik kan bederf.

21. PERSONS UNDER 15 YEARS OF AGE

No person under 15 years of age shall be employed in the Industry.

22. AGENTS

The Council shall appoint one or more persons as agents to assist in giving effect to the terms of this Agreement. It shall be the duty of every employer to permit such persons to enter his establishment and to institute such enquiries and to examine such documents, books, wage sheets, pay envelopes and pay tickets and to interrogate such individuals as may be necessary for the purpose of ascertaining whether the provisions of this Agreement are being observed.

23. EMPLOYMENT OF MEMBERS OF TRADE UNIONS

(1) Preferential treatment in the matter of employment shall be given to members of the trade unions, and officials of the trade unions shall be given every reasonable facility by employers to organise employees.

(2) The members of the trade unions in each establishment shall have the right to appoint one or more shop stewards and/or shop committee from amongst themselves, in accordance with any provisions for the appointment of shop stewards and shop committees in the constitution of the trade union concerned, and the employer concerned shall accord full recognition to such shop stewards and shop committee and provide reasonable facilities for meetings thereof and consultations therewith on matters relating to disagreement and to the working conditions of the employees generally.

(3) Upon being requested, in writing, by an employee to do so, an employer may deduct from the wages of that employee the amount of the employee's trade union subscription and shall, by the 15th day of each succeeding month hand the amount so deducted to the official appointed by the trade union to receive it, or, alternatively, shall send it by post to the registered office of the trade union.

This Agreement signed on behalf of the parties this 20th day of April 1978.

R. HARDING, Member of the Council.

J. J. JORDAAN, Member of the Council.

S. YOUNG, Secretary of the Council.

ANNEXURE A

NATIONAL INDUSTRIAL COUNCIL OF THE LEATHER INDUSTRY OF SOUTH AFRICA

SERVICE CERTIFICATE

No. of Certificate.....

Location of the Industry.....
Name and address of employer.....

I hereby certify that the undermentioned person was employed by me and that the particulars detailed hereunder are correct:

1. Surname (or Bantu name)..... Fund No.....
2. Christian names.....
Bantu identification No.....
3. Address.....
4. Date of birth..... Sex..... Race.....
5. Operations.....
6. Wage paid at date of leaving.....
Wage group: (a) S.B.F.....
(b) P.F.....
7. Date of entering service.....
8. Date of leaving service.....
9. Whether left of own accord: (Yes/No).....
10. Date of last increase in terms of Agreement.....
11. The number of the certificate of service issued by previous employer..... (insert name) was.....
12. Sick Benefit Fund:
 - (a) Number of contributions to date.....
 - (b) Benefit accrued to date..... hours.
 - (c) Name of Sick Benefit Fund doctor.....

Issued at..... this..... day
of..... 19.....

Signature of employer/Secretary

21. PERSONE ONDER DIE OUDERDOM VAN 15 JAAR

Niemand onder die ouderdom van 15 jaar mag in die Nywerheid in diens geneem word nie.

22. AGENTE

Die Raad moet een of meer persone as agente aanstel om te help met die uitvoering van hierdie Ooreenkoms. Dit is die plig van elke werkgever om sodanige persone toe te laat om sy bedryfsinrigting te betree en sodanige navrae te doen en sodanige dokumente, boeke, loonstate, betaalkoeverte en betaalkaarte te ondersoek en sodanige individue te ondervra as wat nodig is ten einde vas te stel of hierdie Ooreenkoms nagekom word.

23. INDIENSNEMING VAN VAKVERENIGINGLEDE

(1) By indiensneming moet lede van die vakverenigings voorkeur geniet, en werkgevers moet alle redelike fasiliteite aan beamptes van die vakverenigings verleen om organisasiewerk onder werknemers te doen.

(2) Die lede van die vakverenigings in elke 'bedryfsinrigting' het die reg om een of meer werkwinkelverteenvoordigers en/of 'n werkwinkelkomitee uit hul geledere aan te stel ooreenkomstig die bepalinge vir die aanstelling van werkwinkelverteenvoordigers en werkwinkelkomitees in die konstitusie van die betrokke vakvereniging, en die betrokke werkgever moet volle erkenning aan sodanige werkwinkelverteenvoordigers en werkwinkelkomitees verleen en aan hulle alle redelike fasiliteite verskaf vir vergaderings en raadpleging oor sake betreffende geskille en diensvoorwaardes van werknemers oor die algemeen.

(3) As 'n werknemer dit skriftelik versoek, mag 'n werkgever van die loon van daardie werknemer die werknemer se ledegeld vir die vakvereniging aftrek en die bedrag aldus afgetrek teen die 15de dag van elke daaropvolgende maand aan die beampte oorhandig wat deur die vakvereniging aangestel is om dit te ontvang, of anders moet hy dit per pos na die geregistreerde kantoor van die vakvereniging stuur.

Hierdie Ooreenkoms is namens die partye op hede die 20ste dag van April 1978 onderteken.

J. R. HARDING, Lid van die Raad.

F. J. J. JORDAAN, Lid van die Raad.

A. S. YOUNG, Sekretaris van die Raad.

AANHANGSEL A

NATIONALE NYWERHEIDSRAAD VIR DIE LEERNYWERHEID VAN SUID-AFRIKA

DIENSSERTIFIKAAT

Sertifikaat No.....

Seksie van die Nywerheid.....
Naam en adres van werkgever.....

Hierby sertifiseer ek dat ondergenoemde persoon by my in diens was en dat die besonderhede wat hier volg, juis is:

1. Familiernaam (of Bantonaam)..... Fondsnr.....
2. Voorname.....
Bantobewysnommer.....
3. Adres.....
4. Geboortedatum..... Geslag..... Ras.....
5. Werksaamhede.....
6. Loon betaal op datum van diensverlating.....
Loongroep: (a) Siektebystandsfonds.....
(b) Voorsorgfonds.....
7. Datum van diensaanvaarding.....
8. Datum van diensverlating.....
9. Diens uit eie beweging verlaat: (Ja/Nee).....
10. Datum van laaste verhoging ingevolge Ooreenkoms.....
11. Die nommer van die dienssertifikaat deur die vorige werkgever uitgereik..... (meld naam) was.....
12. Siektebystandsfonds:
 - (a) Getal bydraes tot op datum.....
 - (b) Bystand opgeloopt tot op datum..... uur.
 - (c) Naam van Siekebystandsfondsdokter.....

Op hede die..... dag van..... 19.....
uitgereik te.....

Handtekening van werkgever/Sekretaris

ANNEXURE B/AANHANGSEL B

[Vide clause 13 (4)]/[Kyk klousule 13 (4)]

DIFFERENTIAL WAGE BOOK/BOEK VIR DIFFERENSIËLE LONE

Week ending/Week eindigende..... Name/Naam..... No.....

[illegible]

Total wages earned/Totale loon verdien..... R.....

Note.—Entries must be made in ink or indelible pencil. Foreman and operator must sign for actual time worked on each operation.

Note.—Entries must be made in ink or indelible pencil. Foreman and operator must sign for actual time worked on each operation.
Opmerking.—Inskrywings moet met ink of inktlood gemaak word. Die voorman en werker moet teken vir die werklike tyd aan elk werksaamheid bestee.

No. R. 1214

16 June 1978

FACTORIES, MACHINERY AND BUILDING
WORK ACT, 1941

LEATHER INDUSTRY, REPUBLIC OF SOUTH AFRICA

I, Stephanus Petrus Botha, Minister of Labour, hereby, in terms of section 22 (1) of the Factories, Machinery and Building Work Act, 1941, declare the provisions of the Agreement and notice relating to the Leather Industry, published under Government Notice R. 1213 of 16 June 1978, to be, on the whole, not less favourable to the employees whose hours of work and remuneration in respect of overtime, public holidays and work on Sundays and public holidays are regulated thereby, than the relative provisions of the said Act.

S. P. BOTHA, Minister of Labour.

No. R. 1214

16 Junie 1977

WET OP FABRIEKE, MASJINERIE EN BOUWERK
1941

LEERNYWERHEID, REPUBLIEK VAN SUID-
AFRIKA

Ek, Stephanus Petrus Botha, Minister van Arbeid, verklaar hierby, kragtens artikel 22 (1) van die Wet op die Fabriek, Masjinerie en Bouwerk, 1941, dat die bepaling van die Ooreenkoms en kennisgewing in verband met die Leernywerheid, gepubliseer by Goewermentskennisgewing R. 1213 van 16 Junie 1978, oor die algemeen van werknemers wie se werkure en besoldiging ten opsigte van oortydwerk, openbare feesdae en werk op Sondae en openbare feesdae daarby gereël word, nie minder gunstig is nie as die desbetreffende bepaling van genoemde Wet.

S. P. BOTHA, Minister van Arbeid.

No. R. 1217

16 June 1978

WAGE ACT, 1957

AMENDMENT OF WAGE DETERMINATION 362.—
PRIVATE HOTEL AND BOARDING-HOUSE
TRADE, CERTAIN INLAND AREAS

I, Stephanus Petrus Botha, Minister of Labour, hereby, in terms of section 15 (6) of the Wage Act, 1957, amend Wage Determination 362, Private Hotel and Boarding-House Trade, Certain Inland Areas, published under Government Notice R. 1139 of 13 June 1975, in accordance with the Schedule hereto and fix the second Monday after the date of publication of this notice as the date from which the said amendments shall be binding.

S. P. BOTHA, Minister of Labour.

No. R. 1217

16 Junie 19

LOONWET, 1957

WYSIGING VAN LOONVASSTELLING 362.—P
VAATHOTEL- EN LOSIESHUISBEDRYF, SEKE
BINNELANDSE GEBIEDE

Ek, Stephanus Petrus Botha, Minister van Arbeid wysig hierby kragtens artikel 15 (6) van die Loonwet 1957, Loonvaststelling 362, Privaathotel- en Losieshuurbedryf, Sekere Binnelandse Gebiede, gepubliseer Goewermmentskennisgewing R. 1139 van 13 Junie 1968 ooreenkomstig die Bylae hiervan en bepaal die twee Maandag na die datum van publikasie van hierdie kennisgewing as die datum waarop genoemde wysigings binde word.

S. P. BOTHA, Minister van Arbeid.

SCHEDULE

1. Substitute the following for clause 3 (1) (a):

BYLAE

1. Vervang klousule 3 (1) (a) deur die volgende:

“(a) Employees, excluding part-time employees and casual employees:

	In the Magisterial District of Johannesburg		In the Magisterial Districts of Alberton, Benoni, Boksburg, Brakpan, Germiston, Kempton Park, Krugersdorp, Nigel, Oberholzer, Pretoria, Randburg, Randfontein, Roodepoort, Springs, Vanderbijlpark, Vereeniging and Westonaria		In the municipal areas of Bloemfontein and Kimberley, and the Magisterial District of Sasolburg		In the municipal area of Pietermaritzburg	
	(i)	(ii)	(i)	(ii)	(i)	(ii)	(i)	(ii)
	Per month	Per month	Per month	Per month	Per month	Per month	Per month	Per month
	R	R	R	R	R	R	R	R
Assistant housekeeper.....	122,70	133,00	118,00	128,00	108,00	117,00	108,00	117,00
Handyman.....	102,40	111,00	98,50	106,50	78,00	85,80	78,00	85,80
Lead waiter or head waitress.....	90,40	98,00	85,90	93,00	74,50	80,50	78,50	84,30
Lead cook.....	127,50	139,00	117,30	127,00	96,50	105,00	98,80	107,00
Housekeeper.....	146,00	156,00	142,50	153,00	135,00	147,00	135,00	147,00
Waiter—								
unqualified—								
during the first six months of experience..	59,00	64,00	56,30	61,00	47,00	51,50	49,30	53,00
during the second six months of experience	62,70	68,00	60,00	65,00	48,00	52,50	51,50	55,50
during the third six months of experience	66,50	72,00	64,00	69,00	50,00	54,50	54,30	58,30
qualified.....	71,00	77,00	67,50	73,00	51,80	56,30	57,00	61,30
Waitress—								
unqualified—								
during the first six months of experience..	54,50	59,00	52,50	57,00	45,30	49,00	47,00	50,50
during the second six months of experience	58,20	63,00	56,30	61,00	47,80	52,00	50,00	53,50
during the third six months of experience	62,70	68,00	60,00	65,00	49,80	54,00	54,80	57,30
qualified.....	66,50	72,00	64,00	69,00	52,50	57,00	57,30	61,80
Work—								
male—								
unqualified—								
during the first year of experience.....	105,00	112,00	105,00	112,00	103,00	109,00	103,00	109,00
during the second year of experience....	121,00	129,00	121,00	129,00	119,00	126,00	119,00	126,00
during the third year of experience.....	137,00	146,00	137,00	146,00	135,00	143,00	135,00	143,00
during the fourth year of experience....	153,00	163,00	153,00	163,00	151,00	160,00	151,00	160,00
during the fifth year of experience.....	169,00	180,00	169,00	180,00	167,00	177,00	167,00	177,00
qualified.....	185,00	197,00	185,00	197,00	183,00	194,00	183,00	194,00
female—								
unqualified—								
during the first year of experience.....	99,00	106,00	99,00	106,00	97,00	103,00	97,00	103,00
during the second year of experience....	111,00	119,00	111,00	119,00	109,00	115,00	109,00	115,00
during the third year of experience....	122,00	131,00	122,00	131,00	120,00	128,00	120,00	128,00
during the fourth year of experience....	134,00	144,00	134,00	144,00	132,00	140,00	132,00	140,00
qualified.....	146,00	156,00	146,00	156,00	144,00	153,00	144,00	153,00
Work—								
male—								
unqualified—								
during the first six months of experience	60,80	66,00	58,00	63,00	50,00	54,50	51,00	55,50
during the second six months of experience..	69,20	75,00	65,50	71,00	55,80	60,80	57,30	61,80
during the third six months of experience	77,50	84,00	73,80	80,00	60,80	66,30	64,50	69,50
during the fourth six months of experience..	85,80	93,00	81,30	88,00	67,50	73,50	72,50	78,00
qualified.....	94,20	102,00	89,50	97,00	73,50	80,00	80,00	86,30
female—								
unqualified—								
during the first six months of experience	59,00	64,00	56,30	61,00	49,80	54,50	50,00	54,50
during the second six months of experience..	66,50	72,00	64,00	69,00	53,80	58,80	57,30	62,00
during the third six months of experience	74,70	81,00	70,30	76,00	57,80	63,30	64,50	70,00
during the fourth six months of experience..	82,20	89,00	78,50	85,00	63,00	69,00	72,00	78,00
qualified.....	90,40	98,00	85,90	93,00	68,00	74,50	78,50	84,30
Work's assistant.....	73,00	78,50	70,50	76,00	55,30	61,30	59,00	64,00
Light porter.....	79,00	85,00	75,00	81,50	56,30	61,00	57,30	62,00
Porter.....	79,00	85,00	75,00	81,50	54,00	59,00	55,80	61,30
Room attendant, male.....	62,70	68,00	60,00	65,00	49,50	53,50	51,00	55,50
Room attendant, female.....	59,00	64,00	56,50	61,50	46,50	51,00	49,30	53,00
Room attendant—waiter—								
during the first six months of experience....	62,30	67,30	60,00	65,00	49,50	54,00	51,50	56,00
qualified.....	66,50	72,00	64,00	69,00	52,00	56,50	55,00	60,30
Room attendant—waitress—								
during the first six months of experience....	59,00	64,00	56,50	61,50	46,50	51,00	49,30	53,00
qualified.....	62,30	67,30	60,00	65,00	49,50	54,00	52,80	57,30
Grade I employee.....	57,40	62,50	55,40	60,50	48,00	52,00	48,00	52,00

(i) During the first 12 months after this amendment comes into force.

(ii) Thereafter.

	In the Magisterial District of Johannesburg		In the Magisterial Districts of Alberton, Benoni, Boksburg, Brakpan, Germiston, Kempton Park, Krugersdorp, Nigel, Oberholzer, Pretoria, Randburg, Randfontein, Roodepoort, Springs, Vanderbijlpark, Vereeniging and Westonaria		In the municipal areas of Bloemfontein and Kimberley, and the Magisterial District of Sasolburg		In the municipal area of Pietermaritzburg	
	(i)	(ii)	(i)	(ii)	(i)	(ii)	(i)	(ii)
	Per month	Per month	Per month	Per month	Per month	Per month	Per month	Per month
Grade II employee, male—								
18 years of age or older.....	54,50	59,00	52,50	57,00	45,30	49,00	45,30	49,00
under 18 years of age.....	45,20	49,00	43,00	46,50	37,30	40,00	37,30	40,00
Grade II employee, female.....	47,00	51,00	45,30	49,00	38,90	42,00	38,90	42,00

(i) During the first 12 months after this amendment comes into force.

(ii) Thereafter.”

“(a) Werknemers, uitgesonderd deeltydse werknemers en los werknemers:

	In die landdrosdistrik Johannesburg		In die landdrosdistrikte Alberton, Benoni, Boksburg, Brakpan, Germiston, Kempton Park, Krugersdorp, Nigel, Oberholzer, Pretoria, Randburg, Randfontein, Roodepoort, Springs, Vanderbijlpark, Vereeniging en Westonaria		In die munisipale gebiede van Bloemfontein en Kimberley, en die landdrosdistrik Sasolburg		In die munisipale gebied van Pietermaritzburg	
	(i)	(ii)	(i)	(ii)	(i)	(ii)	(i)	(ii)
	Per maand	Per maand	Per maand	Per maand	Per maand	Per maand	Per maand	Per maand
	R	R	R	R	R	R	R	R
Assistent-huishoudster.....	122,70	133,00	118,00	128,00	108,00	117,00	108,00	117,00
Faktotum.....	102,40	111,00	98,50	106,50	78,00	85,80	78,00	85,80
Hoofkelner of hoofkelnerin.....	90,40	98,00	85,90	93,00	74,50	80,50	78,50	84,30
Hoofkok.....	127,50	139,00	117,30	127,00	96,50	105,00	98,80	107,00
Huishoudster.....	146,00	156,00	142,50	153,00	135,00	147,00	135,00	147,00
Kelner—								
ongekwalifiseerd—								
gedurende die eerste ses maande ondervinding.....	59,00	64,00	56,30	61,00	47,00	51,50	49,30	53,00
gedurende die tweede ses maande ondervinding.....	62,70	68,00	60,00	65,00	48,00	52,50	51,50	55,50
gedurende die derde ses maande ondervinding.....	66,50	72,00	64,00	69,00	50,00	54,50	54,30	58,30
gekwalifiseerd.....	71,00	77,00	67,50	73,00	51,80	56,30	57,00	61,30
Kelnerin—								
ongekwalifiseerd—								
gedurende die eerste ses maande ondervinding.....	54,50	59,00	52,50	57,00	45,30	49,00	47,00	50,50
gedurende die tweede ses maande ondervinding.....	58,20	63,00	56,30	61,00	47,80	52,00	50,00	53,50
gedurende die derde ses maande ondervinding.....	62,70	68,00	60,00	65,00	49,80	54,00	54,80	57,30
gekwalifiseerd.....	66,50	72,00	64,00	69,00	52,50	57,00	57,30	61,80
Klerk—								
man—								
ongekwalifiseerd—								
gedurende die eerste jaar ondervinding.....	105,00	112,00	105,00	112,00	103,00	109,00	103,00	109,00
gedurende die tweede jaar ondervinding.....	121,00	129,00	121,00	129,00	119,00	126,00	119,00	126,00
gedurende die derde jaar ondervinding.....	137,00	146,00	137,00	146,00	135,00	143,00	135,00	143,00
gedurende die vierde jaar ondervinding.....	153,00	163,00	153,00	163,00	151,00	160,00	151,00	160,00
gedurende die vyfde jaar ondervinding.....	169,00	180,00	169,00	180,00	167,00	177,00	167,00	177,00
gekwalifiseerd.....	185,00	197,00	185,00	197,00	183,00	194,00	183,00	194,00
vrou—								
ongekwalifiseerd—								
gedurende die eerste jaar ondervinding.....	99,00	106,00	99,00	106,00	97,00	103,00	97,00	103,00
gedurende die tweede jaar ondervinding.....	111,00	119,00	111,00	119,00	109,00	115,00	109,00	115,00
gedurende die derde jaar ondervinding.....	122,00	131,00	122,00	131,00	120,00	128,00	120,00	128,00
gedurende die vierde jaar ondervinding.....	134,00	144,00	134,00	144,00	132,00	140,00	132,00	140,00
gekwalifiseerd.....	146,00	156,00	146,00	156,00	144,00	153,00	144,00	153,00

(i) Gedurende die eerste 12 maande nadat hierdie wysiging van krag word.

(ii) Daarna.

	In die landdrosdistrik Johannesburg		In die landdrosdistrikte Alberton, Benoni, Boksburg, Brakpan, Germiston, Kempton Park, Krugersdorp, Nigel, Oberholzer, Pretoria, Randburg, Randfontein, Roodepoort, Springs, Vanderbijlpark, Vereeniging en Westonaria		In die munisipale gebiede van Bloemfontein en Kimberley, en die landdrosdistrik Sasolburg		In die munisipale gebied van Pietermaritzburg	
	(i)	(ii)	(i)	(ii)	(i)	(ii)	(i)	(ii)
	Per maand	Per maand	Per maand	Per maand	Per maand	Per maand	Per maand	Per maand
Kok—								
man—								
ongekwalifiseerd—								
gedurende die eerste ses maande onder-								
vinding	60,80	66,00	58,00	63,00	50,00	54,50	51,00	55,50
gedurende die tweede ses maande onder-								
vinding	69,20	75,00	65,50	71,00	55,80	60,80	57,30	61,80
gedurende die derde ses maande onder-								
vinding	77,50	84,00	73,80	80,00	60,80	66,30	64,50	69,50
gedurende die vierde ses maande onder-								
vinding	85,80	93,00	81,30	88,00	67,50	73,50	72,50	78,00
gekwalfiseerd	94,20	102,00	89,50	97,00	73,50	80,00	80,00	86,30
vrou—								
ongekwalifiseerd—								
gedurende die eerste ses maande onder-								
vinding	59,00	64,00	56,30	61,00	49,80	54,50	50,00	54,50
gedurende die tweede ses maande onder-								
vinding	66,50	72,00	64,00	69,00	53,80	58,80	57,30	62,00
gedurende die derde ses maande onder-								
vinding	74,70	81,00	70,30	76,00	57,80	63,30	64,50	70,00
gedurende die vierde ses maande onder-								
vinding	82,20	89,00	78,50	85,00	63,00	69,00	72,00	78,00
gekwalfiseerd	90,40	98,00	85,90	93,00	68,00	74,50	78,50	84,30
Koksmaat	73,00	78,50	70,50	76,00	55,30	61,30	59,00	64,00
Nagportier	79,00	85,00	75,00	81,50	56,30	61,00	57,30	62,00
Portier	79,00	85,00	75,00	81,50	54,00	59,00	55,80	61,30
Slaapkamerbediende, man	62,70	68,00	60,00	65,00	49,50	53,50	51,00	55,50
Slaapkamerbediende, vrou	59,00	64,00	56,50	61,50	46,50	51,00	49,30	53,00
Slaapkamerbediende—kelner—								
gedurende die eerste ses maande onder-								
vinding	62,30	67,30	60,00	65,00	49,50	54,00	51,50	56,00
gekwalfiseerd	66,50	72,00	64,00	69,00	52,00	56,50	55,00	60,30
Slaapkamerbediende—kelnerin—								
gedurende die eerste ses maande onder-								
vinding	59,00	64,00	56,50	61,50	46,50	51,00	49,30	53,00
gekwalfiseerd	62,30	67,30	60,00	65,00	49,50	54,00	52,80	57,30
Werknemer, graad I	57,40	62,50	55,40	60,50	48,00	52,00	48,00	52,00
Werknemer, graad II, man—								
18 jaar of ouer	54,50	59,00	52,50	57,00	45,30	49,00	45,30	49,00
onder 18 jaar	45,20	49,00	43,00	46,50	37,30	40,00	37,30	40,00
Werknemer, graad II, vrou	47,00	51,00	45,30	49,00	38,90	42,00	38,90	42,00

(i) Gedurende die eerste 12 maande nadat hierdie wysiging van krag word.
(ii) Daarna.”.

2. Substitute the expression “R2,00” for the expression “R1,30” in clause 11.

2. In klousule 11 vervang die uitdrukking “R1,30” deur die uitdrukking “R2,00”.

No. R. 1237

16 June 1978

APPRENTICESHIP ACT, 1944

PRETORIA HAIRDRESSING INDUSTRY APPRENTICESHIP COMMITTEE.—AMENDMENT OF CONDITIONS OF APPRENTICESHIP

I, Stephanus Petrus Botha, Minister of Labour, hereby, in terms of section 16 of the above-mentioned Act, declare that the provisions of Government Notice R. 627 of 31 March 1978 shall come into operation from the date of publication of this notice.

S. P. BOTHA, Minister of Labour.

No. R. 1237

16 Junie 1978

WET OP VAKLEERLINGE, 1944

VAKLEERLINGSKAPKOMITEE VIR DIE HAAR-SNYERSBEDRYF, PRETORIA.—WYSIGING VAN LEERVOORWAARDES

Ek, Stephanus Petrus Botha, Minister van Arbeid, verklaar hierby, kragtens artikel 16 van bogenoemde Wet, dat die bepalings van Goewermentskennisgewing R. 627 van 31 Maart 1978 vanaf die datum van publikasie van hierdie kennisgewing in werking tree.

S. P. BOTHA, Minister van Arbeid.

No. R. 1254 16 June 1978
APPRENTICESHIP ACT, 1944

NATIONAL APPRENTICESHIP COMMITTEE FOR THE MOTOR INDUSTRY.—AMENDMENT OF CONDITIONS OF APPRENTICESHIP

I, Stephanus Petrus Botha, Minister of Labour, hereby, in terms of section 16 of the above-mentioned Act, declare that the provisions of Government Notice R. 895 of 28 April 1978 shall come into operation on the date of publication of this notice.

S. P. BOTHA, Minister of Labour.

No. R. 1255 16 June 1978
CORRECTION NOTICE
APPRENTICESHIP ACT, 1944

NATIONAL APPRENTICESHIP COMMITTEE FOR THE METAL INDUSTRY.—PROPOSED AMENDMENT OF CONDITIONS OF APPRENTICESHIP

Government Notice R. 1157 of 2 June 1978 is hereby corrected by the substitution of the expression "24 September 1976" for the expression "20 September 1976" and the insertion of the expression "of 26 August 1977" after the expression "Government Notice R. 1699".

DEPARTMENT OF PLURAL RELATIONS AND DEVELOPMENT

No. R. 1218 16 June 1978
ESTABLISHMENT OF COMMUNITY COUNCILS FOR OUDTSHOORN AND OTHER URBAN RESIDENTIAL AREAS

I, Wilhelm Laubscher Vosloo, Deputy Minister of Plural Relations and Development, hereby establish, on behalf of the Minister of Plural Relations and Development by virtue of the powers vested in him by section 2 (1) of the Community Councils Act, 1977 (Act 125 of 1977)—

(1) a community council for each of the following urban residential areas:

Colesberg defined in Government Notice 1199 of 18 June 1954;

De Aar defined in Government Notice 897 of 24 June 1960;

Humansdorp defined in Government Notice 1497 of 24 August 1973;

Noupoort defined in Government Notice 1049 of 14 July 1967;

Oudtshoorn defined in Government Notice 1143 of 6 August 1965.

(2) a community council for the following urban residential areas:

Graaff-Reinet defined in Government Notice 669 of 22 April 1927;

Adendorp defined in Government Notice 2351 of 24 December 1930.

W. L. VOSLOO, Deputy Minister of Plural Relations and Development.

(File A2/14/2/G25/1)

No. R. 1254 16 Junie 1978
WET OP VAKLEERLINGE, 1944

NASIONALE VAKLEERLINGSKAPKOMITEE VIR DIE MOTORNYWERHEID.—WYSIGING VAN LEERVOORWAARDES

Ek, Stephanus Petrus Botha, Minister van Arbeid, verklaar hierby, kragtens artikel 16 van bogenoemde Wet, dat die bepalings van Goewermentskennisgewing R. 895 van 28 April 1978 op die datum van publikasie van hierdie kennisgewing in werking tree.

S. P. BOTHA, Minister van Arbeid.

No. R. 1255 16 Junie 1978
VERBETERINGSKENNISGEWING
WET OP VAKLEERLINGE, 1944

NASIONALE VAKLEERLINGSKAPKOMITEE VIR DIE METAALNYWERHEID.—VOORGENOME WYSIGING VAN LEERVOORWAARDES

Goewermentskennisgewing R. 1157 van 2 Junie 1978 word hierby verbeter deur die uitdrukking "20 September 1976" deur die uitdrukking "24 September 1976" te vervang en die uitdrukking "van 26 Augustus 1977" in te voeg na die uitdrukking "Goewermentskennisgewing R. 1699".

DEPARTEMENT VAN PLURALE BETREKKINGE EN ONTWIKKELING

No. R. 1218 16 Junie 1978
INSTELLING VAN GEMEENSKAPSGRADE VIR OUDTSHOORN EN ANDER STEDELIKE WOON-GEBIEDE

Ek, Wilhelm Laubscher Vosloo, Adjunk-minister van Plurale Betrekkinge en Ontwikkeling, stel hierby, namens die Minister van Plurale Betrekkinge en Ontwikkeling kragtens die bevoegdheid hom verleen by artikel 2 (1) van die Wet op Gemeenskapsrade, 1977 (Wet 125 van 1977)—

(1) 'n gemeenskapsraad in vir elk van die volgende stedelike woongebiede:

Colesberg omskryf in Goewermentskennisgewing 1199 van 18 Junie 1954;

De Aar omskryf in Goewermentskennisgewing 897 van 24 Junie 1960;

Humansdorp omskryf in Goewermentskennisgewing 1497 van 24 Augustus 1973;

Noupoort omskryf in Goewermentskennisgewing 1049 van 14 Julie 1967;

Oudtshoorn omskryf in Goewermentskennisgewing 1143 van 6 Augustus 1965.

(2) 'n gemeenskapsraad in vir die volgende stedelike woongebiede:

Graaf-Reinet omskryf in Goewermentskennisgewing 669 van 22 April 1927;

Adendorp omskryf in Goewermentskennisgewing 2351 van 24 Desember 1930.

W. L. VOSLOO, Adjunk-minister van Plurale Betrekkinge en Ontwikkeling.

(Lêer A2/14/2/G25/1)

No. R. 1219

16 June 1978

REGULATIONS GOVERNING COMMUNITY COUNCILS IN THE BANTU AFFAIRS ADMINISTRATION AREA OF THE KAROO BANTU AFFAIRS ADMINISTRATION BOARD

I, Wilhelm Laubscher Vosloo, Deputy Minister of Plural Relations and Development, hereby make on behalf of the Minister of Plural Relations and Development under the powers vested in him by section 11 (1) of the Community Councils Act, 1977 (Act 125 of 1977), the regulations contained in the Schedule hereto and declare that the said regulations shall apply to any community council referred to in section 2 (1) of the said Act, in the Bantu Affairs administration area of the Karoo Bantu Affairs Administration Board referred to in section 2 (1) (a) of the Bantu Affairs Administration Act, 1971 (Act 45 of 1971).

W. L. VOSLOO, Deputy Minister of Plural Relations and Development.

(File A2/14/2/G25/1)

SCHEDULE

CHAPTER I

DEFINITIONS

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

“agent” means an agent appointed under regulation 23;

“Bantu Affairs Commissioner” means the person appointed Bantu Affairs Commissioner under section 2 (2) of the Bantu Administration Act, 1927 (Act 38 of 1927);

“Board” means the Karoo Bantu Affairs Administration Board established by section 2 (1) of the Bantu Affairs Administration Act, 1971 (Act 45 of 1971), read with Government Notice 1183 of 1973;

“Chief Director” means the Chief Director of the Board;

“committee” means any committee of the Community Council appointed under section 5 (1) (k) of the Act;

“Community Council” means the Community Council established under section 2 (1) of the Act and “Council” has a corresponding meaning;

“corrupt practice” means any of the offences of treating, undue influence, bribery and personation;

“electoral officer” means the electoral officer referred to in regulation 15 and includes an assistant electoral officer;

“identity document” means a reference book referred to in the Bantu (Abolition of Passes and Co-ordination of Documents) Act, 1952 (Act 67 of 1952), and a passport, permit, document of identity or other travel document referred to in the Admission of Persons to the Republic Regulation Act, 1972 (Act 59 of 1972);

“illegal practice” means any of the offences created by regulations 58, 59 and 60;

“member” means a member of the Community Council;

“registered occupier” means a person to whom a site, residential, hostel or lodger's permit or certificate of occupation has been issued in terms of the Regulations Governing the Control and Supervision of an Urban Bantu Residential Area and Relevant Matters contained in the Schedule to Government Notice R. 1036 of 1968, the wife of any person to whom such a site, residential or lodger's permit or certificate of occupation has been issued if her name appears on such permit or certificate and any person to whom the township manager has issued a permit permitting him to occupy any approved dwelling on any church, school or institutional site and the wife of such person if her name appears on such permit.

No. R. 1219

16 Junie 1978

REGULASIES BETREFFENDE GEMEENSKAPSRADE IN DIE BANTOESAKE-ADMINISTRASIEGEBIED VAN DIE KAROO BANTOESAKE-ADMINISTRASIERAAD

Ek, Wilhelm Laubscher Vosloo, Adjunk-minister van Plurale Betrekkinge en Ontwikkeling, vaardig hierby, namens die Minister van Plurale Betrekkinge en Ontwikkeling kragtens die bevoegdheid hom verleen by artikel 11 (1) van die Wet op Gemeenskapsrade, 1977 (Wet 125 van 1977), die regulasies uit wat in die Bylae hiervan vervat is en verklaar dat genoemde regulasies van toepassing is op enige gemeenskapsraad bedoel in artikel 2 (1) van genoemde Wet, binne die Bantoesake-administrasiegebied van die Karoo Bantoesake-administrasieraad bedoel in artikel 2 (1) (a) van die Wet op die Administrasie van Bantoesake, 1971 (Wet 45 van 1971).

W. L. VOSLOO, Adjunk-minister van Plurale Betrekkinge en Ontwikkeling.

(Lêer A2/14/2/G25/1)

BYLAE

HOOFSTUK 1

WOORDOMSKRYWING

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

“agent” ’n agent aangestel kragtens regulasie 23;

“Bantoesakekommissaris” die persoon aangestel as Bantoesakekommissaris, kragtens artikel 2 (2) van die Bantoe-administrasie Wet, 1927 (Wet 38 van 1927);

“Die Hoofwet” die Bantoes (Stadsgebiede) Konsolidasiewet, 1945 (Wet 25 van 1945);

“die Wet” die Wet op Gemeenskapsrade, 1977 (Wet 125 van 1977);

“dorpsbestuurder” enige beamppte aangewys kragtens artikel 22 van die Hoofwet en gelisensieer kragtens Goewermentskennisgewing 552 van 1958 om die stedelike woongebied waarvoor die Gemeenskapsraad ingestel is, te bestuur, asook die behoorlik aangestelde en gelisensieerde adjunk en assistent van sodanige beamppte;

“Gemeenskapsraad” die Gemeenskapsraad ingestel kragtens artikel 2 (1) van die Wet;

“geregistreerde bewoner” ’n persoon aan wie ’n perseel-, woon-, tehuus- of loseerderspermit of ’n sertifikaat van bewoning kragtens die Regulasies betreffende die Beheer van en Toesig oor ’n Stedelike Bantoe woongebied en Aanverwante Aangeleenthede vervat in die Bylae van Goewermentskennisgewing R. 1036 van 1968 uitgereik is, die eggenote van ’n persoon aan wie sodanige perseel-, woon-, of loseerderspermit of sertifikaat van bewoning uitgereik is, indien haar naam op sodanige permit of sertifikaat verskyn, en ’n persoon aan wie die dorpsbestuurder ’n permit om ’n goedgekeurde woning op ’n kerk-, skool- of inrigtingsterrein te bewoon, uitgereik het en die eggenote van sodanige persoon, indien haar naam op sodanige permit verskyn;

“Hoofdirekteur” die Hoofdirekteur van die Raad;

“identiteitsdokument” ’n bewysboek in die Bantoes (Afskaffing van Passe en Koördinerings van Dokumente) Wet, 1952 (Wet 67 van 1952), bedoel en ’n paspoort, permit, identifikasiebewys of ander reisdokument in die Wet op die Reëling van die Toelating van Persone tot die Republiek, 1972 (Wet 59 van 1972) bedoel;

“kieser” iemand wat ingevolge regulasie 3 bevoeg is om by ’n verkiesing van verkose lede van die Gemeenskapsraad te stem en wie se naam op ’n kieserslys in regulasie 4 bedoel, voorkom;

"Secretary of the Community Council" means the person appointed or employed as such by the Community Council under section 5 (1) (i) of the Act;

"the Act" means the Community Councils Act, 1977 (Act 125 of 1977);

"the principal Act" means the Bantu (Urban Areas) Consolidation Act, 1945 (Act 25 of 1945);

"township manager" means any officer appointed in terms of section 22 of the principal Act and licenced under Government Notice 552 of 1958 to manage the urban residential area for which the Community Council has been established and includes the duly appointed and licensed deputy and assistant of such officer;

"voter" means any person who is qualified to vote at any election of elected members of the Community Council in terms of regulation 3 and whose name appears on any voters' list referred to in regulation 4.

CHAPTER 2

DELIMITATION

Delimitation of wards

2. (1) The Board shall divide the area for which the Community Council has been established into wards.

(2) Such division shall be made within one month after the date of publication of these Regulations and thereafter at intervals of not less than five years and not more than 10 years commencing from the last delimitation of wards.

(3) Details of such division shall be made available for inspection at the office of the township manager.

CHAPTER 3

VOTERS AND VOTERS' LISTS

Qualification of voters

3. Only persons who are citizens of the Republic of South Africa or any territory which previously formed part of the Republic and who are registered occupiers within the area for which the Community Council has been established and whose names appear on the voters' list, shall be qualified to vote at any election of elected members of the Community Council.

Voters' lists

4. (1) Within two months of the delimitation of wards under regulation 2, the electoral officer shall prepare for each ward a list of persons who are entitled to vote.

(2) The lists prepared after any such delimitation of wards shall come into operation immediately after they have been so prepared by the electoral officer.

(3) Until the coming into operation of the voters' lists prepared after the delimitation of wards, the current voters' lists shall continue to be valid, but thereafter the lists prepared after such delimitation shall be the voters' lists for the respective wards.

(4) The voters' lists prepared for the various wards after any delimitation of wards shall be—

(a) supplemented by the insertion therein of the names of voters whose names do not appear therein and who have satisfied the electoral officer that they are qualified to have their names inserted therein; and

"komitee" 'n komitee van die Gemeenskapsraad aangestel kragtens artikel 5 (1) (k) van die Wet;

"korrupte bedrywigheid" enige van die misdrywe van trakterdery, onbehoorlike beïnvloeding, omkoperij en uitgee vir 'n ander;

"lid" 'n lid van die Gemeenskapsraad;

"onwettige bedrywigheid" enige van die misdrywe geskep deur regulasies 58, 59 en 60;

"Raad" die Karoo Bantoesake-administrasieraad ingestel by artikel 2 (1) van die Wet op die Administrasie van Bantoesake, 1971 (Wet 45 van 1971), gelees met Goewermentskennisgewing 1183 van 1973;

"Sekretaris van die Gemeenskapsraad" die persoon wat kragtens artikel 5 (1) (i) van die Wet as sodanig deur die Gemeenskapsraad aangestel of in diens van die Gemeenskapsraad is;

"verkiesingsbeampte" die verkiesingsbeampte in regulasie 15 bedoel en ook 'n assistent-verkiesingsbeampte.

HOOFSTUK 2

AFBAKENING

Afbakening van wyke

2. (1) Die Raad verdeel die gebied waarvoor die Gemeenskapsraad ingestel is in wyke.

(2) Sodanige verdeling word binne een maand na die datum van publikasie van hierdie Regulasies gedoen en daarna met tussenpose van minstens vyf jaar en hoogstens 10 jaar, gereken van die jongste afbakening van wyke.

(3) Besonderhede van sodanige verdeling word vir inspeksie by die kantoor van die dorpsbestuurder beskikbaar gestel.

HOOFSTUK 3

KIESERS EN KIESERSLYSTE

Kwalifikasie van kiesers

3. Alleenlik burgers van die Republiek van Suid-Afrika of 'n gebied wat voorheen deel van die Republiek uitgemaak het en wat geregistreerde bewoners is binne die gebied waarvoor die Gemeenskapsraad ingestel is en wie se name op die kieserslys verskyn, kwalifiseer om by 'n verkiesing van gekose lede van die Gemeenskapsraad te stem.

Kieserslyste

4. (1) Binne twee maande na die afbakening van wyke kragtens regulasie 2 moet die verkiesingsbeampte 'n lys van persone wat geregtig is om te stem, vir elke wyk opstel.

(2) Die lys wat na sodanige afbakening van wyke opgestel is, tree in werking onmiddellik nadat dit aldus deur die verkiesingsbeampte opgestel is.

(3) Die lopende kieserslyste bly van krag totdat die kieserslyste wat na die afbakening van wyke opgestel is in werking tree, en daarna is die lys wat na sodanige afbakening opgestel is, die kieserslyste vir die onderskeie wyke.

(4) Die kieserslyste wat na 'n afbakening van wyke vir die verskillende wyke opgestel is, word—

(a) aangevul deur die opname daarin van die name van kiesers wie se name nie daarin verskyn nie en wat die verkiesingsbeampte daarvan oortuig dat hul kwalifiseer vir die opname van hul name daarin; en

(b) further adjusted by the deletion of the name of any person who is dead or no longer qualifies for continuance of registration as a voter.

Voters' list in which voter's name is to be entered

5. No person's name shall be entered in a voters' list for any particular ward unless he actually resides in such ward on the date on which his name is so entered in the voters' list.

Particulars to be shown in voters' list

6. A voters' list shall show in respect of every person whose name is included therein—

- (a) a serial number;
- (b) his surname and immediately thereafter his first names;
- (c) his residential address; and
- (d) his identity document number;

in order of house numbers and, in the case of persons resident in hostels, all surnames shall be in alphabetical order.

Permanent change in the place of residence of voter

7. (1) Whenever there has been a permanent change in the place of residence of a voter, he shall forthwith notify the electoral officer of the change.

(2) On receipt of any such notification the electoral officer shall amend the voters' list or lists as circumstances may require.

List of insertion

8. On the first day of every month the electoral officer shall prepare in respect of each ward, a list of insertions, *mutatis mutandis* in the form prescribed in regulation 6 in respect of a voters' list, showing the names inserted in terms of regulations 4 (4) (a) and 7 (2) in the voters' list for the ward in question during the immediately preceding month.

Amendment of voters' list by electoral officer

9. (1) Subject to the provisions of subregulations (2) and (3), the electoral officer shall, if he is satisfied as to the relative facts, amend the voters' list for any ward by—

(a) correcting any mistake, supplying any omission or recording any change in the particulars of the registration of any person;

(b) after ascertaining by virtue of the provisions of regulation 7 that a person has ceased to be permanently resident in the ward in which he is registered as a voter, transferring his name to the list in respect of the ward to which he has moved, or, in the case of a person who has left the area for which the Community Council has been established, removing his name from the list;

(c) removing the name of any person who is dead or no longer qualifies for continuance of registration as a voter;

(d) removing any superfluous entry where the name of the same person appears more than once in the same voters' list or in voters' lists for more than one ward.

(2) Before removing the name of any person from the voters' list, or adding it thereto, the electoral officer shall, by such means as are practicable, satisfy himself that the name relates to the person concerned.

(3) The electoral officer shall cause a copy of a list containing the names of persons who no longer qualify for continuance of registration as voters and whose names

(b) verder aangepas deur die skrapping daarin van die name van kiesers wat oorlede is of nie langer bevoeg is om as 'n kieser geregistreer te wees nie.

Kieserslys waarin kiesersnaam ingeskryf moet word

5. Geen persoon se naam word in 'n kieserslys vir 'n besondere wyk ingeskryf nie tensy hy inderdaad in sodanige wyk woon op die datum waarop sy naam aldus in die kieserslys ingeskryf word.

Besonderhede wat op 'n kieserslys aangegee moet word

6. Op 'n kieserslys moet ten aansien van iedere persoon wie se naam daarin opgeneem is, aangegee word—

- (a) 'n volgnummer;
- (b) sy van en onmiddellik daarna sy voorname;
- (c) sy woonadres; en
- (d) sy identiteitsdokumentnommer;

in volgorde van huisnummers, en in die geval van persone woonagtig in tehuise, moet alle vanne in alfabetiese volgorde wees.

Permanente verandering in verblyfplek van kieser

7. (1) Wanneer daar 'n permanente verandering plaasvind in die verblyfplek van 'n kieser, stel hy onverwyld die verkiesingsbeampte in kennis van die verandering.

(2) By ontvangs van so 'n kennisgewing, wysig die verkiesingsbeampte die kieserslys of -lyste, na gelang van die omstandighede.

Lys van opnames

8. Die verkiesingsbeampte stel op die eerste dag van elke maand ten opsigte van elke wyk 'n lys van opnames op, *mutatis mutandis* in die vorm in regulasie 6 ten opsigte van 'n kieserslys voorgeskryf, waarin die name wat gedurende die onmiddellik voorafgaande maand ingevolge regulasies 4 (4) (a) en 7 (2) in die kieserslys vir die betrokke wyk opgeneem is.

Wysiging van kieserslys deur verkiesingsbeampte

9. (1) Behoudens die bepalings van subregulasies (2) en (3), wysig die verkiesingsbeampte, indien hy oortuig is ten opsigte van die feite wat ter sake is, die kieserslys vir 'n wyk deur—

(a) 'n fout in die besonderhede van die registrasie van 'n persoon te verbeter, 'n weglating daarin aan te vul of 'n verandering daarin aan te teken;

(b) na vasstelling uit kragte van die bepalings van regulasie 7 dat 'n persoon opgehou het om permanent in die wyk waarin hy as 'n kieser geregistreer is te woon, sy naam oor te plaas na die lys ten opsigte van die wyk waarheen hy verhuis het of, in die geval van 'n persoon wat die gebied waarvoor die Gemeenskapsraad ingestel is verlaat het, sy naam van die lys te verwyder;

(c) die naam van 'n persoon wat oorlede is of onbevoeg is om as kieser geregistreer te bly, te verwyder;

(d) 'n oortollige inskrywing te verwyder, waar die naam van dieselfde persoon meer as een maal in dieselfde kieserslys of in kieserslyste vir meer as een wyk voorkom.

(2) Alvorens die naam van 'n persoon uit die kieserslys te verwyder of dit daarin by te voeg, vergewis die verkiesingsbeampte hom deur sodanige middele as wat uitvoerbaar is, daarvan dat die naam op die betrokke persoon betrekking het.

(3) Die verkiesingsbeampte laat 'n afskrif van 'n lys bevattende die name van persone wat onbevoeg is om as kiesers geregistreer te bly en wie se name gedurende enige

were removed from the voters' list during any month, to be displayed on the notice board at the township manager's office for a period of at least 30 days commencing not later than the 20th day of the next ensuing month.

When voters' lists to be printed

10. (1) The voters' lists as prepared and supplemented and further adjusted from time to time in accordance with the provisions of these Regulations, shall be printed, subject to the provisions of subregulation (2), not later than one month before an election referred to in regulation 19, and at such other times as the electoral officer considers necessary.

(2) The voters' lists printed for the purposes of an election referred to in subregulation (1) shall be the voters' lists for the wards in question as supplemented and further adjusted from time to time up to and including the last day of the month preceding the month in which the notice referred to in regulation 19 is issued.

(3) A voters' list printed for the purposes of an election referred to in subregulation (1), shall not be amended and shall prior to such election be made available for inspection for a period of at least 14 days at the office of the township manager within whose area of jurisdiction the ward is situated.

Voters' lists not invalidated by reason of errors

11. If through accident, inadvertence or oversight, anything required by law to be done in the preparation of any voters' list is erroneously done or omitted to be done, the voters' list shall not be invalidated thereby and the electoral officer may take or cause to be taken such steps as are necessary to rectify the error or omission.

CHAPTER 4

QUALIFICATIONS

12. Subject to the provisions of section 3 (5) of the Act, no person shall be qualified to be or remain a member of the Community Council if he—

(a) is not a registered occupier in the area for which the Community Council has been established;

(b) is not a voter;

(c) is in arrears for more than two months with any charges, fees or other dues payable by him to the Board or the Community Council on the day when nominations of candidates for the election of members of the Community Council close;

(d) has, within the period of three years immediately preceding the date of his nomination for election, been convicted of any offence in respect of which he has been sentenced to imprisonment without the option of a fine for a period of more than six months;

(e) is being detained as mentally disordered or defective under the Mental Disorders Act, 1916 (Act 38 of 1916), or the Mental Health Act, 1973 (Act 18 of 1973);

(f) is an employee of the Community Council;

(g) is prohibited in terms of section 2 (4) of the Riotous Assemblies Act, 1956 (Act 17 of 1956), from attending gatherings, and particulars of the notice addressed to him under the said section 2 (4) have been published in the *Government Gazette* in terms of section 2 (5) of the said Act;

(h) is prohibited in terms of section 5 (1) (e) or section 9 (1) of the Internal Security Act, 1950 (Act 44 of 1950), from attending gatherings;

maand van die kieserslys verwyder is, op die aanplakbord by die dorpsbestuurder se kantoor vertoon vir 'n tydperk van minstens 30 dae beginnende voor of op die 20ste dag van die daaropvolgende maand.

Wanneer kieserslyste gedruk moet word

10. (1) Die kieserslyste, soos ooreenkomstig die bepalings van hierdie Regulasies opgestel en van tyd tot tyd aangevul en verder aangepas, word, behoudens die bepalings van subregulasie (2), gedruk uiterlik een maand voor 'n verkiesing in regulasie 19 bedoel, en op die ander tye wat die verkiesingsbeampte nodig ag.

(2) Die kieserslyste wat vir die doeleindes van 'n verkiesing in subregulasie (1) bedoel, gedruk word, is die kieserslyste vir die betrokke wyke soos van tyd tot tyd aangevul en verder aangepas tot en met die laaste dag van die maand wat die maand waarin die in regulasie 19 bedoelde kennisgewing uitgevaardig word, voorafgaan.

(3) 'n Kieserslys wat vir die doeleindes van 'n verkiesing in subregulasie (1) bedoel, gedruk is, word nie gewysig nie en word voor sodanige verkiesing vir inspeksie beskikbaar gestel vir 'n tydperk van minstens 14 dae by die kantoor van die dorpsbestuurder binne wie se regsgebied die wyk geleë is.

Kieserslyste nie as gevolg van foute ongeldig nie

11. Indienper ongeluk, per abuis of deur onoplettendheid iets wat regtens by die opstel van 'n kieserslys gedoen moet word, verkeerd gedoen word of nie gedoen word nie, maak dit die kieserslys nie ongeldig nie, en kan die verkiesingsbeampte die stappe doen of laat doen wat nodig is om die fout te verbeter of om die versuim te herstel.

HOOFSTUK 4

KWALIFIKASIES

12. Behoudens die bepalings van artikel 3 (5) van die Wet, is geen persoon bevoeg om lid van die Gemeenskapsraad te wees of te bly nie indien hy—

(a) nie 'n geregistreerde bewoner binne die gebied waarvoor die Gemeenskapsraad ingestel is, is nie;

(b) nie 'n kieser is nie;

(c) op die dag waarop nominasies van kandidate vir die verkiesing van lede van die Gemeenskapsraad sluit, vir meer as twee maande agterstallig is met die betaling van vorderings, gelde of ander bedrae wat deur hom aan die Raad of die Gemeenskapsraad verskuldig is;

(d) binne die tydperk van drie jaar wat die datum van sy nominasie vir verkiesing onmiddellik voorafgaan, skuldig bevind is aan enige misdryf ten opsigte waarvan hy tot gevangenisstraf sonder die keuse van 'n boete vir 'n tydperk van meer as ses maande gevonnis is;

(e) kragtens die Wet op Geestesgebreken, 1916 (Wet 38 van 1916), of die Wet op Geestesgesondheid, 1973 (Wet 18 van 1973), as geestelik gekrenk of gebrekkig aangehou word;

(f) 'n werknemer van die Gemeenskapsraad is;

(g) kragtens artikel 2 (4) van die Wet op Oproerige Byeenkomste, 1956 (Wet 17 van 1956), verbied is om byeenkomste by te woon en besonderhede van die kennisgewing wat kragtens bedoelde artikel 2 (4) aan hom gerig is, kragtens artikel 2 (5) van bedoelde Wet in die *Staatskoerant* afgekondig is;

(h) kragtens artikel 5 (1) (e) of 9 (1) van die Wet op Binnelandse Veiligheid, 1950 (Wet 44 van 1950), verbied is om byeenkomste by te woon;

(i) is a person whose name appears on a list compiled in terms of the provisions of section 4 (10) of the Internal Security Act, 1950 (Act 44 of 1950), and published in the *Government Gazette* in terms of section 8 (4) of the said Act.

CHAPTER 5

ELECTIONS

General elections

13. A general election of members of the Community Council shall take place not later than six months after the publication of these Regulations and thereafter in every third year during September.

Term of office of members

14. (1) A member elected at a general election or an election held to fill a casual vacancy shall assume office on the date of such election.

(2) A member designated by the Minister under section 3 (2) of the Act shall assume office on a date determined by the Minister.

(3) A member shall, subject to the provisions of regulations 61 and 62, remain in office up to and including the day immediately preceding the next succeeding general election or until the term for which he was designated by the Minister in terms of section 3 (2) of the Act, has expired.

Electoral officer

15. (1) The Bantu Affairs Commissioner shall appoint, after consultation with the Board, an electoral officer and as many assistant electoral officers as he may deem necessary.

(2) The electoral officer shall be responsible for the conduct of elections of members of the Community Council.

Presiding officer, polling officers, counting officers and witnesses

16. The electoral officer shall appoint in writing a presiding officer and as many polling officers and witnesses as may be necessary for effectually taking poll at every polling station and he shall appoint as many counting officers as may be necessary for the counting of votes after the close of the poll.

Polling stations

17. There shall be polling stations at such place or places as the electoral officer deems necessary.

Members to be elected

18. One member shall be elected in respect of each ward.

Fixing of nomination and polling dates

19. (1) The electoral officer shall, not later than three months after the date of publication of these Regulations, and thereafter not later than the first day of August of each year in which a general election is to be held, call, in a notice which shall be in both official languages and shall be published in at least one newspaper which generally circulates in the area for which the Community Council has been established and shall be displayed on the notice board at each township manager's office situated in such area, for the nomination of candidates for the election of members of the Community Council.

(2) The notice referred to in subregulation (1) shall specify—

(a) the place at which and the date and time before which nominations shall be received by the electoral officer, which date shall be not less than 14 days and not more than 21 days from the date of first publication of such notice; and

(i) iemand is wie se naam verskyn op 'n lys, saamgestel kragtens die bepalings van artikel 4 (10) van die Wet op Binnelandse Veiligheid, 1950 (Wet 44 van 1950), en in die *Staatskoerant* kragtens artikel 8 (4) van bedoelde Wet afgekondig is.

HOOFSUK 5

VERKIESINGS

Algemene verkiesings

13. 'n Algemene verkiesing van lede van die Gemeenskapsraad word gehou uiterlik ses maande nadat hierdie Regulasies bekendgemaak is en daarna driejaarliks gedurende September.

Ampstermyn van lede

14. (1) 'n Lid verkies in 'n algemene verkiesing of 'n verkiesing gehou om 'n toevallige vakature te vul, aanvaar sy amp op die datum van sodanige verkiesing.

(2) 'n Lid deur die Minister kragtens artikel 3 (2) van die Wet aangewys, aanvaar sy amp op die datum deur die Minister bepaal.

(3) 'n Lid bly, behoudens die bepalings van regulasies 61 en 62, in sy amp aan tot en met die dag wat die eersvolgende algemene verkiesing onmiddellik voorafgaan of totdat die termyn waarvoor hy ingevolge artikel 3 (2) van die Wet deur die Minister aangewys is, verstryk.

Verkiesingsbeampte

15. (1) Die Bantoesakekommissaris na oorlegpleging met die Raad, stel 'n verkiesingsbeampte en soveel assistent verkiesingsbeamptes as wat hy nodig ag, aan.

(2) Die verkiesingsbeampte is verantwoordelik vir die hou van verkiesings van lede van die Gemeenskapsraad.

Voorsittende beampte, stemopnemers, telbeamptes en getuies

16. Die verkiesingsbeampte stel skriftelik 'n voorsittende beampte en soveel stemopnemers en getuies aan as wat nodig is om die stemming doeltreffend te laat plaasvind by iedere stemburo en stel soveel telbeamptes aan as wat nodig is vir die tel van die stemme na die sluiting van die stemming.

Stemburo's

17. Daar moet stemburo's wees by sodanige plek of plekke as wat die verkiesingsbeampte nodig ag.

Lede wat verkies moet word

18. Een lid word verkies ten opsigte van elke wyk.

Bepaling van nominasie- en stemdatums

19. (1) Die verkiesingsbeampte moet binne drie maande na die bekendmaking van hierdie Regulasies en daarna uiters op die eerste dag van Augustus van elke jaar waarin 'n algemene verkiesing gehou staan te word, in 'n kennisgewing, in albei amptelike tale, wat afgekondig word in ten minste een nuusblad wat gewoonlik in die gebied waarvoor die Gemeenskapsraad ingestel is, versprei word en wat op die aanplakbord by elke dorpsbestuurder se kantoor in sodanige gebied geleë vertoon word, om nominasies vra van kandidate vir verkiesing tot lede van die Gemeenskapsraad.

(2) Die kennisgewing in subregulasie (1) bedoel, vermeld—

(a) die plek waar en die datum en tyd tot en met wanneer nominasies deur die verkiesingsbeampte ontvang sal word, welke datum minstens 14 dae en hoogstens 21 dae na die datum van eerste afkondiging van sodanige kennisgewing moet wees; en

(b) the places at which and the date, other than a Sunday, on which polling shall take place.

Hours of poll

20. The poll shall commence at 07h00 and close at 21h00 on the polling day, but the presiding officer shall permit every voter who is at 21h00 inside the room in which the ballot box is, to record his vote before the closing of the poll.

Nomination of candidates

21. (1) Nominations of candidates for election as members of the Community Council shall be submitted in writing to the electoral officer in the form contained in Annexure A hereto, which form shall be supplied by the township manager, and shall be supported by the signatures of not less than 10 persons who are registered as voters in the ward for which the nomination is made.

(2) The electoral officer shall as soon as practicable, and not later than 14 days after the date referred to in subregulation (1), affix on the notice board at the office of the township manager a notice containing a list of the candidates duly nominated in terms of these Regulations and shall also declare those candidates who have been returned unopposed to be elected members for their respective wards.

Deposit by or on behalf of persons nominated

22. (1) There shall be deposited with the electoral officer by or on behalf of each person nominated as a candidate for election as a member of the following Community Councils, the amounts indicated on or before the date and time referred to in regulation 19 (2) (a):

<i>Community Council</i>	<i>Amount</i>
	R
Colesberg.....	20
De Aar.....	25
Graaff-Reinet/Adendorp.....	20
Humansdorp.....	15
Noupoort.....	20
Oudtshoorn.....	20

(2) If poll takes place and the total number of votes received thereat by any unsuccessful candidate is less than one-fifth of the number of votes received by the successful candidate the sum deposited by or on behalf of such unsuccessful candidate shall be forfeited and shall be paid into the funds of the Community Council.

(3) Save as is in this regulation expressly provided, the sum deposited shall be returned to the depositor.

Candidates and agents

23. (1) Any duly nominated candidate at an election of members of the Community Council may, in the form contained in Annexure B hereto, appoint one or more agents to assist him and shall advise the electoral officer in writing of the name(s) and address(es) of such agent or agents.

(2) The candidates and only one agent per candidate shall be allowed at any particular time to be present inside any polling station or any place where votes are counted.

(3) Any person appointed an agent in terms of subregulation (1) shall produce his letter of appointment to the electoral officer, presiding officer or polling officer, as the case may be, if required to do so.

Provision of equipment

24. (1) For all elections the electoral officer shall arrange for voting compartments, ballot boxes, ballot papers, instruments for marking ballot papers with the official mark and other requirements to be provided and shall do such other acts and make such arrangements to facilitate the taking of the poll as he may deem necessary for effectually conducting the election.

(b) die plekke waar en die datum, uitgesonderd 'n Sondag, waarop stemming sal plaasvind.

Ure van stemming

20. Stemming begin om 07h00 en sluit om 21h00 op die dag van stemming, maar die voorsittende beampte laat elke kieser wat om 21h00 binne die kamer waarin die stembus is, sy stem uitbring voor die sluiting van die stemming.

Nominasie van kandidate

21. (1) Die nominasie van kandidate vir verkiesing tot lede van die Gemeenskapsraad moet skriftelik by die verkiesingsbeampte ingedien word in die vorm in Aanhangel A hiervan vervat en wat deur die dorpsbestuurder verskaf word en dit moet gestaaf word deur die handtekening van 10 persone wat as kiesers geregistreer is in die wyk ten opsigte waarvan sodanige nominasie geskied.

(2) Die verkiesingsbeampte moet so gou doenlik, en uiter 14 dae na die datum in subregulasie (1) bedoel, 'n kennisgewing met die lys van kandidate wat behoorlik ingevolge hierdie Regulasies genomineer is, op die aanplakbord by die kantoor van die dorpsbestuurder opplak en moet ook dié kandidate wat onbestrede verkies is, tot verkose lede vir hul onderskeie wyke verklaar.

Deposito deur of namens genomineerde persone

22. (1) Daar word op of voor die datum en tyd in regulasie 19 (2) (a) bedoel, deur of ten behoeve van elke persoon wat genomineer is as kandidaat vir verkiesing tot lid van die volgende Gemeenskapsrade, die bedrae soos aangedui by die verkiesingsbeampte gestort:

<i>Gemeenskapsraad</i>	<i>Bedrag</i>
	R
Colesberg.....	20
De Aar.....	25
Graaff-Reinet/Adendorp.....	20
Humansdorp.....	15
Noupoort.....	20
Oudtshoorn.....	20

(2) Indien 'n stemming plaasvind en die totale getal stemme wat daarby op enige verslane kandidaat uitgebring is, minder is as 'n vyfde van die getal stemme van die suksesvolle kandidaat, word die bedrag wat deur of ten behoeve van sodanige verslane kandidaat gestort is, verbeur en in die fondse van die Gemeenskapsraad gestort.

(3) Behoudens die uitdruklike bepalings van hierdie regulasie, word die gestorte bedrag aan die deposant terugbetaal.

Kandidate en agente

23. (1) Enige behoorlik genomineerde kandidaat by 'n verkiesing van lede van die Gemeenskapsraad kan, in die vorm vervat in Aanhangel B hiervan, een of meer agente aanstel om hom behulpsaam te wees, en hy moet die verkiesingsbeampte skriftelik in kennis stel van die naam (name) en adres(se) van sodanige agent(e).

(2) Die kandidate en slegs een agent per kandidaat word toegelaat om op enige bepaalde tydstip binne enige stem buro of by enige plek waar stemme getel word, teenwoordig te wees.

(3) 'n Persoon wat kragtens subregulasie (1) as agent aangestel is, moet sy aanstellingsbrief toon aan die verkiesingsbeampte, voorsittende beampte of stemopnemer na gelang van die geval, indien dit van hom verlang word.

Verskaffing van uitrusting

24. (1) Die verkiesingsbeampte reël by alle verkiesing dat stembokkies, stembusse, stembriewe, toestelle om die stembriewe met die amptelike merk te merk en ander benodigdhede verskaf word en doen sodanige ander stappe en tref sodanige reëlins ter vergemakliking van die stemming as wat hy nodig ag ten einde die verkiesing op doeltreffende wyse te kan laat geskied.

(2) The equipment and requirements in connection with any election shall be supplied by and all expenditure in this connection shall be for the account of the Community Council: Provided that the equipment and requirements in connection with the first election shall be supplied by and all expenditure in connection with such election shall be for the account of the Board.

Polling station at which voter shall vote

25. A voter voting in the area of jurisdiction of the Community Council may vote only at a polling station situated in the ward in which he is registered as a voter.

Declaration of secrecy

26. (1) The electoral officer and every presiding officer, polling officer, candidate, agent, witness or any other person or official (except a policeman) entitled to attend at a polling station or at the counting of votes shall, before the opening of the poll and every counting officer shall before the commencement of the counting of votes, make, in duplicate, in the form contained in Annexure C hereto, a declaration of secrecy under oath before a justice of the peace or a commissioner of oaths, or before the electoral officer or a presiding officer who are hereby authorised to administer such oath.

(2) The original declaration of secrecy shall be handed to the electoral officer by the person who made it, before the opening of the poll or before the commencement of the counting of votes, as the case may be, and such person shall at all times during the polling or the counting of votes have the duplicate of such declaration of secrecy in his possession and shall on demand produce it to the electoral officer or the presiding officer for inspection.

Procedure at ballot

27. The presiding officer, in the presence of such candidates and agents as may be present, shall—

(a) before the commencement of the poll, seal each ballot box, leaving open an opening through which ballot papers may be inserted into the ballot box;

(b) at the closing of the poll, seal the opening referred to in paragraph (a).

Powers of the presiding officer at a polling station

28. (1) The presiding officer shall keep order at a polling station, shall regulate the number of voters to be admitted at any time and shall exclude all other persons except the electoral officer, the candidates or their agents, and policemen and other officials on duty.

(2) Save as is excepted in subregulation (1), the presiding officer may require any person (other than a person recording his vote) to leave the polling station and any person who fails to leave the polling station when so required may be arrested without a warrant on the order of the presiding officer and shall be guilty of an offence.

(3) The powers conferred by this regulation shall not be exercised so as to prevent any voter who is otherwise entitled to vote from having an opportunity of voting at the polling station.

Ballot papers

29. Every ballot paper to be used for voters who wish to vote shall be in both official languages and in the form set out in Annexure D hereto, and there shall be printed or written on every ballot paper in alphabetical order the names of all the duly nominated candidates at the election and their addresses and occupations.

(2) Die Gemeenskapsraad verskaf die uitrusting en benodigdhede in verband met 'n verkiesing en alle uitgawes in verband met sodanige verkiesing is vir sy rekening: Met dien verstande dat die Raad die uitrusting en benodigdhede in verband met die eerste verkiesing verskaf en dat alle uitgawe in dié verband vir sy rekening is.

Stemburo waar kieser moet stem

25. 'n Kieser wat binne die regsgebied van die Gemeenskapsraad stem, kan alleenlik stem by 'n stemburo geleë binne die wyk waarin hy as kieser geregistreer is.

Verklaring van geheimhouding

26. (1) Die verkiesingsbeampte en elke voorsittende beampte, stemopnemer, kandidaat, agent, getuie of enige ander persoon of beampte (uitgesonderd 'n polisiebeampte) wat geregtig is om in 'n stemburo of by die tel van stemme teenwoordig te wees, moet voor die aanvang van die stemming, en elke telbeampte moet voor die aanvang van die tel van stemme, in die vorm vervat in Aanhangsel C hiervan, in duplikaat, 'n beëdigde verklaring van geheimhouding aflê voor 'n vrederechter of 'n kommissaris van ede, of voor die verkiesingsbeampte of 'n voorsittende beampte wat hierby gemagtig word om sodanige eed af te neem.

(2) Die oorspronklike verklaring van geheimhouding word aan die verkiesingsbeampte, voor die aanvang van die stemming of die begin van die tel van stemme, na gelang van die geval, deur die persoon wat dit afgelê het, oorhandig en sodanige persoon moet die duplikaat van sodanige verklaring van geheimhouding te alle tye gedurende die stemming of tel van stemme in sy besit hê en moet dit op aandrang aan die verkiesingsbeampte of die voorsittende beampte vir inspeksie toon.

Procedure by stemming

27. Die voorsittende beampte, in teenwoordigheid van sodanige kandidaat en agente as wat teenwoordig is, verseël—

(a) voor die aanvang van die stemming, elke stembus maar laat 'n opening oop waardeur stembriewe in die stembus ingesit kan word;

(b) by die sluiting van die stemming, die opening in paragraaf (a) bedoel.

Bevoegdhede van voorsittende beampte by 'n stemburo

28. (1) Die voorsittende beampte hou orde by 'n stemburo, reël hoeveel kiesers tegelyk binnege laat word en hou alle ander persone, uitgesonderd die verkiesingsbeampte, die kandidaat of hulle agente en polisiebeamptes en ander beamptes op diens, buite.

(2) Behoudens die uitsonderings wat by subregulasie (1) gemaak word, kan die voorsittende beampte enige persoon (uitgesonderd 'n persoon wat sy stem uitbring) aansê om die stemburo te verlaat en enige persoon wat versuim om dit te doen wanneer dit van hom vereis word, begaan 'n misdryf en kan op bevel van die voorsittende beampte sonder lasbrief in hegtenis geneem word.

(3) Die bevoegdhede by hierdie regulasie verleen, word nie so uitgeoefen dat dit 'n kieser wat andersins geregtig is om te stem, verhinder om sy stem by die stemburo uit te bring nie.

Stembriewe

29. Elke stembrief wat gebruik word deur kiesers wat wil stem, moet in albei amptelike tale wees en in die vorm vervat in Aanhangsel D hiervan en op elke stembrief moet die name staan van al die behoorlik genomineerde kandidaat by die verkiesing in alfabetiese orde afgedruk of ingeskryf en hul adresse en beroepe.

No voter to vote more than once

30. A voter shall, whether or not his name appears on more than one voters' list or more than once on the same voters' list, be entitled to cast at an election one vote only and no voter shall be entitled to vote unless he has produced to the presiding officer or a polling officer his identity document.

Identification of voters

31. (1) Save as provided in regulation 36, no enquiry shall be made at an election as to the identity of any person or his right to vote, except that the presiding officer may himself, and if required by any candidate or an agent of any candidate shall, after any person has established his identity in the manner contemplated in regulation 30, and before he is allowed to vote, put to him either or both of the following questions, but no other, namely:

(a) Are you the person whose name appears as A.B. on the list of voters in this ward?

(b) Have you already voted at this election in this or any other ward?

(2) Any person who fails to establish his identity in the manner contemplated in regulation 30 or who does not answer the first question distinctly and absolutely in the affirmative and the second question distinctly and absolutely in the negative, shall not be permitted to vote.

(3) A person who makes a false answer to either of those questions shall be guilty of an offence.

(4) The presiding officer may make enquiry of any other presiding officer at any polling station for the purpose of verifying an answer to either of the two questions referred to in subregulation (1), and may further order the arrest without warrant of any person who is suspected by him on reasonable grounds of making a false answer to either of such questions or of committing the offence of personation as defined in regulation 57.

(5) Every person empowered by law to make arrests shall carry out such an order of the presiding officer.

Manner of voting

32. (1) The voting at all elections held in terms of the provisions of these Regulations shall be by secret ballot.

(2) Every person who wishes to vote shall apply to the presiding officer or a polling officer for a ballot paper and such officer shall, if he is satisfied that such person is entitled to vote in the ward concerned and after determining that no ballot paper has already been issued at that polling station to that person at such election, he shall—

(a) call out the serial number and name of the voter as it appears on the voter's list;

(b) enter the serial number in the appropriate space on the counterfoil of the ballot paper that is to be issued to the voter;

(c) tear out the ballot paper and stamp the official mark on the back thereof in the space provided;

(d) fold the ballot paper so that the front thereof is on the inside and the official mark is on the outside and hand it to the applicant; and

(e) on the voters' list, draw a line through the serial number, identity document number and name of the voter as proof that a ballot paper has been issued.

(3) When the voter has received such ballot paper he shall take it to the compartment provided for that purpose and signify for whom he desires to vote by secretly placing a cross opposite the name of the candidate for whom he wishes to vote. He shall then fold the ballot paper so that the official mark can be seen and having

Geen kieser mag meer as een maal stem nie

30. 'n Kieser is, ongeag of sy naam op meer as een kieserslys of meer as een maal op dieselfde kieserslys voorkom, geregtig om by 'n verkiesing slegs een stem uit te bring, en geen kieser is geregtig om te stem nie tensy hy sy identiteitsdokument aan die voorsittende beampte of 'n stemopnemer oorleë.

Identifikasie van kiesers

31. (1) Behoudens soos by regulasie 36 bepaal, word by 'n verkiesing geen navraag gedoen omtrent enige persoon se identiteit of sy reg om te stem nie, behalwe dat die voorsittende beampte nadat iemand sy identiteit op die wyse in regulasie 30 beoog, bewys het, en voordat hy toegelaat word om te stem, hom een van of albei die volgende vrae, en geen ander nie, uit eie beweging kan, en op versoek van 'n kandidaat of 'n agent van 'n kandidaat moet, stel, naamlik:

(a) Is u die persoon wie se naam as A.B. op die kieserslys van hierdie wyk voorkom?

(b) Het u reeds in hierdie verkiesing of in 'n ander wyk gestem?

(2) Iemand wat versuim om sy identiteit op die wyse in regulasie 30 beoog, te bewys, of wat nie die eerste vraag duidelik en sonder voorbehoud bevestigend en die tweede duidelik en sonder voorbehoud ontkennend beantwoord nie, word nie toegelaat om te stem nie.

(3) Iemand wat op enigeen van daardie vrae 'n valse antwoord gee, is aan 'n misdryf skuldig.

(4) Die voorsittende beampte kan by 'n ander voorsittende beampte by enige stemburo navraag doen ten einde die waarheid van 'n antwoord op enigeen van die vrae in subregulasie (1) bedoel te toets en kan verder beveel dat enigiemand wat hy op redelike gronde verdink daarvan dat hy op enigeen van bedoelde vrae 'n valse antwoord gegee het, of hom skuldig maak aan die misdryf om hom vir 'n ander uit te gee, soos in regulasie 57 omskryf, sonder lasbrief in hegtenis geneem word.

(5) Iedereen wat regtens bevoeg is tot inhegtenisneming voer so 'n bevel van die voorsittende beampte uit.

Wyse waarop gestem word

32. (1) Die stemming by alle verkiesings wat kragtens die bepalinge van hierdie Regulasies gehou word, geskied by geheime stemming.

(2) Elke persoon wat wil stem, doen aansoek om 'n stembrief by die voorsittende beampte of 'n stemopnemer en sodanige beampte of stemopnemer, indien hy oortuig is dat sodanige persoon geregtig is om in die betrokke wyk te stem en nadat hy vasgestel het dat geen stembrief reed aan daardie persoon by daardie stemburo by sodanige verkiesing uitgereik is nie, moet hy—

(a) die volgnommer en naam van die kieser soos dié op die kieserslys voorkom, uitroep;

(b) die volgnommer in die toepaslike ruimte op die teenblad van die stembrief wat aan die kieser uitgereik gaan word, inskryf;

(c) die stembrief uitskeur en dit op die keersy in die ruimte voorsien met die amptelike merk, merk;

(d) die stembrief vou sodat die voorkant daarvan aan die binnekant en die amptelike merk aan die buitekant is en dit aan die kieser oorhandig; en

(e) op die kieserslys 'n streep trek deur die volgnommer, identiteitsdokumentnommer en naam van die kieser, as bewys dat 'n stembrief uitgereik is.

(3) Wanneer die kieser sodanige stembrief ontvang, neem hy dit na die stembokkie wat vir dié doel verskaf is e dui aan vir wie hy stem deur in die geheim 'n kruis teenoor die naam van die kandidaat vir wie hy wil stem aan te bring. Hy vou dan die stembrief sodat die amptelike merk sigbaar is en nadat hy die stembrief só opgeho

held up the ballot paper so that the presiding officer or polling officer can recognise the official mark, shall drop the ballot paper in the ballot box placed in front of the presiding officer or polling officer.

(4) If the ballot paper that is about to be dropped into the ballot box has inadvertently not been marked with the official mark, the presiding officer or polling officer may cause such ballot paper to be so marked.

(5) If the presiding officer or polling officer has any reason to doubt that a ballot paper in the possession of a voter is the ballot paper issued to him, he may, for the purpose of comparing the numbers printed on the ballot paper and the counterfoil, request the voter to show him the number and official mark appearing on the back of the ballot paper and the voter shall do so.

(6) The voter shall vote without undue delay and shall leave the polling station as soon as he has put his ballot paper into the ballot box.

Voters who are unable to vote in the manner prescribed

33. (1) Any voter who is unable to vote in the prescribed manner may request the presiding officer or polling officer to complete his ballot paper on his behalf.

(2) Such presiding officer or polling officer, as the case may be, shall thereupon, with due regard to the maintenance of secrecy and in the presence of one witness and a person of the voter's own choice who shall accompany him, read to such voter the names of the candidates for the particular ward and affix a cross in the space provided on the ballot paper opposite the name of the candidate selected by word of mouth by such voter and shall hereafter fold the ballot paper and put it into the ballot box.

(3) In the performance of his functions under this regulation such polling officer shall disregard any document or thing exhibited or produced by or in the possession of the voter which indicates or suggests or purports to indicate or suggest the name of any candidate for whom such voter is or is not to vote.

Spoilt ballot papers

34. If a voter inadvertently spoils a ballot paper he may return it to the presiding officer or polling officer who, if he is satisfied of such inadvertence, shall give him another ballot paper and retain the spoilt ballot paper which he shall immediately cancel and endorse with the words "returned under regulation 34" and the fact of such cancellation shall be noted upon the counterfoil.

Tendered ballot papers

35. If a person representing himself to be a particular voter applies for a ballot paper after another person has voted in his name, the applicant shall, upon duly answering the questions permitted by regulation 31 to be asked of voters at the time of polling, be entitled to mark a ballot paper in the same manner as any other voter, but the ballot paper shall not be put into the ballot box but shall be given to the presiding officer, endorsed by him with the name of the voter and his serial number on the voters' list and set aside in a separate packet.

Circumstances under which ballot paper may be refused by presiding officer

36. (1) If any candidate or an agent of any candidate or any voter makes before the presiding officer a declaration on oath stating that a person enrolled on the voters' list is dead or is so incapacitated by sickness,

het dat die voorsittende beampte of stemopnemer die amptelike merk kan herken, laat hy die stembrief val in die stembus wat voor die voorsittende beampte of stemopnemer staan.

(4) Indien die stembrief wat in die stembus ingesit staan te word, onopsetlik nie met die amptelike merk gemerk is nie, kan die voorsittende beampte of stemopnemer sodanige stembrief aldus laat merk.

(5) Indien die voorsittende beampte of stemopnemer om enige rede twyfel of 'n stembrief in besit van 'n kieser die stembrief is wat aan hom uitgereik is, kan hy, met die doel om die nommers gedruk op die stembrief en die teenblad te vergelyk, die kieser versoek om die nommer en amptelike merk op die keersy van die stembrief aan hom te toon, en die kieser moet dit doen.

(6) Die kieser moet sonder onnodige versuim sy stem uitbring en die stemburo verlaat sodra hy sy stembrief in die stembus geplaas het.

Kiesers wat nie in staat is om op die voorgeskrewe wyse te stem nie

33. (1) Enige kieser wat nie in staat is om sy stem op die voorgeskrewe wyse uit te bring nie, kan die verkiesingsbeampte of stemopnemer versoek om sy stembrief namens hom in te vul.

(2) Sodanige verkiesingsbeampte of stemopnemer, na gelang van die geval, moet daarop met behoorlike inagneming van die handhawing van geheimhouding en in teenwoordigheid van een getuie en 'n persoon van die kieser se eie keuse wat hom moet vergesel, aan sodanige kieser die name van die kandidate vir die bepaalde wyk voorlees en 'n kruis in die ruimte op die stembrief aanbring teenoor die naam van die kandidaat wat mondeling deur sodanige kieser gekies is, en moet daarna die stembrief vou en dit in die stembus plaas.

(3) By die verrigting van sy werksaamhede ingevolge hierdie regulasie moet sodanige stemopnemer enige dokument of ding verontagsaam wat deur die kieser vertoon of getoon word of in die kieser se besit is en wat die naam van enige kandidaat vir wie sodanige kieser moet stem of nie moet stem nie, aandui of suggereer of veronderstel is om dit aan te dui of te suggereer.

Bedorwe stembriewe

34. Indien 'n kieser onopsetlik 'n stembrief bederf, kan hy dit aan die voorsittende beampte of stemopnemer teruggee, en as laasgenoemde daarvan oortuig is dat dit onopsetlik gebeur het, gee hy hom 'n ander stembrief en behou hy die bedorwe stembrief wat hy onmiddellik kanselleer en teken hy die woorde "teruggee kragtens regulasie 34" daarop aan, en die feit dat dit aldus gekanselleer is, word op die teenblad aangeteken.

Aangebode stembriewe

35. Indien iemand wat voorgee dat hy 'n bepaalde kieser is, om 'n stembrief aansoek doen nadat 'n ander persoon in sy naam gestem het, is die aansoeker, nadat hy behoorlik geantwoord het op die vrae wat volgens regulasie 31 tydens die stemming aan kiesers gestel kan word, geregtig om 'n stembrief te merk op dieselfde wyse as enige ander kieser, maar die stembrief word nie in die stembus geplaas nie, maar word aan die voorsittende beampte gegee en deur hom met die naam van die kieser en sy volgnummer geëndosseer en eenkant gesit in 'n afsonderlike pakket.

Omstandighede waaronder voorsittende beampte 'n stembrief kan weier

36. (1) Indien 'n kandidaat of 'n agent van 'n kandidaat of 'n kieser voor die voorsittende beampte 'n beëdigde verklaring aflê dat 'n persoon wat in die kieserslys ingeskrif is, oorlede is of dat bedoelde persoon

absence or otherwise, that it is impossible for such person to be present at the polling station to record his vote at the election then being held, the presiding officer shall refuse to hand a ballot paper to any person who applies for the same in the name of the person who is subject of the declaration unless the person so applying proves his identity to the satisfaction of the presiding officer or makes a declaration on oath before the presiding officer that he is the person whose name appears on the voters' list for the ward and that the statements made in the first-mentioned declaration (which shall be read over to him) are false.

(2) The presiding officer is hereby authorised and required to administer any such oath as is required by subregulation (1).

(3) Any person who makes any false statement in any declaration referred to in subregulation (1), knowing the statement to be false, shall be guilty of an offence.

(4) More than one person may be referred to in any declaration on oath made under subregulation (1), provided the reason why each of the persons referred to is unable to attend at a polling station can be clearly connected with the person to whom the declaration relates.

Sealing of ballot boxes, etc.

37. (1) Every presiding officer shall, immediately after the close of the poll, in the presence of such candidates or their agents (if any) as may be in attendance, make up into separate packets, sealed with his own seal and with the seals of those candidates or agents (if any) who desire to affix their seals—

- (a) each ballot box entrusted to him, unopened;
- (b) the unused and spoiled ballot papers;
- (c) the counterfoils of all used ballot papers; and
- (d) tendered ballot papers;

and shall forthwith deliver or cause to be delivered the packets to the electoral officer.

(2) The packets shall be accompanied by a return made by the presiding officer, in the form contained in Annexure E hereto, showing the number of ballot papers entrusted to him and accounting for them under the heads of "Ballot papers in the ballot box", "Unused ballot papers", "Spoiled ballot papers" and "Tendered ballot papers".

(3) A label in the form contained in Annexure F hereto shall be affixed to each of the packets mentioned in subregulation (1) and to the return mentioned in subregulation (2).

Action to be taken by the electoral officer upon receipt of ballot papers

38. The electoral officer shall upon receipt of voters' ballot papers retain such ballot papers unopened in safe custody until the counting of votes.

Verification of ballot paper return

39. (1) The electoral officer shall, upon receipt of all the packets and ballot boxes from every presiding officer, and not before, examine whether the seals are in order and afford such candidates or their agents as may be in attendance an opportunity to do the same and after that open the sealed packets containing the ballot paper return and shall open each ballot box and verify the number of ballot papers in the ballot box according to the ballot paper return given by each presiding officer by comparing it with the number of ballot papers in each such ballot box.

(2) When the electoral officer has completed the verification of the ballot papers in the ballot boxes for each polling station, and whether or not the number of ballot papers in the ballot boxes is found to correspond with

weens siekte, afwesigheid of om 'n ander rede onmoontlik by die stemburo teenwoordig kan wees om by die verkiesing wat dan gehou word, sy stem uit te bring, weier die voorsittende beampte om 'n stembrief uit te reik aan enigiemand wat daarom aansoek doen in naam van die persoon op wie die verklaring betrekking het, tensy die persoon wat aldus aansoek doen sy identiteit tot tevredenheid van die voorsittende beampte bewys of voor die voorsittende beampte 'n beëdigde verklaring aflê dat hy die persoon is wie se naam op die kieserslys vir die wyk voorkom en dat die bewerings in eersbedoelde verklaring (wat aan hom voorgelees moet word) vals is.

(2) Aan die voorsittende beampte word hierby die bevoegdheid verleen en die verpligting opgelê om 'n in subregulasie (1) bedoelde eed af te neem.

(3) Iemand wat in 'n in subregulasie (1) bedoelde verklaring 'n valse verklaring doen, wetende dat dit vals is is aan 'n misdryf skuldig.

(4) In 'n beëdigde verklaring ingevolge subregulasie (1) afgelê, kan na meer as een persoon verwys word, mits die rede waarom elkeen van die persone na wie verwys word, nie by die stemburo kan wees nie, duidelik met die persoon op wie die verklaring betrekking het, verbind kan word.

Verseëling van stembusse, ens.

37. (1) Elke stemopnemer maak onmiddellik na die sluiting van die stemming, in teenwoordigheid van sodanige kandidate of hulle agente (as daar is) as wat aanwesig is, afsonderlike pakkette, verseël met sy eie seël en met die seëls van dié kandidate of hulle agente (as daar is) wat hulle seëls ook daarop wil afdruk, van—

- (a) elke stembus wat aan hom toevertrou is, onooptgemaak;
- (b) die ongebruikte en die bedorwe stembriewe;
- (c) die teenblaaie van alle gebruikte stembriewe; en
- (d) aangebode stembriewe;

en lewer die pakkette onverwylde aan die verkiesingsbeampte af of laat hulle aan hom aflewer.

(2) Die pakkette gaan vergesel van 'n opgawe in die vorm vervat in Aanhangsel E hiervan deur die voorsittende beampte verstrekte waarin hy die getal stembriewe aan hom toevertrou noem en waarin hy van hulle rekerenskap gee onder die hoofde "Stembriewe in die stembus", "Ongebruikte stembriewe", "Bedorwe stembriewe" en "Aangebode stembriewe".

(3) Elkeen van die pakkette in subregulasie (1) genoem en die opgawe in subregulasie (2) genoem, word voorsien van 'n etiket in die vorm vervat in Aanhangsel F hiervan.

Optrede deur verkiesingsbeampte by ontvangs van stembriewe

38. Elke verkiesingsbeampte moet by ontvangs van kiesers se stembriewe sodanige stembriewe onooptgemaak in veilige bewaring hou totdat die stemme getel word.

Verifiëring van stembriefopgawe

39. (1) By ontvangs deur die verkiesingsbeampte van die pakkette en stembusse van iedere voorsittende beampte, en nie eerder nie, ondersoek hy of die seëls in orde is en gee hy sodanige kandidate of hulle agente wat aanwesig is 'n geleentheid om dieselfde te doen, en daarna maak hy die verseëelde pakkette oop wat die opgawe van stembriewe bevat, en maak hy elke stembus oop en verifieër hy die getal stembriewe in die stembus ooreenkomstig die stembriefopgawe wat deur elke voorsittende beampte ingelewer is deur dit met die getal stembriewe in elke sodanige stembus te vergelyk.

(2) Wanneer die verkiesingsbeampte die verifiëring van die stembriewe in die stembusse vir elke stemburo uitvoer het, maak hy, afgesien daarvan of die getal stembriewe in die stembusse kloep met die getal wat op o

the number appearing on the return, he shall in the presence of such candidates or their agents as may be present mix together the ballot papers contained in all the ballot boxes for a particular ward so that it is impossible to determine from which ballot box any particular ballot paper was taken.

(3) The electoral officer shall, after scrutinising the official mark on the ballot papers, proceed to count or cause to be counted the votes and while counting the votes shall cause the ballot papers to be kept with their faces upwards.

Manner of counting votes

40. The ballot papers shall, for the purposes of counting, be fastened together in packets of 50 (to each of which a distinctive number shall be assigned) and thereafter the number of votes for each candidate shall be recorded and checked.

Ballot papers to be rejected

41. (1) The electoral officer shall reject and not count any ballot paper—

- (a) which does not bear the official mark;
- (b) on which votes are cast for more than one candidate;
- (c) which is unmarked or invalid owing to uncertainty;
- (d) which bears any writing or mark by which a voter can be identified otherwise than in these Regulations prescribed.

(2) Subject to the provisions of subregulation (1), the electoral officer shall not reject any ballot paper on which a voter has clearly indicated, in a manner other than by means of a cross, for which candidate he has voted.

(3) The electoral officer shall endorse the word "rejected" on a ballot paper which he may reject as invalid.

Objection against acceptance or rejection of a ballot paper

42. (1) If a candidate or an agent objects to the acceptance of any ballot paper, the electoral officer shall endorse the words "objection raised against acceptance" on such ballot paper.

(2) If a candidate or an agent objects to the rejection of any ballot paper, the electoral officer shall endorse the words "objection raised against rejection" on such ballot paper.

Determination of successful candidate in event of equal number of votes

43. In the event of the number of votes being found to be equal for the candidates who obtained the greater or the greatest number of votes, the electoral officer shall by lot determine the successful candidate.

Result of election

44. The electoral officer shall, as soon as possible after determining which candidate has obtained the greater or the greatest number of votes in each ward, in public declare such candidates duly elected and shall make known the number of votes polled by each candidate.

Publication of names of elected members

45. (1) As soon as possible after the names of the candidates duly elected as members of the Community Council are known the electoral officer shall cause to be displayed on the notice board of each township manager's office situated in the area for which the Community Council has been established a list reflecting the full name of every member so elected together with the date on which he was duly elected, the name of the ward which each member represents and the total number of votes cast in favour of such member.

opgawe voorkom al dan nie, in teenwoordigheid van sodanige kandidate of hulle agente as wat aanwesig is, die stembriewe uit al die stembusse vir 'n besondere wyk op so 'n wyse deurmekeer dat dit onmoontlik is om te bepaal uit watter stembus 'n bepaalde stembrief geneem is.

(3) Nadat hy die amptelike merk op die stembriewe nagegaan het, gaan die verkiesingsbeampte oor tot die tel van die stemme en terwyl hy die stemme tel of laat tel, laat hy die stembriewe met hulle voorkant na bo hou.

Wyse waarop stemme getel moet word

40. Vir die doel van die tel van stemme word die stembriewe in pakkette van 50 vasgebind (aan elkeen waarvan 'n onderskeidende nommer toegeken word) en daarna word die getal stemme ten opsigte van elke kandidaat opgeskryf en nagegaan.

Stembriewe wat verwerp moet word

41. (1) Die verkiesingsbeampte verwerp en tel nie 'n stembrief nie—

- (a) wat nie die amptelike merk daarop het nie;
- (b) waarop stemme op meer as een kandidaat uitgebring is;
- (c) wat ongemerk of weens onsekerheid ongeldig is;
- (d) wat enige skrif of merk daarop het waardeur 'n kieser op 'n ander wyse as dié in hierdie Regulasies voorgeskryf, geïdentifiseer kan word.

(2) Behoudens die bepalings van subregulasie (1), verwerp die verkiesingsbeampte nie 'n stembrief waarop 'n kieser op 'n ander wyse as by wyse van 'n kruis duidelik aangedui het vir watter kandidaat hy stem nie.

(3) Die verkiesingsbeampte endosseer die woord "verwerp" op 'n stembrief wat hy as ongeldig verwerp.

Beswaar teen aanname of verwerping van stembrief

42. (1) Indien 'n kandidaat of 'n agent beswaar maak teen die aanname van 'n stembrief, endosseer die verkiesingsbeampte die woorde "beswaar geopper teen aanname" op sodanige stembrief.

(2) Indien 'n kandidaat of 'n agent beswaar maak teen die verwerping van 'n stembrief, endosseer die verkiesingsbeampte die woorde "beswaar geopper teen verwerping" op sodanige stembrief.

Bepaling van suksesvolle kandidaat in geval van staking van stemme

43. Ingeval daar bevind word dat ewe veel stemme uitgebring is op die kandidate wat die grootste getal stemme verkry het, bepaal die verkiesingsbeampte die suksesvolle kandidaat deur loting.

Uitslag van verkiesing

44. Die verkiesingsbeampte verklaar in die openbaar, so gou moontlik nadat hy bepaal het watter kandidaat die grootste getal stemme in elke wyk verkry het, sodanige kandidate behoorlik verkose en maak die getal stemme bekend wat op elke kandidaat uitgebring is.

Bekendmaking van name van verkose lede

45. (1) Sodra die name van die kandidate wat behoorlik as lede van die Gemeenskapsraad verkies is, bekend is, laat die verkiesingsbeampte 'n lys bevattende die volle naam van elke kandidaat aldus verkies tesame met die datum waarop hy behoorlik verkies is, die naam van die wyk wat sodanige lid verteenwoordig en die totale getal stemme wat ten gunste van sodanige lid uitgebring is, op die aanplakbord van elke dorpsbestuurder se kantoor wat in sodanige gebied geleë is, vertoon.

(2) A notice displayed in terms of subregulation (1) shall also reflect the names of the unsuccessful candidates in respect of each ward and the total number of votes cast in favour of each such candidate, as well as the number of rejected ballot papers in respect of each ward.

Disposal of electoral matter by electoral officer after the counting of votes has been completed

46. (1) The electoral officer shall after the completion of the counting of votes make up into separate packets the following:

- (a) All unused, tendered and spoiled ballot papers used at each polling station;
- (b) all counted ballot papers in respect of each ward;
- (c) all rejected ballot papers in respect of each ward; and
- (d) all ballot paper returns duly endorsed with his findings on the verification of such returns.

(2) The electoral officer shall—

(a) affix a label in the form contained in Annexure F hereto to each of the packets mentioned in subregulation (1);

(b) seal each such packet with his own seal and with the seals of such candidates and agents (if any) as may desire to affix their seals; and

(c) retain such packets for a period of six months and thereafter destroy them.

Immaterial mistakes not to affect validity of election

47. No election shall be invalid by reason of any mistake or non-compliance with the provisions of these Regulations if the election was conducted in accordance with the principles laid down herein and such mistake or non-compliance did not affect the result.

Evidence of election being held

48. Upon any charge of a corrupt or illegal practice or any other offence under these Regulations alleged to have been committed at or in connection with an election, the certificate of the electoral officer that the election mentioned therein was being or had been held shall be sufficient evidence of the fact that such election was being or had been held.

Sundays and public holidays

49. Whenever under these Regulations anything is required to be commenced, concluded or done on a particular date, and that date happens to fall upon a Sunday or a day declared by or under any law to be a public holiday, such thing shall be commenced, concluded or done on the date next succeeding such Sunday or public holiday or if the last-mentioned date is also a Sunday or public holiday, then on the date next succeeding such Sunday or public holiday.

Interrupting or disturbing proceedings at elections

50. Any person who wilfully interrupts, obstructs or disturbs any proceedings in connection with the conduct of elections in terms of the provisions of these Regulations or who on polling day uses any form of loudspeaker or forms or organises any procession of or demonstration by persons other than for official purposes, shall be guilty of an offence.

Fraud in connection with ballot papers, etc.

51. (1) Any person who—

- (a) forges or counterfeits or fraudulently destroys any ballot paper or the official mark on any ballot paper;

(2) 'n Kennisgewing ingevolge subregulasie (1) vertoon, dui ook die name van die onsuksesvolle kandidate ten opsigte van elke wyk en die totale getal stemme aan wat ten opsigte van elke sodanige kandidaat uitgebring is, asook die getal bedorwe stembriewe ten opsigte van elke wyk.

Beskikking oor verkiesingstukke deur verkiesingsbeampte na afloop van tel van stemme

46. (1) Na afloop van die tel van die stemme maak die verkiesingsbeampte die volgende in afsonderlike pakkette op:

- (a) Alle ongebruikte, aangebode en bedorwe stembriewe wat by elke stemburo gebruik is;
- (b) alle getelde stembriewe met betrekking tot elke wyk;
- (c) alle verworpe stembriewe met betrekking tot elke wyk; en
- (d) alle stembriefopgawes behoorlik geëndoseer met sy bevindings betreffende die verifiëring van sodanige opgawes.

(2) Die verkiesingsbeampte—

(a) voorsien elke pakket genoem in subregulasie (1) van 'n etiket in die vorm vervat in Aanhangsel F hiervan;

(b) verseël elke sodanige pakket met sy eie seël en met die seëls van sodanige kandidate en agente (as daar is) as wat hulle seëls ook daarop wil afdruk; en

(c) bewaar sodanige pakkette vir 'n tydperk van ses maande en vernietig hulle daarna.

Onbelangrike foute raak nie geldigheid van verkiesing nie

47. Geen verkiesing is weens 'n fout of nie-nakoming van die bepalings van hierdie Regulasies ongeldig nie indien die verkiesing gehou is ooreenkomstig die beginsels hierin voorgeskryf en sodanige fout of nie-nakoming nie die uitslag geraak het nie.

Bewys dat verkiesing gehou is

48. By 'n aanklag van 'n korrupte of onwettige bedrywigheid of van 'n ander misdryf ingevolge hierdie Regulasies, wat volgens bewering by of in verband met 'n verkiesing begaan is, is die sertifikaat van die verkiesingsbeampte dat die verkiesing daarin gemeld aan die gang was of gehou is, voldoende bewys van die feit dat sodanige verkiesing aan die gang was of gehou is.

Sondae en openbare feesdae

49. Wanneer enigiets op 'n bepaalde datum ingevolge hierdie Regulasies begin, voltooi of gedoen moet word en daardie datum op 'n Sondag val of op 'n dag wa by of kragtens 'n wet tot 'n openbare feesdag verklaar is, moet dit begin, voltooi of gedoen word op die eers volgende datum na sodanige Sondag of openbare feesdag of as laasgenoemde datum ook op 'n Sondag of openbare feesdag val, dan op die eersvolgende datum na sodanige Sondag of openbare feesdag.

Onderbreking of steuring van verrigtings by verkiesings

50. 'n Persoon wat opsetlik verrigtings in verband met die hou van verkiesings ooreenkomstig die bepalings van hierdie Regulasies onderbreek, belemmer of versteur, of op stemdag enige vorm van luidspreker gebruik of enig optog van, of betoging deur, persone vorm of reël, uitgesonderd vir amptelike doeleindes, begaan 'n misdryf.

Bedrog met stembriewe, ens.

51. (1) 'n Persoon wat—

- (a) 'n stembrief of die amptelike merk op 'n stembrief vervals, namaak of met opset om te bedrieg vernietig;

(b) without due authority supplies a ballot paper to any person;

(c) fraudulently puts into any ballot box any paper other than the ballot paper which he is authorised by law to put in;

(d) fraudulently takes out of the polling station any ballot paper; or

(e) without due authority destroys, takes, opens or otherwise interferes with any ballot box or packet of ballot papers then in use for the purpose of the election;

shall be guilty of an offence.

(2) In any indictment, summons or charge for an offence in relation to ballot boxes, ballot papers and official marking instruments at an election, the property in such boxes, papers and instruments as well as the property in the counterfoils, may be stated to be in the electoral officer.

(3) If the electoral officer is so indicted or charged such property may be stated to be in the Community Council.

Infringement of secrecy

52. (1) Every officer, candidate or his agent in attendance at a polling station or at the counting of votes, shall maintain, and aid in maintaining, the secrecy of the voting in that station and shall not communicate, except for some purpose authorised by law, to any person any information likely to defeat the secrecy of the voting.

(2) No person, except as in these Regulations provided, shall interfere with or attempt to interfere with a voter when such voter is marking his ballot paper, or otherwise attempt to obtain information as to the candidate for whom any voter is about to vote or has voted, or communicate at any time to any person any information obtained as to the candidate for whom any voter is about to vote or has voted at a taking of poll under these Regulations.

(3) No person shall directly or indirectly induce any voter to display his ballot paper, after he has marked the same, in such a manner as to make known to any person the name of the candidate for whom the voter has so marked his ballot paper.

(4) No person shall place upon any ballot paper any mark or writing whereby a person who casts his vote on that ballot paper may be identified.

(5) Every person in attendance at the counting of votes shall maintain, and aid in maintaining, the secrecy of the voting, and shall not attempt to ascertain or communicate any information obtained at such counting as to the candidate for whom any vote is cast in any particular ballot paper.

(6) A person who has, in carrying out his duties under these Regulations, obtained knowledge as to the candidate for whom any other person has voted shall not, except in answer to a question lawfully put to him in the course of proceedings in a competent court, disclose such knowledge.

(7) Any person who contravenes or fails to comply with any provision of this regulation shall be guilty of an offence.

Failure by electoral officer or other officer to perform his duties

53. If the electoral officer or any other officer or person wilfully fails to perform any of the duties which he is required to perform under the provisions of these Regulations, he shall be guilty of an offence.

(b) sonder behoorlike magtiging 'n ander persoon van 'n stembrief voorsien;

(c) met opset om te bedrieg, enige ander stuk papier in 'n stembus plaas as die stembrief wat hy regtens daarin mag plaas;

(d) met opset om te bedrieg, 'n stembrief uit die stemburo wegneem; of

(e) sonder behoorlike magtiging 'n stembus of pakket stembriewe wat dan vir die doel van die verkiesing in gebruik is, vernietig, neem, oopmaak of hom op 'n ander wyse daarmee bemoei;

begaan 'n misdryf.

(2) In 'n akte van beskuldiging, dagvaarding of aanklag weens 'n misdryf met betrekking tot stembusse, stembriewe en amptelike merkinstrumente by 'n verkiesing kan verklaar word dat die eiendomsreg op die busse, stembriewe en instrumente, asook op die teenblaaië, by die verkiesingsbeampte by die verkiesing berus.

(3) Word die verkiesingsbeampte aldus beskuldig of aangekla, kan verklaar word dat die eiendomsreg by die Gemeenskapsraad berus.

Skending van geheimhouding

52. (1) Iedere beampte, kandidaat of sy agent wat by 'n stemburo of by die tel van stemme aanwesig is, moet die geheimhouding van die stemming in daardie buro handhaaf en help om dit te handhaaf en mag aan geen persoon, uitgesonderd vir die een of ander regtens geoorloofde doel, enige inligting meedeel wat waarskynlik die geheimhouding van die stemming sal verydel nie.

(2) Behoudens die bepalings van hierdie Regulasies, mag geen persoon hom met 'n kieser bemoei of probeer om hom met 'n kieser te bemoei wanneer sodanige kieser sy stembrief merk nie, of andersins by 'n stemming kragtens hierdie Regulasies probeer om te wete te kom vir watter kandidaat 'n kieser op die punt staan om te stem of gestem het nie of te eniger tyd aan enige persoon meedeel vir watter kandidaat, volgens inligting wat verkry is, 'n kieser op die punt staan om te stem of gestem het nie.

(3) Geen persoon mag direk of indirek enige kieser beweeg om sy stembrief, nadat hy dit gemerk het, op so 'n wyse te vertoon dat enige persoon die naam van die kandidaat vir wie hy sy stembrief aldus gemerk het, te wete kom nie.

(4) Geen persoon mag op 'n stembrief enige merk of skrif aanbring waardeur 'n persoon wat met daardie stembrief stem, geïdentifiseer kan word nie.

(5) Iedere persoon wat by die tel van die stemme aanwesig is, moet die geheimhouding van die stemming handhaaf en help om dit te handhaaf, en mag nie probeer vasstel of aan 'n ander persoon meedeel vir watter kandidaat, volgens inligting wat by sodanige telling verkry is, op 'n bepaalde stembrief 'n stem uitgebring is nie.

(6) 'n Persoon wat by die vervulling van sy pligte kragtens hierdie Regulasies te wete gekom het op watter kandidaat enige ander persoon sy stem uitgebring het, mag sodanige kennis nie bekendmaak nie, uitgesonderd in antwoord op 'n vraag wat wettiglik aan hom gestel is in die loop van verrigtings in 'n bevoegde hof.

(7) 'n Persoon wat enige van die bepalings van hierdie regulasie oortree of versuim om daaraan te voldoen, begaan 'n misdryf.

Versuim deur verkiesingsbeampte of ander beampte om sy pligte te vervul

53. Indien die verkiesingsbeampte of enige ander beampte of persoon opsetlik versuim om enige van die pligte te vervul wat kragtens die bepalings van hierdie Regulasies hom opgelê is, begaan hy 'n misdryf.

Treating

54. Any person who corruptly by himself or by any other person either before, during or after an election, directly or indirectly gives or provides, or pays wholly or in part the expense of giving or providing, any food, drink, entertainment, lodging or provisions to or for any person for the purpose of corruptly influencing that person or any other person to cast or refrain from casting his vote at an election, or on account of such person or any other person having voted or refrained from voting, or being about to vote or refrain from voting at such election, shall be guilty of the offence of treating.

Undue influence

55. (1) Any person who directly or indirectly by himself or by any other person makes use or threatens to make use of any force, violence or restraint or inflicts or threatens to inflict any temporal or spiritual injury, damage, harm or loss upon or against, or does or threatens to do anything to the disadvantage of any person in order to induce or compel that person to vote or refrain from voting, or on account of that person having voted or refrained from voting at any election, shall be guilty of the offence of undue influence.

(2) Any person who, by abduction, duress or fraudulent device or contrivance, impedes or prevents the free exercise of the franchise by any voter, or thereby compels, induces, or prevails upon any voter either to cast or to refrain from casting his vote at any election, shall be guilty of the offence of undue influence.

Bribery

56. (1) Any person shall be guilty of the offence of bribery if he, directly or indirectly, by himself or by any other person—

(a) gives, lends or procures, or agrees to give, lend or procure, or offers, promises, or promises to procure or to endeavour to procure any money or any other thing, to or for any voter, or to or for any person on behalf of any voter, or to or for any other person, in order to induce any voter to vote or refrain from voting, or corruptly does any such act as aforesaid on account of such voter having voted or refrained from voting at any election;

(b) gives, lends or agrees to give or lend, or offers, or promises to procure or to endeavour to procure any money or any other thing to or for any voter, or to or for any person on behalf of any voter, or to or for any other person, for acting or joining in any procession or demonstration before, during or after any election;

(c) makes any such gift, loan, offer, promise, procurement or agreement to or for any person in order to induce such person to procure or endeavour to procure, the return of any candidate at any election or the vote of any voter at an election;

(d) upon or in consequence of any such gift, loan, offer, promise, procurement or agreement, procures, or engages, promises or endeavours to procure, the return of any candidate at any election or the vote of any voter at any election;

(e) advances or pays, or causes to be advanced or paid, any money, to, or for the use of, any other person with the intent that such money, or any part thereof, shall be expended in bribery at any election, or knowingly pays, or causes to be paid, any money to any person in discharge or repayment of any money wholly or in part expended in bribery at any election;

Trakteerdery

54. 'n Persoon wat korruptelik, hetsy voor, gedurende of na 'n verkiesing, self of deur 'n ander persoon direk of indirek aan of vir enige persoon voedsel, drank, vermaak, inwoning of lewensmiddele gee of verskaf of die koste om dit te gee of te verskaf, of 'n deel daarvan, betaal, met die doel om daardie persoon of 'n ander persoon korruptelik te beïnvloed om sy stem by die verkiesing uit te bring al dan nie, of omdat daardie persoon of 'n ander persoon sy stem by die verkiesing uitgebring het of gaan uitbring al dan nie, begaan die misdryf van trakteerdery.

Onbehoorlike beïnvloeding

55. (1) 'n Persoon wat, self of deur 'n ander persoon, direk of indirek teen enige persoon geweld of dwang gebruik of dreig om te gebruik, of aan enige persoon enige wêreldlike of geestelike leed, skade, kwaad of verlies berokken of dreig om dit te berokken of iets ten nadele van enige persoon doen of dreig om dit te doen, ten einde daardie persoon te beweeg of te dwing om sy stem by 'n verkiesing uit te bring al dan nie, of omdat hy sy stem by 'n verkiesing uitgebring het al dan nie, begaan die misdryf van onbehoorlike beïnvloeding.

(2) 'n Persoon wat deur ontvoering, dwang of enige bedrieglike middel die vrye uitoefening van die stemreg deur 'n kieser belemmer of belet of 'n kieser daardeur dwing, beweeg of oorhaal om sy stem by 'n verkiesing uit te bring al dan nie, begaan die misdryf van onbehoorlike beïnvloeding.

Omkopery

56. (1) 'n Persoon begaan die misdryf van omkopery indien hy, self of deur 'n ander, direk of indirek—

(a) aan of vir 'n kieser, of aan of vir 'n persoon ten behoeve van 'n kieser, of aan of vir enige ander persoon, enige geld of enigiets anders gee, leen of verkry of ooreenkom om dit te gee, te leen of te verkry of dit aanbied, belooft of belooft om dit te verkry of om te probeer om te verkry, ten einde 'n kieser te beweeg om sy stem by 'n verkiesing uit te bring al dan nie, of korruptelik een van voormelde handelinge verrig omdat die kieser sy stem by 'n verkiesing uitgebring het al dan nie;

(b) aan of vir 'n kieser, of aan of vir 'n persoon ten behoeve van 'n kieser, of aan of vir enige ander persoon, enige geld of enigiets anders gee of leen, of ooreenkom om dit te gee of te leen, of dit aanbied, of belooft om dit te verkry of om te probeer om dit te verkry, vir optrede in of deelname aan enige optog of betoging voor, gedurende of na 'n verkiesing;

(c) aan of vir 'n persoon sodanige skenking, lening, aanbod, belofte, verkryging of ooreenkoms gee, verstrek, doen of aangaan ten einde sodanige persoon te beweeg om die verkiesing van 'n kandidaat by 'n verkiesing of die stem van 'n kieser by 'n verkiesing te verkry of om te probeer om dit te verkry;

(d) teen of ten gevolge van sodanige skenking, lening, aanbod, belofte, verkryging of ooreenkoms, die verkiesing van 'n kandidaat by 'n verkiesing of die stem van 'n kieser by 'n verkiesing verkry of onderneem, belooft of probeer om dit te verkry;

(e) aan of vir die gebruik van 'n ander persoon enige geld voorskiet of betaal of laat voorskiet of betaal, met die bedoeling dat daardie geld of enige deel daarvan by 'n verkiesing aan omkopery bestee moet word, of willens en wetens aan 'n persoon enige geld betaal of laat betaal ter vereffening of terugbetaling van geld wat geheel of ten dele by 'n verkiesing aan omkopery bestee is;

(f) before or during any election, receives or contracts for any money or loan, for himself or for any other person, for voting or agreeing to vote, or for refraining or agreeing to refrain from voting, at any election;

(g) after any election receives any money on account of any person having voted or refrained from voting or having induced any other person to vote or refrain from voting at any election; or

(h) conveys or transfers or is concerned with the conveyance or transfer of any property, or pays or is concerned with the payment of any money, to any person for the purpose of enabling him to vote, thereby to influence his vote at any future election, or pays or is concerned with the payment of any money on behalf of any voter for the purpose of inducing him to vote or refrain from voting.

(2) Nothing in this regulation contained shall be construed as applying to any money paid or agreed to be aid for or on account of any electoral expenditure bona fide and lawfully incurred.

Personation

57. Any person who—

(a) at any election applies for a ballot paper in the name of some other person, whether living, dead or fictitious; or

(b) having voted once at any election, applies again at any polling station at the same election for a ballot paper;

shall be guilty of the offence of personation.

Corrupt procurement of candidature or withdrawal thereof

58. Any person who—

(a) corruptly induces or procures any other person to become a candidate or to withdraw as a candidate at any election in consideration of any payment or promise of any nature;

(b) becomes a candidate or withdraws as a candidate at any election in pursuance of such inducement or procurement; or

(c) before or during an election publishes a false statement of the withdrawal of a candidate at an election for the purpose of promoting or procuring the election of another candidate, knowing that statement to be false;

shall be guilty of an offence.

Bills, placards, etc., to bear publisher's name

59. (1) Every bill, placard, poster, pamphlet, circular or other printed matter having reference to an election shall clearly bear the name and address of the printer and publisher thereof.

(2) No person shall print, publish or post up or cause to be printed, published or posted up, any such printed matter which fails to bear clearly the name and address of the printer and publisher.

(3) The proprietor and publisher of every newspaper shall cause the word "advertisement" to be printed as a headline to each article or paragraph in his newspaper containing electoral matter, the insertion of which is or is to be paid for or for which any reward or compensation or promise of reward or compensation is or is to be made.

(4) The words "electoral matter" used in subregulation (3) include all matters which on the face of it are intended or calculated to affect the result of an election, and any report of the speech of a candidate if the insertion of the report is or is to be paid for.

(f) voor of gedurende enige verkiesing, vir homself of 'n ander persoon, enige geld of lening ontvang of beding, omdat hy by 'n verkiesing gestem het of ooreengekom het om te stem, of omdat hy hom by 'n verkiesing van stemming onthou het of ooreengekom het om hom van stemming te onthou;

(g) na 'n verkiesing geld ontvang omdat 'n persoon sy stem uitgebring het al dan nie of 'n ander persoon beweeg het om sy stem by enige verkiesing uit te bring al dan nie; of

(h) eiendom oordra of transporteer of betrokke is by die oordrag of transport van eiendom, of enige geld betaal of betrokke is by die betaal van enige geld aan 'n persoon ten einde hom in staat te stel om te stem en daardeur sy stem by 'n toekomstige verkiesing te beïnvloed, of enige geld betaal of betrokke is by die betaling van enige geld ten behoeve van 'n kieser ten einde hom te beweeg om sy stem uit te bring al dan nie.

(2) Geen bepaling van hierdie regulasie mag uitgelê word nie as sou dit van toepassing wees op geld wat vir of weens bona fide- en wettig aangegane verkiesingskoste betaal is of volgens ooreenkoms betaal moet word.

Uitgee vir 'n ander

57. 'n Persoon wat—

(a) by enige verkiesing in die naam van 'n ander persoon, hetsy lewend of afgestorwe, of van 'n denkbeeldige persoon, om 'n stembrief aansoek doen; of

(b) nadat hy een maal by 'n verkiesing gestem het, weer by 'n stemburo by dieselfde verkiesing om 'n stembrief aansoek doen;

begaan die misdryf van hom vir 'n ander uit te gee.

Korrupte verkryging van kandidatuur of terugtrekking daarvan

58. 'n Persoon wat—

(a) 'n ander persoon korruptelik beweeg of oorhaal om, as teenprestasie vir 'n betaling of belofte van watter aard ook al, 'n kandidaat by enige verkiesing te word of as sodanig terug te trek;

(b) as gevolg daarvan dat hy aldus beweeg of oorgehaal is, 'n kandidaat by enige verkiesing word of as sodanig terugtrek; of

(c) voor of gedurende 'n verkiesing, met die doel om die verkiesing van 'n ander kandidaat te bevorder of te bewerkstellig, 'n valse verklaring dat 'n kandidaat by 'n verkiesing teruggetrek het, publiseer wetende dat die verklaring vals is;

begaan 'n misdryf.

Biljette, plakkate, ens., moet naam van uitgewer dra

59. (1) Alle biljette, plakkate, aanplakbiljette, pamflette, omsendbriewe of ander drukwerk wat op 'n verkiesing betrekking het, moet die naam en adres van die drukker en uitgewer daarvan duidelik dra.

(2) Geen persoon mag sodanige drukwerk wat nie die naam en adres van die drukker en uitgewer dra nie, druk, uitgee of aanplak of laat druk, uitgee of aanplak nie.

(3) Die eienaar en uitgewer van iedere nuusblad moet die woord "advertensie" as 'n opskrif laat druk by elke artikel of paragraaf in sy nuusblad wat verkiesingstof bevat, vir die opneming waarvan betaal is of gaan word of waarvoor 'n beloning of vergoeding of 'n belofte van beloning of vergoeding gegee is of gaan word.

(4) Die woord "verkiesingstof" in subregulasie (3) gebesig, omvat alles wat, na die skyn geoordeel, bedoel of daarop bereken is om die uitslag van 'n verkiesing te beïnvloed, asook enige verslag van 'n toespraak van 'n kandidaat, indien vir die opneming van die verslag betaal word of gaan word.

(5) Every report, letter, article, bill, placard, poster, pamphlet, circular, cartoon or other printed matter (hereinafter in this subregulation called a newspaper article) which, on the face of it, is intended or calculated to affect the result of an election, and is inserted in any newspaper or otherwise produced and is published on or after the date of commencement of such election of members to the Community Council, shall bear at the foot thereof the full name and address of the person by whom such newspaper article was written or produced: Provided that—

(a) any newspaper article which is inserted in any newspaper as aforesaid and which has been altered materially by the editor of such newspaper, may also be signed by such editor;

(b) in the case of a report of a public meeting which is written jointly by two or more persons, it shall be sufficient for the purposes of this subregulation if the report as a whole bears upon the face of it the full names and addresses of the persons by whom it was written; and

(c) in the case of headlines to any newspaper article which is inserted in any newspaper as aforesaid, and bills, placards or posters having reference thereto, which are issued in the ordinary practice of a newspaper, it shall be sufficient for the purposes of this subregulation if the full names and addresses of the persons by whom such headlines, bills, placards or posters were written, and a statement that such headlines, bills, placards or posters were written by such persons, are published in the issue of the newspaper in which such newspaper article is inserted.

(6) Subject to the provisions of proviso (c) to subregulation (5), no person shall print or publish any newspaper or other printed matter in which is inserted or produced any such newspaper article, which fails to bear upon the face thereof the full name and address of the person by whom it was written or produced.

(7) For the purposes of this regulation an election shall be deemed to commence on the date of first publication of the notice referred to in regulation 19.

(8) Any person who contravenes or fails to comply with any provision of this regulation shall be guilty of an offence.

Meetings on premises where sale of liquor usually takes place

60. (1) No person shall hire or use—

(a) any premises on which the sale, by wholesale or retail, of any intoxicating liquor is authorised (whether the authorisation be for consumption of liquor on or off the premises); or

(b) any premises where any intoxicating liquor is sold or is supplied to members of a club, society or association;

or any part of any such premises, as a committee room or for any meeting of voters for the purpose of promoting or procuring the election of a candidate at an election or in connection with arrangements made by any person or party in reference to an election.

(2) No person shall let or make available for use any such premises or part thereof, knowing that it is intended to be so used.

(3) Any agreement entered into in contravention of subregulation (1) or (2) shall be null and void.

(4) Any person who contravenes or fails to comply with any provision of this regulation shall be guilty of an offence.

(5) Alle verslae briewe, artikels, biljette, plakkate, aanplakbiljette, pamflette, omsendbriewe, spotprente of ander drukwerk (hieronder in hierdie subregulasie nuusblad-artikels genoem) wat, na die skyn geoordeel, bedoel of daarop bereken is om die uitslag van 'n verkiesing te beïnvloed, en in 'n nuusblad opgeneem of op 'n ander wyse geproduseer word en op of na die datum van die begin van die verkiesing van lede van die Gemeenskapsraad gepubliseer word, moet onderaan die volle naam en adres dra van die persoon deur wie die nuusbladartikel geskryf of geproduseer is: Met dien verstande dat—

(a) enige sodanige nuusbladartikel wat soos voormeld in 'n nuusblad opgeneem word en wat wesenlik deur die redakteur van die nuusblad verander is, ook deur sodanige redakteur onderteken kan word;

(b) in die geval van 'n verslag van 'n openbare vergadering wat deur twee of meer persone gesamentlik geskryf is, dit voldoende vir doeleindes van hierdie subregulasie is as die verslag in sy geheel op die voorkant daarvan die volle name en adresse dra van die persone deur wie dit geskryf is; en

(c) in die geval van opskrifte by 'n nuusbladartikel wat soos voormeld in enige nuusblad opgeneem is, en van biljette, plakkate of aanplakbiljette wat daarop betrekking het en wat volgens die gewone gebruik van 'n nuusblad uitgegee word, dit voldoende vir doeleindes van hierdie subregulasie is as die volle name en adresse van die persone deur wie sodanige opskrifte, biljette, plakkate of aanplakbiljette geskryf is, met 'n verklaring dat sodanige opskrifte, biljette, plakkate of aanplakbiljette deur daardie persone geskryf is, gepubliseer word in die uitgawe van die nuusblad waarin sodanige nuusbladartikel opgeneem word.

(6) Behoudens die bepalinge van voorbehoudsbepaling (c) van subregulasie (5), mag geen persoon enige nuusblad of ander drukwerk waarin enige sodanige nuusbladartike opgeneem of geproduseer is, wat nie op die voorkant daarvan die volle naam en adres dra van die persoon deur wie dit geskryf of geproduseer is nie, druk of publisee nie.

(7) Vir doeleindes van hierdie regulasie word 'n verkiesing geag te begin op die datum van eerste afkondiging van die kennisgewing in regulasie 19 bedoel.

(8) 'n Persoon wat enige van die bepalinge van hierdie regulasie oortree of versuim om daaraan te voldoen, begaan 'n misdryf.

Vergaderings op persele waar gewoonlik drank verkoop word

60. (1) Geen persoon mag—

(a) 'n perseel waarop die verkoop van bedwelmende drank, by wyse van groothandel of kleinhandel, deur 'n magtiging gemagtig is (ongegag of dit 'n magtiging vir verbruik van drank op die perseel of daarbuite); of

(b) 'n perseel waar bedwelmende drank verkoop of verskaf word aan lede van 'n klub, genootskap of vereniging;

of 'n gedeelte van enige sodanige perseel, as 'n komitee-kamer of vir 'n vergadering van kiesers ter bevordering of bewerkstelliging van die verkiesing van 'n kandidaat by 'n verkiesing of in verband met reëlins wat deur 'n persoon of party met betrekking tot 'n verkiesing getref is, huur of gebruik nie.

(2) Geen persoon mag sodanige perseel of 'n gedeelte daarvan verhuur of vir gebruik beskikbaar stel nie, wetende dat dit die bedoeling is om dit aldus te gebruik.

(3) Enige ooreenkoms wat strydig met subregulasie (1) of (2) gesluit is, is van nul en gener waarde.

(4) 'n Persoon wat enige van die bepalinge van hierdie regulasie oortree of versuim om daaraan te voldoen, begaan 'n misdryf.

Consequences to the candidates

61. If upon trial it is proved that any corrupt practice or illegal practice has been committed in reference to the election of a member to the Community Council by or with the knowledge and consent or approval of any candidate at that election, the election of that candidate shall be void and a casual vacancy shall exist.

Vacating of seats by members of the Community Council

62. The seat of a member of the Community Council shall become vacant—

- (a) upon the death of such member;
- (b) upon receipt by the Secretary of the Community Council of a notice of resignation under the hand of such member;
- (c) should such member fail to attend three consecutive general meetings of the Community Council without its special leave;
- (d) should such member withdraw from any meeting of the Community Council without the permission of the Chairman;
- (e) in the event of such member becoming subject to any of the disqualifications mentioned in regulation 12.

Filling of casual vacancies

63. Should the seat of a member become vacant in terms of regulation 61 or 62 or should the Minister under section 3 (2) of the Act determine that a vacancy exist, the vacancy shall, unless the term of the Community Council expires before such vacancy can be filled, be filled within six months of its occurring, by an election which shall be held in accordance with the provisions of these Regulations.

CHAPTER 6

THE CONVENING OF, THE PROCEDURE AT AND THE CONDUCT OF MEETINGS OF THE COMMUNITY COUNCIL AND COMMITTEES

First general meeting of Community Council

64. The first general meeting of the Community Council shall be convened by the Chief Director on a date, which shall be within 60 days after the first general election, and at a time and in the manner decided upon by him.

Election of Chairman

65. Immediately after all the members present at the first general meeting of the Community Council and thereafter at the general meeting held in October of each year, have taken their seats the Council shall proceed to the election of the Chairman from the ranks of members of the Council in the manner prescribed in regulation 66.

Manner of election of Chairman

66. (1) A member having first ascertained that the person whom he wishes to propose as Chairman and who is then present, is willing to serve if elected, may propose such person as Chairman and such proposal shall lapse if not seconded.

(2) There shall be no limit to the number of candidates who may be proposed and seconded under subregulation (1), but no member who has already proposed or seconded a candidate shall propose or second any other candidate and no member shall propose or second his own candidature.

Gevolge vir kandidaat

61. As daar by 'n verhoor bewys word dat 'n korrupte bedrywigheid of 'n onwettige bedrywigheid in verband met die verkiesing van 'n lid van die Gemeenskapsraad deur of met die kennis en instemming of goedkeuring van enige kandidaat by daardie verkiesing begaan is, is die verkiesing van daardie kandidaat nietig en bestaan daar 'n toevallige vakature.

Ontruiming van setels deur lede van die Gemeenskapsraad

62. Die setel van 'n lid van die Gemeenskapsraad raak vakant—

- (a) by die afsterwe van sodanige lid;
- (b) by ontvangs deur die Sekretaris van die Gemeenskapsraad van 'n kennisgewing van bedanking onder die handtekening van sodanige lid;
- (c) indien sodanige lid versuim om drie opeenvolgende algemene vergaderings van die Gemeenskapsraad by te woon sonder die spesiale toestemming daarvan;
- (d) indien sodanige lid hom onttrek aan enige vergadering van die Gemeenskapsraad sonder die toestemming van die Voorsitter;
- (e) indien sodanige lid onderhewig raak aan enige van die diskwalifikasies in regulasie 12 genoem.

Vulling van toevallige vakatures

63. Indien die setel van 'n lid ingevolge regulasie 61 of 62 vakant raak of indien die Minister kragtens artikel 3 (2) van die Wet bepaal dat 'n vakature bestaan, moet die vakature, tensy die termyn van die Gemeenskapsraad verstryk voordat sodanige vakature gevul kan word, binne ses maande nadat dit ontstaan het, gevul word deur 'n verkiesing wat ooreenkomstig die bepalings van hierdie Regulasies gehou word.

HOOFSTUK 6

DIE BYEENROEPING VAN, DIE PROSEDURE OP EN DIE HOU VAN VERGADERINGS VAN DIE GEMEENSKAPSRAAD EN KOMITEES

Eerste algemene vergadering van Gemeenskapsraad

64. Die Hoofdirekteur roep die eerste algemene vergadering van die Gemeenskapsraad byeen op 'n datum, wat binne 60 dae na die eerste algemene verkiesing moet wees, en op 'n tyd en wyse soos deur hom bepaal.

Verkiesing van Voorsitter

65. Onmiddellik nadat al die lede wat op die eerste algemene vergadering van die Gemeenskapsraad en daarna op die algemene vergadering gehou in Oktober van elke jaar, hul sitplekke ingeneem het, gaan die Gemeenskapsraad oor tot die verkiesing van die Voorsitter uit die geledere van die lede van die Gemeenskapsraad op die wyse in regulasie 66 voorgeskryf.

Wyse waarop Voorsitter verkies word

66. (1) 'n Lid wat vooraf vasgestel het dat die persoon wat hy as Voorsitter wil voorstel en wat dan teenwoordig is, gewillig is om te dien as hy verkies word, kan sodanige persoon as Voorsitter voorstel en indien sodanige voorstel nie gesekondeer word nie, verval dit.

(2) Daar is geen beperking op die getal kandidaat wat kragtens subregulasie (1) voorgestel en gesekondeer kan word nie, maar geen lid wat reeds 'n kandidaat voorgestel of gesekondeer het, mag 'n ander kandidaat voorstel of sekondeer nie en geen lid mag sy eie kandidatuur voorstel of sekondeer nie.

(3) The names of the persons duly nominated shall be announced by the person presiding at the relevant meeting of the Community Council (hereinafter in this regulation referred to as the presiding officer) and no debate shall be allowed at the election.

(4) If more than one member be proposed as Chairman, a secret ballot shall be held at which—

(a) the presiding officer shall hand each member present a ballot paper with the names of all the candidates thereon and with an official mark on the reverse side thereof;

(b) every member shall signify the candidate for whom he desires to vote by placing a cross opposite the name of such candidate;

(c) the presiding officer shall call the names of all the members and each member shall, when his name is called, drop his ballot paper into a ballot box;

(d) when all members who wish to vote have done so the presiding officer shall, in the presence of the Community Council, examine the ballot papers with the assistance of such members as the Community Council may decide upon and declare the result of the ballot.

(5) The successful candidate shall be the candidate who obtains the greater or the greatest number of votes cast.

(6) In the event of the number of votes being found to be equal for the candidates who obtained the greater or the greatest number of votes, the presiding officer shall by lot determine the successful candidate.

(7) A member who arrives after the names of the members have been called shall not be entitled to vote.

(8) If only one member is proposed and seconded as Chairman he shall be declared elected.

Manner of election of Deputy Chairman

67. Immediately after the Chairman has been elected, the Community Council shall proceed to the election of a Deputy Chairman and the provisions of regulation 66 shall apply *mutatis mutandis* to the election of a Deputy Chairman: Provided that any reference in regulation 66 to the presiding officer shall be construed as being a reference to the Chairman.

Period of office of Chairman and Deputy Chairman

68. Subject to the provisions of regulation 69, the Chairman and the Deputy Chairman shall hold office until their successors be elected at the general meeting referred to in regulation 65.

Vacation of office by Chairman or Deputy Chairman

69. (1) The Chairman or the Deputy Chairman shall vacate his office—

(a) if his seat as a member of the Community Council becomes vacant or is deemed to have been vacated in terms of the provisions of these Regulations;

(b) if he resigns his office as Chairman or Deputy Chairman by notice, in writing, to the Secretary of the Community Council or makes an announcement to that effect at a meeting of the Community Council.

(2) If the Chairman or the Deputy Chairman vacates his seat otherwise than in pursuance of his resignation announced at a meeting of the Community Council, the Secretary of the Community Council shall at the first ensuing meeting of the Community Council inform it accordingly.

(3) Die name van die behoorlik genomineerde persone moet deur die persoon wat by die betrokke vergadering van die Gemeenskapsraad voorsit (hierna in hierdie regulasie die voorsittende beampte genoem) aangekondig word op die sitting waartydens die verkiesing moet plaasvind, en geen debat word by die verkiesing toegelaat nie.

(4) Indien meer as een lid as Voorsitter voorgestel word, word 'n geheime stemming gehou waarby—

(a) die voorsittende beampte aan elke lid teenwoordig 'n stembriefie met die name van al die kandidate daarop en met 'n amptelike merk op die keersy daarvan uitreik;

(b) elke lid die kandidaat vir wie hy wil stem, aandui deur 'n kruis teenoor die naam van sodanige kandidaat te plaas;

(c) die voorsittende beampte die name van al die lede uitroep en elke lid, wanneer sy naam uitgeroep word, sy stembriefie in 'n stembus laat val;

(d) sodra alle lede wat wil stem dit gedoen het, die voorsittende beampte met die hulp van sodanige lede as wat die Gemeenskapsraad bepaal, die stembriefies in teenwoordigheid van die Gemeenskapsraad ondersoek en die uitslag van die stemming bekend maak.

(5) Die suksesvolle kandidaat is die kandidaat wat die grootste getal stemme uitgebring, verkry.

(6) Ingeval daar bevind word dat daar ewe veel stemme uitgebring is op die kandidate wat die grootste getal stemme verkry het, bepaal die voorsittende beampte die suksesvolle kandidaat by loting.

(7) 'n Lid wat opdaag nadat die lede se name uitgeroep is, is nie geregtig om te stem nie.

(8) Indien slegs een lid as Voorsitter voorgestel en gesekondeer word, word hy verkose verklaar.

Wyse waarop Ondervoorsitter verkies word

67. Onmiddellik nadat die Voorsitter verkies is, gaan die Gemeenskapsraad oor tot die verkiesing van 'n Ondervoorsitter en is die bepalings van regulasie 66 *mutatis mutandis* van toepassing by die verkiesing van 'n Ondervoorsitter: Met dien verstande dat 'n verwysing in regulasie 66 na die voorsittende beampte uitgelê word as 'n verwysing na die Voorsitter.

Ampstermyn van Voorsitter en Ondervoorsitter

68. Behoudens die bepalings van regulasie 69, beklee die Voorsitter en die Ondervoorsitter hulle amp totdat hul opvolgers gedurende die algemene vergadering in regulasie 65 bedoel, verkies word.

Ontruiming van amp deur Voorsitter of Ondervoorsitter

69. (1) Die Voorsitter of die Ondervoorsitter ontruim sy amp—

(a) indien sy setel as lid van die Gemeenskapsraad vakant raak of geag word ontruim te gewees het ingevolge die bepalings van hierdie Regulasies;

(b) indien hy uit sy amp as Voorsitter of Ondervoorsitter bedank by skriftelike kennisgewing aan die Sekretaris van die Gemeenskapsraad of 'n aankondiging tot dien effekte op 'n sitting van die Gemeenskapsraad doen.

(2) Indien die Voorsitter of die Ondervoorsitter sy setel ontruim anders as deur die aankondiging van sy bedanking op 'n sitting van die Gemeenskapsraad, verwittig die Sekretaris van die Gemeenskapsraad gedurende die eerste daaropvolgende vergadering van die Gemeenskapsraad die Gemeenskapsraad dienooreenkomstig.

Filling of casual vacancies

70. A casual vacancy in the office of Chairman or of Deputy Chairman shall, if the Community Council is holding a meeting when the vacancy occurs, be filled by the election at that meeting of an incumbent to the office concerned in the manner provided in these Regulations and if the Community Council is then not holding a meeting such election shall take place at its next meeting.

Meetings of the Community Council

71. (1) Every meeting of the Community Council shall be held at the seat of the Council which shall be situated within the area for which the Community Council has been established: Provided that the Minister may direct that any such meeting be held at a place situated outside such area.

(2) The Community Council shall hold one general meeting each month.

(3) Notwithstanding the provisions of regulation 78, the Community Council shall at each general meeting thereof, whether or not there is a quorum at such meeting, decide the date and time of the next general meeting.

(4) Subject to the provisions of regulation 64, the Secretary of the Community Council shall, in writing, not less than seven days prior to a general meeting of the Council inform the members, the Chief Director and the Bantu Affairs Commissioner of the date and time fixed for, and the business to be transacted at, such general meeting.

Special meeting of the Community Council

72. (1) The Chairman may at any time convene a special meeting of the Community Council and only such business as the Chairman may lay before it or approve shall be transacted.

(2) The Secretary of the Community Council shall, in writing, not less than 72 hours prior to a special meeting of the Community Council inform the members, the Chief Director and the Bantu Affairs Commissioner of the date and time fixed for, and the business to be transacted at, such special meeting.

Meetings of Community Council open to public and press

73. (1) Subject to the provisions of subregulation (2), all meetings of the Community Council shall be open to the public and the press.

(2) If the Community Council is of the opinion that any matter can more conveniently or advantageously be dealt with in the absence of members of the public and the press, it may, subject to the provisions of section 3 (6) of the Act, exclude the public and the press from such meeting while such matter is dealt with.

Chairman to preside at meetings of Community Council

74. The Chairman or, in his absence, the Deputy Chairman shall preside at all meetings of the Community Council or if both the Chairman and the Deputy Chairman are unable through absence or other cause to preside at a meeting, the members present shall, with the Secretary of the Community Council, who shall not be entitled to vote, as presiding officer, nominate one of the members present to preside at such meeting: Provided that the Chairman of the Board or a member of the Board designated by him shall preside at the first general meeting of the Community Council until a Chairman is elected.

Vulling van toevallige vakatures

70. 'n Toevallige vakature in die amp van Voorsitter of van Ondervoorsitter moet, indien die Gemeenskapsraad in sitting is wanneer die vakature ontstaan, gevul word deur die verkiesing tydens sodanige sitting van 'n bekleër vir die betrokke amp op die wyse in hierdie Regulasies bepaal, en indien die Gemeenskapsraad nie dan in sitting is nie, moet sodanige verkiesing op die daaropvolgende vergadering plaasvind.

Vergaderings van die Gemeenskapsraad

71. (1) Elke vergadering van die Gemeenskapsraad word gehou by die setel van die Gemeenskapsraad wat binne die gebied waarvoor die Gemeenskapsraad ingestel is, geleë moet wees: Met dien verstande dat die Minister kan gelas dat enige sodanige vergadering gehou moet word op 'n plek geleë buite sodanige gebied.

(2) Die Gemeenskapsraad hou een algemene vergadering elke maand.

(3) Ondanks die bepalings van regulasie 78, bepaal die Gemeenskapsraad by elke algemene vergadering daarvan, of daar 'n kworum by sodanige vergadering is aldan nie, die datum en tyd van die daaropvolgende algemene vergadering.

(4) Behoudens die bepalings van regulasie 64, stel die Sekretaris van die Gemeenskapsraad die lede, die Hoofdirekteur en die Bantoesakekommissaris minstens sewe dae voor 'n algemene vergadering van die Gemeenskapsraad skriftelik in kennis van die datum en tyd bepaal vir en die sake wat behandel gaan word gedurende sodanige algemene vergadering.

Spesiale vergadering van die Gemeenskapsraad

72. (1) Die Voorsitter kan te eniger tyd 'n spesiale vergadering van die Gemeenskapsraad byeenroep en slegs die sake wat die Voorsitter voorlê of goedkeur, word behandel.

(2) Die Sekretaris van die Gemeenskapsraad stel die lede, die Hoofdirekteur en die Bantoesakekommissaris minstens 72 uur voor 'n spesiale vergadering van die Gemeenskapsraad skriftelik in kennis van die datum en tyd bepaal vir en die sake wat behandel gaan word gedurende sodanige spesiale vergadering.

Vergaderings van Gemeenskapsraad vir publiek en pers toeganklik

73. (1) Behoudens die bepalings van subregulasie (2), is alle vergaderings van die Gemeenskapsraad vir die publiek en pers toeganklik.

(2) Indien die Gemeenskapsraad van mening is dat 'n aangeleentheid geriefliker of voordeliger in die afwesigheid van lede van die publiek en die pers behandel kan word, kan hy, behoudens die bepalings van artikel 3 (6) van die Wet, die publiek en die pers van sodanige vergaderings uitsluit terwyl sodanige aangeleentheid behandel word.

Voorsitter sit voor by vergaderings van Gemeenskapsraad

74. Die Voorsitter of, in sy afwesigheid, die Ondervoorsitter, sit voor op alle vergaderings van die Gemeenskapsraad of, as sowel die Voorsitter as die Ondervoorsitter weens afwesigheid of om 'n ander rede nie op 'n vergadering kan voorsit nie, benoem die aanwesige lede onder die voorsitterskap van die Sekretaris van die Gemeenskapsraad, wat nie geregtig is om te stem nie, een van die aanwesige lede om op sodanige vergadering voor te sit: Met dien verstande dat die Voorsitter van die Raad of 'n lid van die Raad deur hom aangewys op die eerste algemene vergadering van die Gemeenskapsraad voorsit totdat 'n Voorsitter verkies is.

Attendance register

75. Every member attending a meeting of the Community Council shall sign the attendance register kept for this purpose.

Order of business

76. The business of each meeting of the Community Council shall, in accordance with the need thereof, be transacted in the following order:

- (a) Notice convening the meeting;
- (b) obituaries and ceremonial speeches;
- (c) applications for leave of absence;
- (d) official announcements;
- (e) unopposed motions of the Chairman;
- (f) minutes of previous meeting;
- (g) reports of committees;
- (h) questions of which notice has been given;
- (i) motions held over from previous meetings;
- (j) petitions;
- (k) new motions;
- (l) other matters.

Business to be transacted at meeting of Community Council

77. No business other than that included in the agenda embodied in the notice convening a meeting shall be transacted at such meeting of the Community Council: Provided that at such meeting, and with the approval of the Chairman, matters of urgency may be raised and submitted to the Council.

Quorum

78. Any number of members exceeding half the number of members of the Community Council shall form a quorum.

Procedure when quorum not present

79. (1) If after the expiration of 20 minutes after the time at which any meeting of the Council is appointed to be held, a quorum is not assembled, no meeting shall take place. If the members present unanimously consent thereto, a further period, not exceeding 10 minutes, may be permitted to enable a quorum to assemble, but the members present may by a majority decision at any stage after 10 minutes past the time appointed for such meeting, request the Chairman to convene a further meeting within 10 days, at which meeting, notwithstanding the provisions of regulation 78, the members present shall form a quorum is found not to be present no further business the provisions of regulation 71 shall *mutatis mutandis* apply.

(2) If during the sitting of any meeting of the Council a quorum is found not to be present no further business shall be conducted until a quorum is reassembled. Should a quorum not be present and 10 minutes elapse after the attention of the Chairman is drawn to the absence of a quorum, the meeting shall stand adjourned until a time to be decided by the Chairman.

(3) If from the number of members voting it appears that a quorum is not present the voting shall be invalid.

Adjournment of meeting

80. If for any reason whatsoever, the business to be transacted at any meeting of the Community Council cannot be completed at such meeting, the Chairman may adjourn such meeting to a date and time to be determined by the Chairman in consultation with the members.

Bywoningsregister

75. Elke lid wat 'n vergadering van die Gemeenskapsraad bywoon, teken sy naam in die bywoningsregister wat vir dié doel gehou word.

Volgorde van werksaamhede

76. Die werksaamhede van elke vergadering van die Gemeenskapsraad word na gelang daarvan of dit nodig is, in die volgende volgorde verrig:

- (a) Beskrywingsbrief;
- (b) sterflys en seremoniële toesprake;
- (c) aansoeke om afwesigheidsverlof;
- (d) amptelike aankondigings;
- (e) onbestrede mosies van die Voorsitter;
- (f) notule van vorige vergadering;
- (g) verslae van komitees;
- (h) vrae waarvan kennis gegee is;
- (i) mosies wat sedert vorige vergaderings oorsaak;
- (j) versoekskrifte;
- (k) nuwe mosies;
- (l) ander aangeleenthede.

Werksaamhede wat by vergadering van Gemeenskapsraad behandel word

77. Geen saak wat nie in die sakelys in die beskrywingsbrief vermeld is nie, word op daardie vergadering van die Gemeenskapsraad behandel nie: Met dien verstande dat, met die toestemming van die Voorsitter, dringende sake op sodanige vergadering geopper en aan die Gemeenskapsraad voorgelê kan word.

Kworum

78. Enige getal lede wat meer as die helfte van die getal lede van die Gemeenskapsraad is, vorm 'n kworum.

Prosedure wanneer kworum nie teenwoordig nie

79. (1) Indien daar na afloop van 20 minute na die tyd waarop 'n vergadering van die Gemeenskapsraad moet begin geen kworum is nie, vind geen vergadering plaas nie. Indien die aanwesige lede dit eens is, kan 'n verdere tydperk van hoogstens 10 minute toegelaat word om 'n kworum te laat byeenkom, maar die aanwesige lede kan, deur 'n meerderheidsbeslissing, te eniger tyd na die verloop van 10 minute na die tyd waarop sodanige vergadering moet begin, die Voorsitter versoek om 'n verdere vergadering binne 10 dae te belê, en by sodanige vergadering, ondanks die bepalings van regulasie 78, maar die lede teenwoordig 'n kworum uit en indien die Voorsitter aan so 'n versoek voldoen, is die bepalings van regulasie 71 *mutatis mutandis* van toepassing.

(2) Indien daar gedurende die sitting van 'n vergadering van die Gemeenskapsraad bevind word dat 'n kworum nie teenwoordig is nie, word geen verdere sake behandel nie totdat 'n kworum opnuut byeengekom het. Indien 'n kworum nie teenwoordig is nie en 10 minute verstry nadat die Voorsitter se aandag op die gebrek aan 'n kworum gevestig is, word die vergadering verdaag tot 'n tyd deur die Voorsitter bepaal.

(3) As dit uit die getal lede wat deelneem aan stemming, blyk dat 'n kworum nie teenwoordig is nie, die stemming ongeldig.

Verdagings van vergadering

80. Indien, om watter rede ook al, die sake wat by vergadering van die Gemeenskapsraad behandel staan word, nie by sodanige vergadering afgehandel kan word nie, kan die Voorsitter sodanige vergadering verdaag tot 'n datum en tyd wat die Voorsitter in oorleg met die lede bepaal.

Questions

81. A member may ask a question at any meeting of the Community Council—

(a) in connection with any matter arising out of or having a bearing on an item in the report of a committee during the discussion of such report;

(b) regarding the exercise of any of the Council's powers or performance of any of its duties or conditions within the area for which the Community Council has been established.

Notice of question, motion or petition to be given

82. (1) Notice of any question, referred to in regulation 81 (b), motion (excluding any unopposed motion of the Chairman) or petition which a member wishes to pose, move or present, as the case may be, at or to any general meeting of the Community Council shall be in writing and signed by such member and shall be forwarded to the Secretary of the Community Council who shall, subject to the provisions of subregulation (2) and regulation 84, place it on the agenda for the next ensuing general meeting.

(2) If any such question, motion or petition is received by the Secretary of the Community Council at least 10 days before the next ensuing general meeting of the Community Council he shall place it on the agenda for such meeting or otherwise he shall place it on the agenda for the next ensuing general meeting.

(3) If a member is not present to pose his question or present his petition when he is called upon to do so by the Chairman, and he has not authorised any other member to do so on his behalf, the question or petition shall lapse.

Chairman may reject certain motions, questions or petitions

83. (1) The Chairman may reject any motion, question or petition which in his opinion will lead to the discussion of a matter already included in the agenda or which does not concern the area for which the Community Council has been established or over which the Council has no jurisdiction or which is not clear and he shall reject any motion or petition which, if it were to be moved or accepted, as the case may be, would be against the law.

(2) If the Chairman so rejects any motion, question or petition he shall inform the Community Council of his decision and shall not call upon the member concerned to move such motion, pose such question or present such petition, as the case may be.

Motion to rescind a resolution passed during the previous three months

84. No motion to rescind a resolution passed by the Community Council during the previous three months or having the same effect as one that has been rejected by the Community Council during the previous three months shall be placed on the agenda unless the notice of such motion is signed by at least three members in addition to the member who wishes to move such motion and after the Community Council has dealt with such motion no member may move a similar motion within six months hereafter.

Procedure on moving a motion

85. (1) When motions come up for discussion, the Chairman shall, subject to the provisions of regulation 83, read out the numbers and names of the movers of all the motions appearing on the agenda and he shall ascertain which motions are unopposed and such unopposed motions shall immediately be carried.

Vrae

81. 'n Lid kan op 'n vergadering van die Gemeenskapsraad 'n vraag stel—

(a) oor 'n saak wat voortspruit uit of in verband staan met 'n item van die verslag van 'n komitee tydens die bespreking van sodanige verslag;

(b) betreffende die uitoefening van enige van die Gemeenskapsraad se bevoegdhede, die uitvoering van enige van sy pligte, of toestande binne die gebied waarvoor die Gemeenskapsraad ingestel is.

Wyse waarop kennisgewing van vraag, mosie of versoekskrif geskied

82. (1) Kennis van 'n vraag in regulasie 81 (b) bedoel, 'n mosie (uitgesonderd 'n onbestrede mosie van die Voorzitter) of versoekskrif wat 'n lid wil stel of indien, na gelang van die geval, op 'n vergadering van die Gemeenskapsraad moet skriftelik wees en deur sodanige lid onderteken wees en word aan die Sekretaris van die Gemeenskapsraad gestuur, en behoudens die bepalings van subregulasie (2) en regulasie 84 plaas hy dit op die sakelys van die daaropvolgende algemene vergadering.

(2) Indien sodanige vraag, mosie of versoekskrif deur die Sekretaris van die Gemeenskapsraad minstens 10 dae voor die daaropvolgende algemene vergadering van die Gemeenskapsraad ontvang is, plaas hy dit op die sakelys vir sodanige vergadering, of anders plaas hy dit op die sakelys van die daaropvolgende algemene vergadering.

(3) As 'n lid nie teenwoordig is om sy vraag te stel of sy versoekskrif in te dien nie wanneer hy deur die voorzitter versoek word om dit te doen en hy nie 'n ander lid gemagtig het om dit namens hom te stel of in te dien nie, verval die vraag of versoekskrif.

Voorsitter kan sekere mosies, vrae of versoekskrifte verwerp

83. (1) Die Voorsitter kan 'n mosie, vraag of versoekskrif verwerp wat na sy mening tot die bespreking sou lei van 'n saak wat reeds in die sakelys vervat is of wat nie op die gebied waarvoor die Gemeenskapsraad ingestel is betrekking het nie of waarvoor die Gemeenskapsraad nie regsbevoegdheid het nie of wat nie duidelik is nie, en hy verwerp 'n mosie of versoekskrif wat, as dit voorgestel of aangeneem word, na gelang van die geval, strydig sal wees met die wet.

(2) Indien die Voorsitter 'n mosie, vraag of versoekskrif aldus verwerp, stel hy die Gemeenskapsraad in kennis van sy beslissing en hy versoek nie die betrokke lid om sodanige mosie in te dien, sodanige vraag te stel of sodanige versoekskrif in te dien nie, na gelang van die geval.

Mosie ter herroeping van 'n besluit geneem binne voorafgaande drie maande

84. Geen mosie ter herroeping van 'n besluit wat gedurende die voorafgaande drie maande geneem is of 'n mosie van dieselfde strekking as een wat binne die voorafgaande drie maande deur die Gemeenskapsraad verwerp is, word op die sakelys geplaas nie, tensy die kennisgewing van die mosie deur minstens drie lede, benewens die voorsteller van die mosie, onderteken is, en nadat die Gemeenskapsraad sodanige mosie afgehandel het, mag geen lid weer 'n soortgelyke mosie binne ses maande daarna indien nie.

Prosedure by die indiening van 'n mosie

85. (1) Wanneer mosies aan die orde kom, lees die Voorsitter, behoudens die bepalings van regulasie 83, die nommers en die name uit van die voorstellers van al die mosies wat op die sakelys verskyn, en hy stel vas watter mosies onbestrede is, en sodanige onbestrede mosies word dadelik aangeneem.

(2) Immediately after such unopposed motions have been carried the Chairman shall, in the order in which the remaining motions appear on the agenda, call upon the members concerned to move such motions.

(3) A member called upon by the Chairman to move a motion shall rise in his place and after making such remarks as he may wish he shall move the motion.

(4) If a member is not present to move a motion when called upon to do so by the Chairman, and he has not authorised any other member to do so on his behalf, the motion shall lapse.

(5) Every motion moved shall require seconding and if a motion is not seconded it shall lapse.

(6) When a motion has been moved and seconded, the Chairman shall read it or cause it to be read after which debate may take place on such motion and may continue, subject to the provisions of these Regulations, for as long as any member who is entitled to speak wishes to speak.

(7) When no more members wish or are entitled to speak the Chairman shall put the motion to the Community Council for its decision.

(8) When an amendment or amendments have been proposed to a motion the Chairman shall first put the amendments and after all amendments have been disposed of, again read and put the original motion or if it has been amended the motion as amended, so as to enable the members of the Community Council to be fully acquainted with the terms thereof.

(9) The order in which amendments shall be put shall be in the discretion of the Chairman.

(10) No member may speak on a motion or amendment after it has been fully put by the Chairman.

Amendments to motions

86. (1) A member who has risen to speak on a motion may propose an amendment to such motion.

(2) Such amendment shall require seconding.

(3) An amendment may take one of the following forms:

- (a) To leave out one or more words of the motion;
- (b) to insert one or more words in the motion;
- (c) to add one or more words at the end of the motion;
- (d) to substitute certain other words for certain words contained in the motion.

(4) Members may propose more than one amendment to a motion but a proposal to further amend a proposed amendment shall be out of order.

(5) Debate may take place on any amendment to a motion.

Postponement of motions

87. (1) Any member may move that a motion be postponed or referred to a committee of the Community Council for consideration.

(2) Such motion shall be seconded.

(3) Notwithstanding the provisions of regulation 97 (2), the mover of such motion shall speak for not more than five minutes and the seconder shall not be permitted to speak beyond formally seconding it.

(4) Immediately after such motion has been seconded the Chairman shall put the motion to the Community Council for its decision.

Withdrawal of motions and amendments

88. A motion or an amendment proposed to such motion may be withdrawn at the request of the mover thereof by leave of the Community Council at any time before the question has been fully put.

(2) Onmiddellik nadat sodanige onbestrede mosies aan geneem is, versoek die Voorsitter die betrokke lede, beurtelings in die volgorde waarin die oorblywende mosies op die sakelys verskyn, om sodanige mosies in te dien.

(3) 'n Lid wat deur die Voorsitter versoek word om 'n mosie in te dien, staan in sy plek op en na enige opmerkings wat hy wens te maak, dien hy die mosie in.

(4) As 'n lid nie teenwoordig is nie om sy mosie in te dien wanneer hy deur die Voorsitter versoek word om dit te doen en hy nie 'n ander lid gemagtig het om di namens hom in te dien nie, vervel die mosie.

(5) Elke mosie ingedien moet gesekondeer word, en a 'n mosie nie gesekondeer word nie, vervel dit.

(6) Wanneer 'n mosie ingedien is en gesekondeer is lees die Voorsitter dit uit, of laat dit uitlees, waarna sodanige mosie gedebatteer kan word en die debat kan behoudens die bepalinge van hierdie Regulasies, so lank aanhou as wat enige lid wat die reg het om te praat, no wil praat.

(7) Wanneer daar nie meer lede is wat wens, of geregig is, om te praat nie, stel die Voorsitter die mosie aan die Gemeenskapsraad vir beslissing.

(8) Wanneer 'n amendement of amendemente op 'n mosie voorgestel is, stel die Voorsitter eers die amendemente en na al die amendemente afgehandel is, lees en stel hy weer die oorspronklike mosie of, indien dit gewysig is, die mosie, soos gewysig, ten einde die lede van die Gemeenskapsraad ten volle vertrouwd te maak met die bepaling daarvan.

(9) Die volgorde waarin amendemente gestel word, volgens die diskresie van die Voorsitter.

(10) Geen lid mag oor 'n mosie of 'n amendement praat nadat dit ten volle deur die Voorsitter gestel is nie.

Amendemente op mosies

86. (1) 'n Lid wat opgestaan het om 'n mosie te bespreek, kan 'n amendement op die mosie voorstel.

(2) Sodanige amendement moet gesekondeer word.

(3) 'n Amendement kan een van die volgende vorme aanneem:

- (a) Om een of meer van die woorde van die mosie weg te laat;
- (b) om een of meer woorde in die mosie in te voeg;
- (c) om een of meer woorde aan die einde van die mosie by te voeg;
- (d) om sekere woorde van die mosie deur sekere ander woorde te vervang.

(4) Lede kan meer as een amendement op 'n mosie voorstel, maar 'n voorstel vir die verdere wysiging van 'n voorgestelde amendement is buite die orde.

(5) 'n Amendement op 'n mosie kan gedebatteer word.

Uitstel van mosies

87. (1) 'n Lid kan voorstel dat 'n mosie uitgestel na 'n komitee van die Gemeenskapsraad verwys word vir oorweging.

(2) Sodanige voorstel moet gesekondeer word.

(3) Ondanks die bepalinge van regulasie 97 (2), kan 'n indiener van sodanige voorstel hoogstens vyf minute lank praat en die sekondant word nie toegelaat om te praat nie buite om dit formeel te sekondeer.

(4) Onmiddellik nadat sodanige voorstel gesekondeer is, stel die Voorsitter die voorstel aan die Gemeenskapsraad vir beslissing.

Terugtrekking van mosies en amendemente

88. 'n Mosie of 'n voorgestelde amendement van sodanige mosie kan te eniger tyd voordat die mosie ten volle gestel is, teruggetrek word op versoek van die voorsteller daarvan met die verloop van die Gemeenskapsraad.

Moving reports at meetings of Community Council

89. (1) All recommendations of any committee shall be reported to the Council and the chairman of the committee concerned or in his absence a member of the committee called upon by the Chairman of the Council, shall introduce the report by moving that the report of the committee concerned be received.

(2) The Council having agreed to receive the report, the Chairman of the Community Council shall thereupon put the recommendations contained in the various items *seriatim*, unless for good cause he sees fit to vary their order. If the majority of the members of the Council present agree with any recommendation it shall forthwith become a resolution of the Council.

Item to be referred back for further consideration

90. (1) When the report of any committee has been received by the Council and a recommendation in that report is before the Council, any member may move that the item be referred back to such committee for further consideration.

(2) If such motion is carried, the debate on the recommendation shall end forthwith.

Chairman to maintain order

91. Order shall be maintained in the Community Council by the Chairman whose decision on a point of order shall not be open to appeal and shall not be reviewed by the Community Council.

Members to sit down when Chairman rises

92. When the Chairman rises during a meeting of the Community Council every member shall sit down and members shall be silent so that the Chairman may be heard without interruption.

Members to speak standing

93. A member shall speak standing and shall address his observations to the Chair.

Chairman to select speaker

94. If two or more members rise at the same time to speak the Chairman shall select one member and call on him to speak.

Members not speaking to be seated

95. When a member has finished speaking he shall resume his seat and any other member wishing to speak shall rise.

Matters on which members may speak

96. A member may address the Community Council on the question before the Council or upon any amendment proposed thereto, or upon a question or amendment to be proposed by himself, or upon a point of order arising out of debate, but not otherwise and no discussion or debate shall be permitted which will anticipate any matter on the agenda.

Speaking on questions at meetings of Community Council

97. (1) No member shall address the Community Council more than once on the question before the Community Council except in explanation, such explanation being allowed only in case a material part of his speech has been misquoted or misunderstood, and he shall not introduce any new matter and no debate shall be allowed on such explanation.

(2) No member may, without the approval of the Community Council, exceed 10 minutes in speaking on any question.

Indiening van verslae op vergaderings van Gemeenskapsraad

89. (1) Verslag oor alle aanbevelings van 'n komitee word aan die Gemeenskapsraad gedoen en die voorsitter van die betrokke komitee, of in sy afwesigheid 'n lid van die komitee deur die Voorsitter van die Gemeenskapsraad aangesê, dien die verslag in deur voor te stel dat die verslag van die betrokke komitee in ontvangs geneem word.

(2) Nadat die Gemeenskapsraad besluit het om die verslag in ontvangs te neem, stel die Voorsitter van die Gemeenskapsraad die aanbevelings vervat in die verskillende items *seriatim*, tensy hy goëddunk om hul volgorde te verander. Indien die meerderheid van die aanwesige lede van die Gemeenskapsraad 'n aanbeveling aanvaar, word dit onverwyld 'n besluit van die Gemeenskapsraad.

Item kan terugverwys word vir verdere oorweging

90. (1) Wanneer die verslag van 'n komitee deur die Gemeenskapsraad in ontvangs geneem is en 'n aanbeveling van sodanige verslag voor die Gemeenskapsraad dien, kan 'n lid voorstel dat die item na sodanige komitee terugverwys word vir verdere oorweging.

(2) As sodanige voorstel aangeneem word, eindig die debat oor die aanbeveling onverwyld.

Voorsitter handhaaf orde

91. Orde word in die Gemeenskapsraad deur die Voorsitter gehandhaaf en sy beslissing oor 'n punt van orde is nie onderworpe aan appél nie en word nie deur die Gemeenskapsraad hersien nie.

Lede moet sit wanneer Voorsitter opstaan

92. Wanneer die Voorsitter gedurende 'n vergadering van die Gemeenskapsraad opstaan, sit elke lid en lede bly stil sodat die Voorsitter ongestoord gehoor kan word.

Lede praat staande

93. Elke lid staan as hy praat en rig sy opmerkings tot die Stoel.

Voorsitter kies spreker

94. Indien twee of meer lede gelyk opstaan om te praat, kies die Voorsitter een lid en versoek hom om te praat.

'n Lid wat nie praat nie, moet sit

95. 'n Lid wat klaar gepraat het, moet sit en enige ander lid wat wil praat, moet opstaan.

Sake waaroor lede kan praat

96. 'n Lid kan oor die mosie voor die Gemeenskapsraad praat of oor amendemente daarop voorgestel, of oor 'n mosie of amendement wat hy self wil voorstel, of oor 'n punt van orde voortspruitende uit die debat, maar anders nie en geen bespreking of debat wat 'n saak wat op die sakelys voorkom, sal vooruitloop, word toegelaat nie.

Die praat oor onderwerpe op vergaderings van Gemeenskapsraad

97. (1) Geen lid spreek die Gemeenskapsraad meer as een maal oor 'n mosie voor die Gemeenskapsraad toe nie, behalwe by wyse van verduideliking, welke verduideliking toegelaat word slegs ingeval 'n wesentlike deel van 'n lid se toespraak verkeerd aangehaal of misverstaan is en hy mag geen nuwe aangeleentheid behandel nie en oor sodanige verduideliking word geen debat toegelaat nie.

(2) Geen lid praat sonder die toestemming van die Gemeenskapsraad langer as 10 minute oor enige mosie nie.

(3) Notwithstanding the provisions of subregulation (1), the member who introduced the question may reply and such member having so replied, the debate shall be closed and the question put to the vote.

Form of address

98. During proceedings at a meeting of the Community Council members shall refer to one another as "the honourable member" (stating the member's name).

Conduct of members during meetings

99. During a meeting of the Community Council a member shall—

- (a) enter or leave the Chamber with decorum;
- (b) in the case of a male, be bare-headed while in the Chamber and bow to the Chair when entering or leaving the Chamber or passing to or from his place;
- (c) not pass between the Chair and any member speaking;
- (d) not address the Chairman by name or any other title save as "Mr Chairman";
- (e) not cross the floor of the Chamber unnecessarily;
- (f) when crossing from one side of the Chamber to the other, pause in the centre and bow to the Chair;
- (g) not read newspapers, books, letters or other documents except such matter therein as may be directly connected with the business then under consideration;
- (h) while a member is speaking be silent and not make unseemly interruptions;
- (i) when called to order by the Chairman immediately resume his seat; and
- (j) when the Community Council adjourns keep his place until the Chairman has left the Chair.

Speeches to be relevant

100. A member shall restrict his observations to the subject under discussion and shall not introduce matters irrelevant to that subject.

Irrelevance or repetition

101. The Chairman after having called the attention of the Community Council to the conduct of a member who persists in irrelevance or tedious repetition of his own or some other member's arguments in debate, may order him to discontinue his speech and resume his seat.

When interruption may be made

102. A member shall not interrupt the speech of any other member except—

- (a) by rising to a point of order, when the member speaking shall resume his seat and the member interrupting shall merely direct attention to the point which he wishes to bring to notice and submit it to the Chairman for decision; or
- (b) to put a relevant question to the speaker with the consent of the Chairman.

Insulting language out of order

103. It shall be out of order to use offensive and insulting language about members of the Community Council.

Imputation of improper motives out of order

104. A member shall not impute improper motives to any other member.

Personal charges out of order

105. A member shall not make a personal charge in reference to any other member.

(3) Ondanks die bepalings van subregulasie (1), kan die lid wat 'n mosie ingedien het, repliek lewer en nadat sodanige lid sodanige repliek gelewer het, is die debat gesluit en word die mosie in stemming gebring.

Aanspreekvorm

98. Gedurende verrigtings by 'n vergadering van die Gemeenskapsraad verwys lede na mekaar as "die agbare lid" (die naam van lid moet gemeld word).

Gedrag van lede tydens vergaderings

99. Gedurende vergaderings van die Gemeenskapsraad moet 'n lid—

- (a) die Raadsaal met deorum binnekom of verlaat;
- (b) in die geval van 'n man, blootshoof wees terwyl hy in die Raadsaal is en 'n buiging voor die Stoel maak wanneer hy die Raadsaal binnekom of verlaat, of wanneer hy na of van sy sitplek gaan;
- (c) nie tussen die Stoel en 'n lid wat aan die woord is, verbygaan nie;
- (d) nie die Voorsitter by sy naam of enige ander titel as "Meneer die Voorsitter" aanspreek nie;
- (e) nie onnodig oor die vloer van die Raadsaal stap nie;
- (f) wanneer hy van een deel van die Raadsaal na 'n ander gaan, in die middel stilstaan en 'n buiging voor die Stoel maak;
- (g) nie nuusblaai, boeke, briewe of ander dokumente lees nie, uitgesonderd sodanige stof daarin as wat regstreeks in verband staan met die aangeleentheid dan onder oorweging;
- (h) stilbly terwyl 'n lid aan die woord is, en hom nie onnodig in die rede val nie;
- (i) wanneer hy deur die Voorsitter tot orde geroep is, dadelik gaan sit; en
- (j) wanneer die Gemeenskapsraad verdaag, in sy sitplek bly totdat die Voorsitter die Stoel verlaat het.

Toesprake moet ter sake wees

100. 'n Lid moet sy opmerkings oor die onderwerp in bespreking beperk, en mag geen sake wat nie op daardie onderwerp betrekking het nie, byhaal nie.

Ontoepaslikheid of herhaling

101. Nadat die Voorsitter die aandag van die Gemeenskapsraad gevestig het op die gedrag van 'n lid wat volhou om aangeleenthede wat nie ter sake is nie te bespreek of om sy eie argumente of dié van 'n ander lid in die debat tot vervelens toe te herhaal, kan hy die lid gelas om sy toespraak te staak en sy sitplek in te neem.

Wanneer lede in die rede geval mag word

102. Geen lid mag 'n ander lid wat aan die woord is, in die rede val nie, behalwe—

- (a) wanneer hy op 'n punt van orde opstaan, en dan moet die lid wat aan die woord was, gaan sit, en die lid wat opgestaan het, moet slegs die punt noem waarop hy die aandag wil vestig en dit aan die Voorsitter voorlê vir sy beslissing; of
- (b) om 'n tersaaklike vraag aan die spreker te stel met die toestemming van die Voorsitter.

Beledigende taal buite die orde

103. Dit is buite die orde om aanstootlike en beledigende taal omtrent lede van die Gemeenskapsraad te gebruik.

Toeskrywing van onbehoorlike motiewe buite die orde

104. 'n Lid mag nie onbehoorlike motiewe aan 'n ander lid toeskryf nie.

Persoonlike aanvalle buite die orde

105. 'n Lid mag nie 'n persoonlike aanval ten opsigte van enige ander lid maak nie.

Offensive expressions about Community Council out of order

106. A member shall not use offensive expressions about the conduct of proceedings at meetings of the Community Council.

Alleged improper conduct

107. The personal conduct or any alleged improper motives of a member shall not be referred to except on a motion moved for that purpose.

Disorderly conduct of members

108. The Chairman shall order a member whose conduct is grossly disorderly or who fails to comply with an order made under regulation 101, to withdraw forthwith from the Chamber for the remainder of the meeting and should he fail to do so the Chairman may cause him to be ejected from the Chamber and take such reasonable steps as are necessary to ensure that such member does not return to the meeting.

Chairman's powers to adjourn or suspend meeting of Community Council

109. In the case of great disorder arising during a meeting of the Community Council the Chairman may adjourn or suspend the meeting for such reasonable period as he may determine.

Appointment of committees of Community Council

110. (1) Any committee of the Community Council shall be appointed by the Council at a meeting of the Council.

(2) The Community Council shall determine the terms of reference and the powers and duties of such committee at such meeting: Provided that it may from time to time at any meeting thereof amend such terms of reference and add to or withdraw any such powers and duties.

(3) Members of a committee to which the Community Council has assigned any of its powers and duties shall remain in office until the day before the day fixed for the holding of the next ensuing general meeting referred to in regulation 65.

Constitution of committees of Community Council

111. A committee shall consist of not less than three and not more than seven members of the Community Council.

Chairman of committee

112. The Community Council shall appoint the chairman of every committee: Provided that if such chairman is unable to be present at any meeting of such committee the committee shall, from their own ranks, elect another chairman whose tenure of office shall be for the day of his election.

Meetings of committees of Community Council

113. (1) A committee shall meet on the date and at the time determined by the chairman thereof in consultation with the members thereof.

(2) The meetings of any committee shall be held in private unless the committee otherwise orders: Provided that this provision shall not be so interpreted as to exclude officials or witnesses necessarily associated with the business of such committee.

(3) Notwithstanding the provisions of subregulation (2), members of the Community Council who are not members of a particular committee thereof may be present at any meeting of such committee and take part in the discussion, but shall not have the power to vote.

Aanstootlike uitdrukkings omtrent Gemeenskapsraad buite die orde

106. 'n Lid mag nie aanstootlike uitdrukkings oor die bestuur van verrigtings by vergaderings van die Gemeenskapsraad gebruik nie.

Beweerde onbehoorlike gedrag

107. Daar mag nie verwys word na die persoonlike gedrag of enige beweerde onbehoorlike motiewe van 'n lid nie, behalwe na 'n mosie vir daardie doel ingedien.

Wanordelike gedrag van lid

108. Die Voorsitter gelas 'n lid wie se gedrag uiters wanordelik is of wat versuim om te voldoen aan 'n opdrag gegee kragtens regulasie 101, om die Raadsaal onverwyld vir die res van die vergadering te verlaat en as hy versuim om dit te doen, kan die Voorsitter hom uit die Raadsaal laat verwyder en sodanige redelike stappe doen as wat nodig is om te verseker dat sodanige lid nie na die vergadering terugkeer nie.

Voorsitter se bevoegdhede om vergadering van Gemeenskapsraad te verdaag of op te skort

109. Ingeval groot wanordelike gedurende 'n vergadering van die Gemeenskapsraad ontstaan, kan die Voorsitter die vergadering verdaag of opskort vir 'n redelike tydperk deur hom bepaal.

Aanstelling van komitees van Gemeenskapsraad

110. (1) 'n Komitee van die Gemeenskapsraad word aangestel op 'n vergadering van die Gemeenskapsraad.

(2) Die Gemeenskapsraad bepaal die opdragte aan en die bevoegdhede en pligte van sodanige komitee op sodanige vergadering: Met dien verstande dat dit van tyd tot tyd op 'n vergadering daarvan sodanige opdragte kan wysig en tot sodanige bevoegdhede en pligte byvoeg of enige sodanige bevoegdhede en pligte intrek.

(3) Lede van 'n komitee waaraan die Gemeenskapsraad enige van sy bevoegdhede en pligte opgedra het, beklee hul ampte tot die dag wat die dag wat bepaal is vir die hou van die daaropvolgende algemene vergadering in regulasie 65 bedoel, voorafgaan.

Samestelling van komitees van Gemeenskapsraad

111. 'n Komitee bestaan uit minstens drie en hoogstens sewe lede van die Gemeenskapsraad.

Voorsitter van komitee

112. Die Gemeenskapsraad stel die voorsitter van elke komitee aan: Met dien verstande dat indien sodanige voorsitter nie in staat is om teenwoordig te wees op 'n vergadering van sodanige komitee nie, verkies die komitee uit eie geledere 'n ander voorsitter wie se ampstermyn die dag van sy verkiesing is.

Vergaderings van komitees van Gemeenskapsraad

113. (1) 'n Komitee sit op die datum en tyd deur die voorsitter daarvan bepaal in oorleg met die lede daarvan.

(2) Die vergaderings van 'n komitee is privaat, tensy die komitee anders gelas: Met dien verstande dat hierdie bepaling nie uitgelê word as sou dit beamptes of getuies wat noodsaaklikerwys geassosieer is met die werksaamhede van sodanige komitee uitsluit nie.

(3) Ondanks die bepalings van subregulasie (2), kan lede van die Gemeenskapsraad wat nie lede is van 'n besondere komitee daarvan nie, teenwoordig wees by 'n vergadering van sodanige komitee en aan die bespreking deelneem, maar hulle het nie die reg om te stem nie.

Quorum

114. Any number of members exceeding half the number of the members of any committee shall form a quorum.

Procedure when quorum not present

115. (1) If after the expiration of 20 minutes after the time at which any meeting of any committee is appointed to be held, a quorum is not assembled, no meeting shall take place. If the members of the committee present unanimously consent thereto, a further period, not exceeding 10 minutes, may be permitted to enable a quorum to assemble, but the members present may by a majority decision at any stage after 10 minutes past the time appointed for such meeting, request the chairman to convene a further meeting within seven days, at which meeting, notwithstanding the provisions of regulation 114, the members present shall form a quorum.

(2) If during the sitting of any meeting of a committee a quorum is found not to be present no further business shall be conducted until a quorum is reassembled. Should a quorum not be present and 10 minutes elapse after the attention of the chairman is drawn to the absence of a quorum, the meeting shall stand adjourned until a time to be determined by the chairman in consultation with the members thereof present.

(3) If from the number of members voting it appears that a quorum is not present the voting shall be invalid.

How question before Community Council or committee is to be decided

116. All questions before the Community Council or any committee of the Community Council shall be determined by a majority of votes of the members present and in the case of an equality of votes the chairman of the meeting shall have a second or casting vote.

Mode of putting question for decision

117. When the Chairman or chairman of a committee, as the case may be, puts a question for decision, he shall do so by saying: "All agreed?" and if any member says "No" he shall order that a ballot be taken by show of hands and shall then total the number of votes cast for and against the question and declare the number to the Council or committee, as the case may be.

Minutes of meetings

118. (1) The Secretary of the Community Council shall cause the minutes of the proceedings at any meeting of the Community Council and meetings of any committee of the Community Council to be recorded and there shall be noted in such minutes the names of every member and official present.

(2) Such minutes shall be confirmed at the next ensuing general meeting of the Community Council or the next ensuing meeting of such committee and the Chairman or the chairman of the committee, as the case may be, shall thereafter sign them.

(3) If a copy of such minutes has been sent to each member at least two days prior to the meetings referred to in subregulation (2), such minutes shall be taken as read with a view to confirmation.

(4) No motion, proposal or discussion shall be allowed on the minutes, except as to their accuracy.

CHAPTER 7

GENERAL

Member to look after interests of ward he represents

119. In addition to any other duties imposed on a member of the Community Council, such member shall, on behalf of the ward he represents and within the area for

Kworum

114. Enige getal lede wat meer as die helfte van die getal lede van 'n komitee is, vorm 'n kworum.

Prosedure wanneer kworum nie teenwoordig nie

115. (1) Indien daar na verloop van 20 minute na die tyd waarop 'n vergadering van 'n komitee moet begin geen kworum is nie, vind geen vergadering plaas nie. Indien die aanwesige lede van die komitee dit eens is, kan 'n verdere tydperk van hoogstens 10 minute toegelaat word om 'n kworum te laat byeenkom, maar die aanwesige lede kan, deur 'n meerderheidsbeslissing te eniger tyd na verloop van 10 minute na die tyd waarop sodanige vergadering moet begin, die voorsitter versoek om 'n verdere vergadering binne sewe dae te belê, en by sodanige vergadering, ondanks die bepalinge van regulasie 114, maak die lede teenwoordig 'n kworum uit.

(2) Indien daar gedurende die sitting van 'n vergadering van 'n komitee bevind word dat 'n kworum nie teenwoordig is nie, word geen verdere sake behandel nie totdat 'n kworum opnuut byeengekóm het. Indien 'n kworum nie teenwoordig is nie en 10 minute verstryk nadat die voorsitter se aandag op die gebrek aan 'n kworum gevestig is, word die vergadering verdaag tot 'n tyd deur die voorsitter in oorleg met die aanwesige lede daarvan bepaal.

(3) As dit uit die getal lede wat deelneem aan 'n stemming, blyk dat 'n kworum nie teenwoordig is nie, is die stemming ongeldig.

Hoe mosie voor Gemeenskapsraad of komitee beslis word

116. Alle mosies voor die Gemeenskapsraad of 'n komitee van die Gemeenskapsraad word beslis deur 'n meerderheid van stemme van die aanwesige lede en by 'n staking van stemme het die voorsitter van die vergadering 'n tweede of beslissende stem.

Wyse waarop mosie vir beslissing voorgelê word

117. Wanneer die Voorsitter of die voorsitter van 'n komitee, na gelang van die geval, 'n mosie vir beslissing voorlê, doen hy dit deur te sê "Stem almal saam?" en indien enige lid "Nee" sê, gelas hy 'n stemming deur die opsteek van hande en hy tel die getal stemme uitgebring vir en teen die mosie en daarna maak hy die getalle bekend aan die Gemeenskapsraad of komitee, na gelang van die geval.

Notule van vergaderings

118. (1) Die Sekretaris van die Gemeenskapsraad laai die notule van die verrigtings van 'n vergadering van die Gemeenskapsraad en vergaderings van 'n komitee van die Gemeenskapsraad hou en die naam van elke lid en beamppte aanwesig word in sodanige notule aangeteken.

(2) Sodanige notule word bekragtig by die daaropvolgende algemene vergadering van die Gemeenskapsraad of die daaropvolgende vergadering van sodanige komitee en daarna onderteken die Voorsitter of die voorsitter van die komitee, na gelang van die geval, die notule.

(3) Indien 'n afskrif van sodanige notule minstens twee dae voor die vergaderings in subregulasie (2) bedoel aan elke lid gestuur is, word aanvaar dat sodanige notules me die oog op bekragtiging gelees is.

(4) Geen mosie, voorstel of bespreking ten opsigte van die notule, behalwe wat die juistheid daarvan betref, wor toegelaat nie.

HOOFSTUK 7

ALGEMEEN

Lid behartig belange van wyk wat hy verteenwoordig

119. Benewens enige ander pligte aan 'n lid van die Gemeenskapsraad opgedra, moet 'n lid namens die wyk wat hy verteenwoordig die belange van daardie wyk bin

which the Community Council has been established look after the interests of such ward and keep the residents of the ward concerned informed of, and advise such residents regarding, matters affecting the general interests of the persons residing in such ward or area.

Provisions as to members being interested in contracts with the Community Council

120. No member of the Community Council shall, either on his own behalf or on behalf of a partnership in which he is interested, be concerned in or interested in any transaction, contract or arrangement whatsoever made by or with the Community Council with the exception of the purchase and sale or hiring of sites, premises or buildings.

Member not to have financial interest in matter before meeting

121. A member of the Community Council shall, at any meeting of the Community Council or any committee thereof, not be present during the discussion of or the voting on any matter in which either he, his spouse, his partner, the partner of his spouse, his employer (except the State) or the employer (except the State) of his spouse has a direct or indirect financial interest.

Payment of members

122. There shall be payable to members of the Community Council such allowances as the Minister after consultation with the Community Council and the Board shall determine.

General penalty

123. Any person who is convicted of an offence in terms of these Regulations shall be liable to a fine not exceeding R200 or, in default of payment, imprisonment for a period not exceeding six months.

Certain provisions applicable to persons referred to in section 3 (6) of the Act

124. The provisions of regulations 92 to 96 inclusive, and 98 to 106 inclusive, shall *mutatis mutandis* apply to any person referred to in section 3 (6) of the Act.

ANNEXURE A

COMMUNITY COUNCIL

NOMINATION OF CANDIDATE FOR ELECTION OF A MEMBER OF THE COMMUNITY COUNCIL FOR WARD.....

We, the undersigned,....., registered as voters in Ward....., hereby nominate (name of candidate)..... for election as a member of the Community Council for Ward.....

Name (to be printed)	Identity document number	Address	Signature
1.....			
2.....			
3.....			
4.....			
5.....			
6.....			
7.....			
8.....			
9.....			
10.....			

ACCEPTANCE OF NOMINATION BY CANDIDATE

I,....., Identity document No....., residing at....., hereby accept nomination for the election described above.
Date.....
Candidate's signature

die gebied waarvoor die Gemeenskapsraad ingestel is behartig en die inwoners van die betrokke wyk ingelig hou van en adviseer oor aangeleenthede rakende die algemene belang van die persone wat in sodanige wyk of gebied woon.

Bepalings aangaande lede wat belang het by kontrakte met Gemeenskapsraad

120. Geen lid van die Gemeenskapsraad mag of vir homself of namens 'n vennootskap waarin hy 'n belang het, betrokke wees by of 'n belang hê in enige transaksie, kontrak of reëling hoegenaamd aangegaan deur of met die Gemeenskapsraad, met uitsondering van die koop en verkoop of verhuur van persele of geboue.

Lid mag nie 'n geldelike belang in aangeleentheid voor vergadering hê nie

121. 'n Lid van die Gemeenskapsraad mag nie by 'n vergadering van die Gemeenskapsraad of 'n komitee daarvan teenwoordig wees nie tydens die bespreking van of stemming oor enige aangeleentheid waarin hy, sy eggenote, sy vennoot, die vennoot van sy eggenote, sy werkgewer (behalwe die Staat) of die werkgewer (behalwe die Staat) van sy eggenote, regstreeks of onregstreeks 'n geldelike belang het.

Betaling van lede

122. Die toelae wat die Minister na oorleg met die Gemeenskapsraad en die Raad bepaal, word aan die lede van die Gemeenskapsraad betaal.

Algemene strafbepaling

123. Iemand wat skuldig bevind word aan 'n misdryf ingevolge hierdie Regulasies is strafbaar met 'n boete van hoogstens R200 of, by wanbetaling, gevangenisstraf vir 'n tydperk van hoogstens ses maande.

Sekere bepalinge van toepassing op persone in artikel 3 (6) van die Wet bedoel

124. Die bepalinge van regulasies 92 tot en met 96 en 98 tot en met 106 is *mutatis mutandis* van toepassing op 'n persoon in artikel 3 (6) van die Wet bedoel.

AANHANGSEL A

NOMINASIE VAN 'N KANDIDAAT VIR VERKIESING VAN 'N LID VAN DIE GEMEENSKAPSRAAD VIR WYK.....

Ons, die ondergetekendes,....., wat in Wyk..... as kiesers geregistreer is, nomineer hierby (naam van kandidaat)..... vir verkiesing as lid van die Gemeenskapsraad in Wyk.....

Naam (in drukskrif)	Identiteits- dokument- nommer	Adres	Handtekening
1.....			
2.....			
3.....			
4.....			
5.....			
6.....			
7.....			
8.....			
9.....			
10.....			

AANVAARDING VAN NOMINASIE DEUR KANDIDAAT

Ek,....., Identiteitsdokumentnommer....., wat by..... woon, aanvaar hierby die nominasie vir die verkiesing hierbo beskryf.
Datum.....
Kandidaat se handtekening

**ANNEXURE B
COMMUNITY COUNCIL
APPOINTMENT OF AGENT**

This is to certify that I have appointed.....
(Identity document No.....), of
(address).....
to be my agent to attend on my behalf at polling station.....
in Ward...../the counting
of votes on/during the period.....

Candidate.....
(Identity document No.....)

Address of candidate.....
.....
.....

Date.....

**ANNEXURE C
COMMUNITY COUNCIL
DECLARATION OF SECRECY**

I,....., do
hereby solemnly promise and declare that I will not at the election of
members of the..... Community
Council to be held on..... do anything
forbidden by regulation 52 of the.....
which I have read and which I fully understand.

Address.....

*Electoral Officer
*Presiding Officer
*Polling Officer
*Counting Officer
*Candidate
*Agent
*Witness

Date.....

The above declaration was made and subscribed before me at
day of..... 19....., this.....

*Justice of the Peace
*Commissioner of Oaths
*Electoral Officer
*Presiding Officer

* Delete whichever is not applicable.

**ANNEXURE D
FORM OF FRONT OF BALLOT PAPER**

Teenblad
Counterfoil
No.....
Gemeenskapsraads-
verkiesing
Community Council
Election

Stem slegs vir een
kandidaat
Stem deur 'n X te maak
in die vierkant teen-
oor die naam van die
kandidaat vir wie u
wil stem

Wyk
Ward
Datum
Date.....

Vote for one candidate
only
Record your vote by
placing an X in the
square opposite the
name of the candi-
date for whom you
wish to vote

Volgnommer van
kieser
Serial No. of voter

FORM OF BACK OF BALLOT PAPER

Amptelike Merk

Official Mark

Verkiesing van 'n lid van die
Election of a member of the..... Gemeenskapsraad
Community Council
vir die Wyk
for the Ward of.....
Datum
Date.....

**AANHANGSEL B
GEMEENSKAPSRaad**

AANSTELLING VAN AGENT

Hierby word gesertifiseer dat ek.....
(Identiteitsdokumentnommer.....), van
(adres).....
aangestel het as agent om namens my teenwoordig te wees by stem-
buro..... in Wyk...../die te
van stemme op/gedurende die tydperk.....

Kandidaat.....
(Identiteitsdokumentnommer.....)

Adres van kandidaat.....
.....
.....

Datum.....

**AANHANGSEL C
GEMEENSKAPSRaad
VERKLARING VAN GEHEIMHOUDING**

Ek,
beloof hierby plegtig en verklaar dat ek by die verkiesing van lede
van die..... Gemeenskapsraad
wat op..... gehou word, niks sal doen
nie wat by regulasie 52 van die.....
verbode is, wat ek gelees het en volkome begryp.

Adres.....

*Verkiesingsbeampte
*Voorsittende beampte
*Stemopnemer
*Telbeampte
*Kandidaat
*Agent
*Getuie

Datum.....

Bostaande verklaring is voor my afgelê en onderteken te.....
op hede die..... dag van.....
19.....

*Vrederegter
*Kommissaris van Ede
*Verkiesingsbeampte
*Voorsittende beampte

* Skrap wat nie van toepassing is nie.

**AANHANGSEL D
VORM VAN VOORKANT VAN STEMBRIEFIE**

Teenblad
Counterfoil
No.....
Gemeenskapsraad-
verkiesing
Community Council
Election

Stem slegs vir een
kandidaat
Stem deur 'n X te maak
in die vierkant teen-
oor die naam van die
kandidaat vir wie u
wil stem

Wyk
Ward
Datum
Date.....

Vote for one candidate
only
Record your vote by
placing an X in the
square opposite the
name of the candi-
date for whom you
wish to vote

Volgnommer van
kieser
Serial No. of voter

VORM VAN AGTERKANT VAN STEMBRIEFIE

Amptelike Merk

Official Mark

Verkiesing van 'n lid van die
Election of a member of the..... Gemeenskapsraad
Community Council
vir die Wyk
for the Ward of.....
Datum
Date.....

ANNEXURE E BALLOT PAPER RETURN

Election of a member of the.....
Community Council for Ward.....held
on..... polling station.....

Ballot papers received	Number	Ballot papers accounted for	Number
Ballot papers: Nos.....		Ballot papers in ballot box.....	
to.....		Unused ballot papers: Nos.....	
inclusive		to.....	
		inclusive	
		Spoiled ballot papers.....	
		Tendered ballot papers.....	
Total number received		Total number accounted for.....	

I hereby certify that the above is a correct return of all the ballot papers supplied to me.

Dated this.....
day of..... 19.....
place.....

Presiding Officer

ANNEXURE F LABEL

Election of a member of the.....
Community Council for Ward.....
Contents.....
Date of poll.....

*Presiding Officer
*Electoral Officer

* Delete whichever is not applicable.

No. R. 1229

16 June 1978

CONTRIBUTIONS PAYABLE UNDER THE CONTRIBUTIONS IN RESPECT OF BANTU LABOUR ACT, 1972 (ACT 29 OF 1972).—AMENDMENT OF GOVERNMENT NOTICE R. 2210, DATED 28 OCTOBER 1977

I, Wilhelm Laubscher Vosloo, Deputy Minister of Plural Relations and Development, do hereby, on behalf of the Minister of Plural Relations and Development, by virtue of the powers vested in him by section 2 (1) and (5) of the Contributions in respect of Bantu Labour Act, 1972 (Act 29 of 1972), amend Government Notice R. 2210, dated 28 October 1977, in accordance with the accompanying Schedule with effect from the first day of July, 1978.

W. L. VOSLOO, Deputy Minister of Plural Relations and Development.

(File A1/1/2/6)

SCHEDULE

1. Amend item 1 of the Schedule by the addition of the following at the end thereof:

"Provided further that the contributions for each employee in the administration areas of the Bantu Affairs Administration Boards for the Peninsula Area and the South Western Cape Area shall be as indicated in paragraphs 4 and 5.

AANHANGSEL E STEMBRIEFOPGAWE

Verkieping van 'n lid van die.....
Gemeenskapsraad vir Wyk.....
gehou op..... stemburo.....

Stembriewe ontvang	Getal	Verantwoorde stembriewe	Getal
Stembriewe: No.'s.....		Stembriewe in stembus.....	
tot en met.....		Ongebruikte stembriewe: No.'s.....	
		tot en met.....	
		Bedorwe stembriewe.....	
		Aangebode stembriewe.....	
Totale getal ontvang..		Totale getal verantwoord.....	

Ek verklaar hierby dat bostaande 'n juiste opgawe is van alle stembriewe aan my verskaf.

Gedateer op hede die.....
dag van..... 19.....

Plek.....
Voorsittende beampte

AANHANGSEL F ETIKET

Verkieping van 'n lid van die.....
Gemeenskapsraad vir Wyk.....
Inhoud.....
Datum van stemming.....

*Voorsittende beampte
*Verkiesingsbeampte

* Skrap wat nie van toepassing is nie.

No. R. 1229

16 Junie 1978

BYDRAES BETAALBAAR KRAGTENS DIE WET OP BYDRAES TEN OPSIGTE VAN BANTOE-ARBEID, 1972 (WET 29 VAN 1972).—WYSIGING VAN GOEWERMENSKENNISGEWING R. 2210 VAN 28 OKTOBER 1977

Ek, Wilhelm Laubscher Vosloo, Adjunk-minister van Plurale Betrekkinge en Ontwikkeling, wysig hierby, namens die Minister van Plurale Betrekkinge en Ontwikkeling, kragtens die bevoegdheid hom verleen by artikel 2 (1) en (5) van die Wet op Bydraes ten opsigte van Bantoe-arbeid, 1972 (Wet 29 van 1972), Goewermenskennisgewing R. 2210 van 28 Oktober 1977 ooreenkomstig bygaande Bylae met ingang van die eerste dag van Julie 1978.

W. L. VOSLOO, Adjunk-minister van Plurale Betrekkinge en Ontwikkeling.

(Lêer A1/1/2/6)

1. Wysig paragraaf 1 van die Bylae deur die volgende aan die end daarvan by te voeg:

"Met dien verstande verder dat die bydraes ten opsigte van die werknemers in die administrasiegebiede van die Bantoesake-administrasierade vir die Skiereilandgebied en die Suidwes-Kaapgebied, sal wees soos genoem in paragrafe 4 en 5.

2. Add the following new paragraphs after paragraph 3:

"4. R2,50 per month for each employee: Provided that in respect of the employees mentioned in paragraph 5, the contributions as indicated therein shall be payable.

5. (a) 50c per month or R5 per annum if paid in advance, for each employee who is in the service of the agricultural or farming industry and who performs a service in connection with the production, cultivation and/or processing of agricultural and/or farm produce produced on the farm or holding concerned, the transportation of such produce and/or the erection of facilities on the farm or holding concerned directly related to such production, cultivation and/or processing by the producer and inclusive of an employee who performs garden, domestic or similar duties for the said producer on the said farm or holding: Provided that the provisions herein contained shall also apply to an employee in the service of a co-operative movement which is formed—(i) under section 4 of the Co-operative Societies Act, 1939 (Act 29 of 1939), with the objects referred to in section 6 or 7 of the said Act, or (ii) under section 53 or 55 of the aforementioned Act, and which renders any service as hereinbefore mentioned on the farm or holding concerned, but only in respect of an employee in the service of such co-operative movement whose labour is applied directly or mainly to the rendition of such services: Provided further that the provisions of this subparagraph shall not apply to an employee whose labour is applied directly or mainly to any saw-milling activity on the farm or holding concerned;

(b) 50c per month for each employee who is in the service of an organisation registered as a welfare organisation in terms of the National Welfare Act, 1965 (Act 79 of 1965), and whose labour is applied directly or mainly to the direct promotion of the objects of such organisation;

(c) 50c per month for each employee who is in the service of a natural person in the possession of a digger's certificate enabling him to dig on a alluvial digging as referred to in the Precious Stones Act, 1964 (Act 73 of 1964), and whose labour is applied directly or mainly to digging on such alluvial digging;

(d) 80c per month for each employee at a gold- or uranium mine who renders service directly related to the operation of the mine, where the employer provides housing approved by a competent authority;

(e) R1,40 per month for each employee in respect of whom housing, approved by a competent authority, is provided by the employer, excluding the employees mentioned in subparagraph (f);

(f) R1,80 per month for each employee who performs garden, domestic or similar duties and who is in the employ of a private householder who occupies a house, flat, room or other residence.

No. R. 1243 16 June 1978
ESTABLISHMENT OF COMMUNITY COUNCILS FOR THE URBAN RESIDENTIAL AREAS OF MEADOWLANDS/DIEPKLOOF AND DOBSONVILLE

I, Cornelius Petrus Mulder, Minister of Plural Relations and Development, hereby establish, by virtue of the powers vested in me by section 2 (1) of the Community Councils Act, 1977 (Act 125 of 1977)—

(1) a community council for the following urban residential area:

Dobsonville defined in Government Notice 1551 of 24 October 1958;

2. Voeg die volgende nuwe paragrawe by na paragraaf 3:

"4. R2,50 per maand vir elke werknemer:

Met dien verstande dat ten opsigte van die werknemers in paragraaf 5 genoem, die bydraes soos daarin genoem betaalbaar is.

5. (a) 50c per maand of R5 per jaar indien vooruit betaal, vir elke werknemer wat in die landbou- of boerderybedryf in diens is en wat 'n diens verrig in verband met die produksie, bewerking en/of verwerking van landbou en/of boerderyprodukte op die betrokke plaas of hoewegeduseer, die vervoer van sodanige produkte en/of die oprigting van fasiliteite op die betrokke plaas of hoeweg wat direk in verband staan met sodanige produksie, bewerking en/of verwerking deur die produsent en met insluiting van 'n werknemer wat tuin-, huis of soortgelyke werk vir bedoelde produsent op bedoelde plaas of hoeweg verrig: Met dien verstande dat die bepalings hierin vervat ook van toepassing is op 'n werknemer in diens van 'n koöperatiewe beweging wat opgerig is—(i) kragtens artikel 4 van die Wet op Koöperatiewe Verenigings, 1939 (Wet 29 van 1939), vir die doeleindes bedoel in artikel 6 of 7 van gemelde Wet, of (ii) kragtens artikel 53 of 55 van gemelde Wet, en wat enige diens soos hierbo gemeld verrig op die betrokke plaas of hoewe lewer, maar slegs ten opsigte van 'n werknemer in diens van sodanige koöperatiewe beweging wie se arbeid direk of hoofsaaklik vir sodanige dienslewering aangewend word: Met dien verstande verder dat die bepalings van hierdie subparagraaf nie van toepassing is nie op 'n werknemer wie se arbeid direk hoofsaaklik aangewend word vir enige saagmeulbedryf wat op die betrokke plaas of hoewe;

(b) 60c per maand vir elke werknemer wat in diens van 'n organisasie geregistreer as 'n welsynsorganisasie ingevolge die Nasionale Welsynswet, 1965 (Wet 79 van 1965), en wie se arbeid direk of hoofsaaklik aangewend word in verband met die direkte bevordering van doelstellings van sodanige organisasie;

(c) 50c per maand vir elke werknemer wat in diens van 'n natuurlike persoon in besit van 'n delwersertifikaat wat hom in staat stel om op 'n alluviale delwery te bedoel in die Wet op Edelgesteentes, 1964 (Wet 73 van 1964), te delf, en wie se arbeid direk of hoofsaaklik aangewend word vir delwing op bedoelde alluviale delwery;

(d) 80c per maand vir elke werknemer in diens by 'n goud- of uraanmyn wat diens lewer wat direk in verband staan met die bedryf van die myn, waar die werkgewer huisvesting wat deur 'n bevoegde owerheid goedgekeur is verskaf;

(e) R1,40 per maand vir elke werknemer ten opsigte van wie die werkgewer huisvesting wat deur 'n bevoegde owerheid goedgekeur is, verskaf, uitgesonderd die werknemers bedoel in subparagraaf (f);

(f) R1,80 per maand vir elke werknemer wat in 'n huis- of soortgelyke werk verrig en wat in diens is van 'n private huishouer wat 'n huis, woonstel, kamer of ander woning okkupeer.

No. R. 1243 16 Junie
INSTELLING VAN GEMEENSKAPSRADE VIR STEDELIKE WOONGEBIEDE VAN MEADOWLANDS/DIEPKLOOF EN DOBSONVILLE

Ek, Cornelius Petrus Mulder, Minister van Plural Betrekkinge en Ontwikkeling, stel hierby, kragtens bevoegdheid my verleen by artikel 2 (1) van die Wet op Gemeenskapsrade, 1977 (Wet 125 van 1977)—

(1) 'n gemeenskapsraad in vir die volgende stedelike woongebied:

Dobsonville omskryf in Goewermentskennisge 1551 van 24 Oktober 1958;

(2) a community council for the following urban residential areas:

Meadowlands defined in Government Notice 1496 of 27 September 1957;

Meadowlands East defined in Government Notice 2603 of 24 December 1954;

Meadowlands West defined in Government Notice 1875 of 6 December 1954;

Meadowlands West Extension defined in Government Notice 1203 of 11 August 1967;

Meadowlands Hostel defined in Government Notice 860 of 12 June 1957;

Diepkloof defined in Government Notice 1573 of 16 October 1964 and Government Notice 1797 of 9 September 1977;

Diepkloof Hostel defined in Government Notice 541 of 3 April 1970.

C. P. MULDER, Minister of Plural Relations and Development.

(File A2/14/2/J8/1)

DEPARTMENT OF RAILWAYS AND HARBOURS

No. R. 1238

16 June 1978

Under the powers vested in me by section 4 (3) of the Railways and Harbours Pensions Act, 1971 (Act 35 of 1971), I, Stefanus Louwrens Muller, Minister of Transport, do hereby, after consultation with the Railways and Harbours Board, approve of the Pension Regulations, published in Government Notice R. 859 of 28 May 1971, as amended, being further amended as follows with effect from 1 December 1977:

REGULATION 19

Delete paragraph 4.

REGULATION 24

Delete the last sentence of paragraph (2) (f).

Substitute the following for paragraph (2) (i) (ii) (8):

(8) From 1 October 1976 to 30 November 1977—240 per cent on (3).

Insert the following paragraph (2) (i) (ii) (9):

(9) From 1 December 1977—283 per cent on (3).

REGULATION 27

Substitute the following for paragraph (2):

(2) For the purpose of paragraph (1) the expression 'pension benefit' shall be deemed to include, in relation to a deceased member, the cash amount which is payable.

REGULATION 42

Substitute the following for paragraph (2):

(2) If such beneficiary is deceased member's widow here shall—

(a) where the member died on or before 29 November 1977, subject to the provisions of paragraphs (5) and (6), be paid to her pension benefits calculated as provided in paragraphs (3) and (4);

(b) where the member dies on or after 30 November 1977, be paid to her pension benefits calculated as provided in paragraph (7).

(2) 'n gemeenskapsraad in vir die volgende stedelike woongebiede:

Meadowlands omskryf in Goewermentskennisgewing 1496 van 27 September 1957;

Meadowlands-Oos omskryf in Goewermentskennisgewing 2603 van 24 Desember 1954;

Meadowlands-Wes omskryf in Goewermentskennisgewing 1875 van 6 Desember 1954;

Meadowlands-Wes-uitbreiding omskryf in Goewermentskennisgewing 1203 van 11 Augustus 1967;

Meadowlands Hostel omskryf in Goewermentskennisgewing 860 van 12 Junie 1957;

Diepkloof omskryf in Goewermentskennisgewing 1573 van 16 Oktober 1964 en Goewermentskennisgewing 1797 van 9 September 1977;

Diepkloof Hostel omskryf in Goewermentskennisgewing 541 van 3 April 1970.

C. P. MULDER, Minister van Plurale Betrekkinge en Ontwikkeling.

(Lêer A2/14/2/J8/1)

DEPARTEMENT VAN SPOORWEE EN HAWENS

No. R. 1238

16 Junie 1978

Ingevolge die bevoegdheid wat aan my verleen is by artikel 4 (3) van die Spoorweg- en Hawepensioenwet, 1971 (Wet 35 van 1971), verleen ek, Stefanus Louwrens Muller, Minister van Vervoer, na raadpleging met die Spoorweg- en Haweraad, goedkeuring daaraan dat die Pensioenregulasies, gepubliseer in Goewermentskennisgewing R. 859 van 28 Mei 1971, soos gewysig, soos volg verder gewysig word met ingang van 1 Desember 1977:

REGULASIE 19

Skrap paragraaf 4.

REGULASIE 24

Skrap die laaste sin van paragraaf (2) (f).

Vervang paragraaf (2) (i) (ii) (8) deur die volgende:

(8) Vanaf 1 Oktober 1976 tot 30 November 1977—240 persent op (3).

Voeg die volgende paragraaf (2) (i) (ii) (9) by:

(9) Vanaf 1 Desember 1977—283 persent op (3).

REGULASIE 27

Vervang paragraaf (2) deur die volgende:

(2) By die toepassing van paragraaf (1) word die uitdrukking "pensioenvoordeel", met betrekking tot 'n afgestorwe lid, geag die kontantbedrag in te sluit wat betaalbaar is.

REGULASIE 42

Vervang paragraaf (2) deur die volgende:

(2) Indien so 'n bevoordeelde die oorlede lid se weduwee is, word daar—

(a) waar die lid op of voor 29 November 1977 te sterwe gekom het, onderworpe aan die bepalings van paragrawe (5) en (6), aan haar pensioenvoordele betaal bereken volgens voorskrif van paragrawe (3) en (4);

(b) waar die lid op of na 30 November 1977 te sterwe kom, aan haar pensioenvoordele betaal bereken volgens voorskrif van paragraaf (7).

In paragraph (3) (a) (i) insert the words "or 5 per cent in the case of a deceased female member" after the words "equal to 10 per cent".

Renumber paragraph (6) (f) to read (8).

Renumber the existing paragraph (7) to read (9) and insert the following new paragraph (7):

(7) Upon the death of a member referred to in paragraph (2) (b) there shall be paid to his widow—

(a) the cash sum which would have been paid to the member in terms of regulation 33 had he on the day immediately after the date of his death retired from the Service by reason of permanent ill-health with at least 10 years pensionable service with a pension benefit in terms of regulation 31 (3);

(b) an annuity calculated at 80 per cent of the annuity that would have been paid to the member in accordance with regulation 32 had he on the day immediately after the date of his death been retired from the Service by reason of permanent ill-health with a pension benefit in terms of regulation 31 (3), multiplied by the factor which is arrived at by dividing the total of his pensionable service and the number of years service that he could still have rendered from the date of his death to the date that he would have been retired under section 16 (1) of the Service Act, by his pensionable service.

Renumber paragraph (8) to read (10) and in the second line of subparagraph (b) after "1st December, 1973" insert "but before 30 November 1977".

Insert the following new subparagraph (10) (c):

(c) Upon the death of a widow annuitant whose husband died on or after 30 November 1977, no further benefit shall be payable.

Renumber paragraph (9) to read (11) and substitute it by the following:

(11) If the beneficiary referred to in paragraph (1) is a person other than the deceased member's widow, the cash amount shall be paid to him.

REGULATION 43

Substitute the following for paragraph (2):

(2) If such beneficiary is the deceased annuitant's widow there shall be paid to her an annuity calculated as provided in subparagraph (a) or (b).

(a) Where the annuity became payable to her before 1 December 1977, it shall be calculated by multiplying each one hundred rand (or fraction thereof) of the basic sum referred to in regulation 42 (4) by the appropriate factor set forth in the table appearing in that regulation: Provided that—

(i) if the deceased annuitant retired from the Service on or before 1 December 1973, and any part of his annuity was commuted, the basic sum shall, for the purpose of calculating the annuity to the widow, be reduced in the proportion which the commuted portion of his annuity bears to the full annuity;

(ii) if the deceased annuitant retired from the Service after 1 December 1973, the annuity to the widow shall be calculated on the full basic sum subject to the provisions of section 9 of the Act;

(iii) in applying the said table for the purpose of calculating the annuity to the widow, the appropriate factor shall be that applicable to the widow's age at the date of her deceased husband's retirement, or the age of 16 years, whichever is the higher; and

In paragraaf (3) (a) (i) voeg die woorde "of 5 persent in die geval van 'n oorlede vroulike lid" in na die woorde "gelykstaande met 10 persent".

Hernommer paragraaf (6) (f) om te lui (8).

Hernommer die bestaande paragraaf (7) om te lui (9) en voeg die volgende nuwe paragraaf (7) in:

(7) By die dood van 'n lid bedoel in paragraaf (2) (b) word daar aan sy weduwee—

(a) die kontantbedrag betaal wat aan die lid ingevolge regulasie 33 betaal sou gewees het indien hy op die dag onmiddellik na die datum van sy afsterwe op grond van blywende slegte gesondheid met minstens 10 jaar pensioengewende diens uit die Diens sou getree het met 'n pensioenvoordeel ingevolge regulasie 31 (3);

(b) 'n jaargeld betaal wat bereken word deur 80 persent van die jaargeld wat ooreenkomstig regulasie 32 aan die lid betaal sou gewees het indien hy op die dag onmiddellik na die datum van sy afsterwe op grond van blywende slegte gesondheid uit die Diens sou getree het met 'n pensioenvoordeel ingevolge regulasie 31 (3), te vermenigvuldig met die faktor wat verkry word deur die totaal van sy pensioengewende diens en die aantal jare diens wat hy nog sou kon lewer van die datum van sy afsterwe tot die datum waarop hy kragtens artikel 16 (1) van die Dienswet uit die Diens afgedank sou gewees het te deel deur sy pensioengewende diens.

Hernommer paragraaf (8) om te lui (10) en in die tweede reël van subparagraph (b) voor die woorde "te sterwe gekom het" voeg die woorde "maar voor 30 November 1977" in.

Voeg die volgende nuwe subparagraph (10) (c) in:

(c) By die dood van 'n weduweejaargeldtrekker wie se eggenoot op of na 30 November 1977 te sterwe kom, is geen verder voordeel betaalbaar nie.

Hernommer paragraaf (9) om te lui (11) en vervang dit deur die volgende:

(11) Indien die in paragraaf (1) bedoelde bevoordeelde iemand anders as die oorlede lid se weduwee is, word die kontantbedrag aan hom uitbetaal.

REGULASIE 43

Vervang paragraaf (2) deur die volgende:

(2) Indien so 'n bevoordeelde die oorlede jaargeldtrekker se weduwee is, word daar aan haar 'n jaargeld volgens voorskrif van subparagraph (a) of (b) betaal.

(a) Waar die jaargeld voor 1 Desember 1977 aan haar betaalbaar geword het, word dit bereken deur elke honderd rand (of breuk daarvan) van die basiese som in regulasie 42 (4) vermeld, te vermenigvuldig met die toepaslike faktor uiteengesit in die tabel wat in daardie regulasie voorkom. Met dien verstande dat—

(i) indien die oorlede jaargeldtrekker op of voor Desember 1973 uit die Diens getree het en 'n gedeelte van sy jaargeld omgeset is, die basiese som by die berekening van die jaargeld aan die weduwee vermindert word in die verhouding waarin die omgesette gedeelte van sy jaargeld tot die volle jaargeld staan;

(ii) indien die oorlede jaargeldtrekker na 1 Desember 1973 uit die Diens getree het, die jaargeld aan die weduwee op die volle basiese som bereken word met inagneming van die bepalinge van artikel 9 van die Wet;

(iii) by die toepassing van genoemde tabel in verband met die berekening van die jaargeld aan die weduwee die toepaslike faktor die een is wat vasgestel is vir die weduwee se leeftyd op die datum van haar oorlede eggenoot se uitdienstreding, of die leeftyd van 16 jaar na gelang van watter die hoogste is; en

(iv) where such widow married her deceased husband after that date she shall, for the purpose of this regulation, be deemed to have been married to him at that date.

(b) Where the annuity becomes payable to her on or after 1 December 1977 and the deceased annuitant—

(i) retired on attaining the retirement age, it shall be calculated at 80 per cent of the annuity which was payable to the deceased annuitant at the date of his death;

(ii) retired from the Service before attaining the retirement age, it shall be calculated by multiplying 80 per cent of the annuity which was payable to him at the date of his death, by the factor which is arrived at by dividing the total of his pensionable service and the number of years service that he could still have rendered from the date of his death to the date that he would have been retired under section 16 (1) of the Service Act, by his pensionable service.

In paragraphs (3), (4), (6) (a), (6) (b) and (7), substitute “paragraph (2) (a)” for “paragraph (2)”.

In the first line of paragraph (6) (b) after “widow” insert “before 1 December 1977”.

Insert the following new subparagraph (6) (c):

(c) Upon the death of a widow annuitant on or after 1 December 1977, no further benefit shall be payable.

At the end of paragraph (7), substitute a colon for the full stop and insert the following:

Provided further that upon the death of the annuitant on or after 1 December 1977 no further benefit shall be payable.

REGULATION 44

Insert the following new subparagraph (6) (c):

(c) When the deceased member dies on or after 1 December 1977 and leaves no relatives referred to in the preceding paragraphs, payment of his own contributions only shall be made to the person lawfully administering his state.

REGULATION 48

In paragraph (9), substitute “regulation 42 (8) or 43 (5)” or “regulation 42 (6) (f) or 43 (5)”.

REGULATION 49

In paragraphs (1) (b), (c), (d), (e), (f) and (g), substitute regulation 42 (4) or (7)” for “regulation 42 (4)”.

No. R. 1239

16 June 1978

Under the powers vested in me by section 4 (3) of the Railways and Harbours Pensions Act, 1971 (Act 35 of 1971), I, Stefanus Louwrens Muller, Minister of Transport, do hereby, after consultation with the Railways and Harbours Board, approve of the Pension Regulations, published in Government Notice R. 859 of 28 May 1971, amended, being further amended as follows with effect from 1 April 1978:

REGULATION 24

Substitute the following for paragraph (2) (i) (ii) (9):

(9) From 1 December 1977 to 31 March 1978—283 per cent on (3).

Insert the following paragraph (2) (i) (ii) (10):

(10) From 1 April 1978—298 per cent on (3).

(iv) waar so 'n weduwee na daardie datum met haar oorlede eggenoot in die huwelik getree het, daar by die toepassing van hierdie regulasie beskou word dat sy op daardie datum met hom getroud was.

(b) Waar die jaargeld op of na 1 Desember 1977 aan haar betaalbaar word en die oorlede jaargeldtrekker—

(i) afgetree het by bereiking van die aftreeleeftyd, word dit bereken teen 80 persent van die jaargeld wat aan die oorlede jaargeldtrekker op die datum van sy afsterwe betaalbaar was;

(ii) voor bereiking van die aftreeleeftyd uit die Diens getree het, word dit bereken deur 80 persent van die jaargeld wat aan hom op die datum van sy afsterwe betaalbaar was, te vermenigvuldig met die faktor wat verkry word deur die totaal van sy pensioengewende diens en die aantal jare diens wat hy nog sou kon lewer van die datum van sy afsterwe tot die datum waarop hy kragtens artikel 16 (1) van die Dienswet uit die Diens afgedank sou gewees het, te deel deur sy pensioengewende diens.

In paragrafe (3), (4), (6) (a), (6) (b) en (7), vervang “paragraaf (2)” deur “paragraaf (2) (a)”.

In paragraaf (6) (b), in die tweede reël voor die woorde “te sterwe kom”, voeg die woorde “voor 1 Desember 1977” in.

Voeg die volgende nuwe subparagraaf (6) (c) in:

(c) Wanneer die weduwee van 'n oorlede jaargeldtrekker op of na 1 Desember 1977 te sterwe kom, is geen verder voordeel betaalbaar nie.

Aan die end van paragraaf (7) vervang die punt deur 'n dubbelpunt en voeg die volgende by:

Met dien verstande verder dat waar die jaargeldtrekker op of na 1 Desember 1977 te sterwe kom geen verder voordeel betaalbaar is nie.

REGULASIE 44

Voeg die volgende nuwe subparagraaf (6) (c) in:

(c) Wanneer die oorlede lid op of na 1 Desember 1977 te sterwe kom en geen verwante soos in voorafgaande paragrafe vermeld, nalaat nie, geskied betaling van slegs sy eie bydraes aan die persoon wat wettig sy boedel beredder.

REGULASIE 48

In paragraaf (9), vervang “regulasie 42 (6) (f) of 43 (5)” deur “regulasie 42 (8) of 43 (5)”.

REGULASIE 49

In paragrafe (1) (b), (c), (d), (e), (f) en (g), vervang “regulasie 42 (4)” deur “regulasie 42 (4) of (7)”.

No. R. 1239

16 Junie 1978

Ingevolge die bevoegdheid wat aan my verleen is by artikel 4 (3) van die Spoorweg- en Hawepensioenwet, 1971 (Wet 35 van 1971), verleen ek, Stefanus Louwrens Muller, Minister van Vervoer, na raadpleging met die Spoorweg- en Haweraad, goedkeuring daaraan dat die Pensioenregulasies, gepubliseer in Goewermentskennisgewing R. 859 van 28 Mei 1971, soos gewysig, soos volg verder gewysig word met ingang van 1 April 1978:

REGULASIE 24

Vervang paragraaf (2) (i) (ii) (9) deur die volgende:

(9) Vanaf 1 Desember 1977 tot 31 Maart 1978—283 persent op (3).

Voeg die volgende paragraaf (2) (i) (ii) (10) by:

(10) Vanaf 1 April 1978—298 persent op (3).

No. R. 1240

16 June 1978

The State President has, in terms of section 32 of the Railways and Harbours Service Act, 1960 (Act 22 of 1960), been pleased to approve of the South African Railways Staff Regulations, published in Government Notice R. 1045 of 15 July 1960, as amended, being further amended as follows:

**SOUTH AFRICAN RAILWAYS
STAFF REGULATIONS
SCHEDULE OF AMENDMENT
(Operative from 1 January 1978)**

REGULATION 128

Substitute the following for paragraph (10):

(10) No refund shall be made in respect of any extraneous expenditure incurred such as for taxi hire, portorage, tips, cloakroom charges, dry cleaning, laundry charges etc. except in the case of a claim in terms of paragraph (5) or unless the General Manager otherwise decides.

REGULATION 130

Substitute the following for this regulation:

ALL SERVANTS INCLUDING MEMBERS OF THE REGULAR RELIEF STAFF BUT EXCLUDING SERVANTS EMPLOYED ON DISTRICT OR SECTION DUTY AS DEFINED IN REGULATION 131, TRAINMEN, DRIVERS (ROAD TRANSPORT SERVICE) AND OTHER SERVANTS WHO ARE PAID BOOKING-OFF EXPENSES IN TERMS OF THESE REGULATIONS

130. A servant specified above [other than a policeman who is paid an allowance in terms of regulation 50 (11)] and who is required to undertake duty away from his headquarters shall, subject to such conditions as the General Manager may prescribe, be paid expenses as follows:

(1) If the servant is able with reasonable convenience to proceed to his headquarters or home each day for a proper period of rest—

(a) if the period of absence is 10 hours or less the actual essential expenses subject to a maximum amount of R1,50. Receipts are not required but the place and the circumstances under which the expenditure was incurred should be indicated on the expenses voucher;

(b) if the period of absence exceeds 10 hours at the appropriate hourly rate prescribed in paragraph (3).

(2) If the servant is unable with reasonable convenience to proceed to his headquarters or home each day for a proper period of rest, he shall be paid expenses at the hourly rate for the total period of absence plus accommodation expenses, where applicable, at the appropriate rate prescribed in paragraph (3).

(3) *Expenses tariffs*

Salary [excluding heads of departments as defined in Regulation 1 (2)]	Hourly rate	Accommodation expense for residence in a hotel or other registered abode supported by the requisite proof of payment	Accommodation expense when not accommodated in a hotel or other registered abode and departmental accommodation is not provided (departmental residences excluded)
Less than R10 500 p.a.....	30c	Actual expenses subject to a maximum of R12 per night	R3,30 per night
R10 500 p.a. or more, but less than R16 950 p.a.	34c	Actual expenses subject to a maximum of R13,50 per night	R3,30 per night
R16 950 p.a. or more.....	34c	Actual expenses subject to a maximum of R15 per night	R3,50 per night

No. R. 1240

16 Junie 1978

Dit het die Staatspresident behaag om kragtens artike 32 van die Wet op Spoorweg- en Hawediens, 1960 (Wet 22 van 1960), goedkeuring daaraan te verleen dat die Personeelregulasies van die Suid-Afrikaanse Spoorweë gepubliseer in Goewermenskennisgewing R. 1045 van 15 Julie 1960, soos gewysig, soos volg verder gewysig word

**SUID-AFRIKAANSE SPOORWEË
PERSONEELREGULASIES
WYSIGINGSLYS
(Van krag van 1 Januarie 1978)**

REGULASIE 128

Vervang paragraaf (10) deur die volgende:

(10) Geen terugbetaling ten opsigte van enige buite gewone uitgawe soos huurmotorkoste, drageld, footitjies, bewaarkamerke, droogskoonmaakkoste, wasserykoste ens. word gedoen nie, behalwe in die geval van 'n eis ingevolge paragraaf (5) of tensy die Hoofbestuurder anders besluit.

REGULASIE 130

Vervang hierdie regulasie deur die volgende:

ALLE DIENARE MET INBEGRIIP VAN LEDE VAN DIE GEREELDE AFLOSPERSONEEL MAAR UITGESONDER DIENARE WAT DISTRIKS- OF TRAJEKDIENS VERRIG SOOS BEPAAL IN REGULASIE 131, TREINPERSONEEL, BESTUURDERS (PADVEVOERDIENS) EN ANDER DIENARE AAN WIE ALBOEKKOSTE INGEVOLGE HIERDIE REGULASIE BETAAL WORD

130. Aan 'n bogenoemde dienaar [behalwe 'n polisiër wat 'n toelae ingevolge regulasie 50 (11) betaal word] wat diens weg van sy hoofkwartier moet doen word koste onderworpe aan sodanige voorwaardes as wat die Hoofbestuurder mag voorskryf, soos volg betaal:

(1) Indien die dienaar elke dag met redelike gerief vir 'n behoorlike rustyd na sy hoofkwartier of tuiste k gaan—

(a) as die tydperk van afwesigheid 10 uur en minder is die werklike noodsaaklike uitgawes onderworpe aan maksimum bedrag van R1,50. Kwitansies word nie vereis nie, maar daar moet op kostebewys aangedui word welke plek en in watter omtrek standhede die uitgawe aangeleg is;

(b) as die tydperk van afwesigheid meer as 10 uur is teen die toepaslike uurlikse skaal bepaal in paragraaf (3).

(2) Indien die dienaar nie elke dag met redelike gerief vir 'n behoorlike rustyd na sy hoofkwartier of tuiste k gaan nie, word koste betaal teen die uurlikse skaal van die volle tydperk van afwesigheid, plus akkommodasiekoste waar van toepassing, teen die toepaslike skaal bepaal in paragraaf (3).

(3) *Kosteskaal*

Salaris [uitgesonder departementshoofde soos bepaal in regulasie 1 (2)]	Uurlikse skaal	Akkommodasiekoste vir verblyf in 'n hotel of ander geregistreerde woonplek gestaaf deur die nodige bewys van betaling	Akkommodasiekoste wanneer daar nie in 'n hotel of ander geregistreerde woonplek tuisgegaan word nie en departementele akkommodasie (departementele personeelwonnings uitgesluit) nie voorsien word nie
Minder as R10 500 p.j.	30c	Werklike uitgawe onderworpe aan 'n maksimum van R12 per nag	R3,30 per nag
R10 500 p.j. of meer, maar minder as R16 950 p.j.	34c	Werklike uitgawe onderworpe aan 'n maksimum van R13,50 per nag	R3,30 per nag
R16 950 p.j. of meer.	34c	Werklike uitgawe onderworpe aan 'n maksimum van R15 per nag	R3,50 per nag

REGULATION 131

Insert the following new regulation 131:

SERVANTS EMPLOYED ON DISTRICT OR SECTION DUTY

Artisan staff

131. (1) A servant specified above and who is employed in district or section duty, shall be paid expenses at the appropriate hourly rate prescribed in regulation 130, under the following conditions:

- (i) If the period of absence on a weekday exceeds 10 hours;
- (ii) for any period of absence on a Sunday.

All other staff

(2) (a) A servant specified above and who is employed in district or section duty, shall, subject to the provisions of paragraph (3) be paid expenses under the following conditions:

- (i) If the period of absence on a weekday exceeds 10 hours at the appropriate hourly rate prescribed in subparagraph (b);
- (ii) for any period of absence on a Sunday at the appropriate hourly rate prescribed in subparagraph (b).

(b) Expenses tariffs

Salary	Hourly rate
Less than R5 544 per annum.....	21c
R5 544 per annum or more.....	25c

(3) If a servant mentioned in paragraph (2) (a) works at least two hours longer than the duration of his normal shift based on his weekly hours of duty, expenses shall be paid at the appropriate hourly rate prescribed in regulation 130 for the total period of absence.

(4) A servant employed on district or section duty shall, when he is required to work or travel on duty away from his district or section, be paid expenses on the basis set out in regulation 130.

REGULATION 140

Substitute the following for paragraph (1):

(1) If a trainman is booked off duty at an out-station under the circumstances provided for in regulation 75 (b), the following booking-off expenses shall be allowed:

Period booked off	Rate of expenses
Not exceeding five hours.....	R1,50
Exceeding five hours but not exceeding 10 hours	R3,00
Exceeding 10 hours.....	30c per hour;

provided that for any period booked off duty between runs of less than six hours each, commenced and concluded between 06h00 and 22h00, the booking-off expenses may not exceed R1,50, but no booking-off expenses shall be payable in a case where, although a trainman booked off duty between trips, continuous time is paid in terms of regulation 78 (6).

REGULASIE 131

Voeg die volgende nuwe regulasie 131 in:

DIENARE WAT DISTRIKS- OF TRAJEKDIENS VERRIG

Ambagspersoneel

131. (1) Aan 'n bogenoemde dienaar wat distriks- of trajekdiens verrig, word koste teen die toepaslike uurlikse skaal bepaal in regulasie 130 op die volgende voorwaardes betaal:

- (i) As die tydperk van afwesigheid op 'n weekdag meer as 10 uur is;
- (ii) vir enige tydperk van afwesigheid op 'n Sondag.

Alle ander personeel

(2) (a) Aan 'n bogenoemde dienaar wat distriks- of trajekdiens verrig, word, behoudens die bepalings van paragraaf (3), koste op die volgende voorwaardes betaal:

- (i) As die tydperk van afwesigheid op 'n weekdag meer as 10 uur is teen die toepaslike uurlikse skaal bepaal in subparagraaf (b);
- (ii) vir enige tydperk van afwesigheid op 'n Sondag teen die toepaslike uurlikse skaal bepaal in subparagraaf (b).

(b) Ksteskaal

Salaris	Uurlikse skaal
Minder as R5 544 per jaar.....	21c
R5 544 per jaar of meer.....	25c

(3) Indien 'n dienaar gemeld in paragraaf (2) (a) minstens twee uur langer werk as die duur van sy normale skof gebaseer op sy weeklikse diensure, word koste teen die toepaslike uurlikse skaal bepaal in regulasie 130 vir die totale tydperk van afwesigheid betaal.

(4) Aan 'n dienaar wat distriks- of trajekdiens weg van sy distrik of trajek moet verrig of op diens moet reis, word koste teen die grondslag uiteengesit in regulasie 130 betaal.

REGULASIE 140

Vervang paragraaf (1) deur die volgende:

(1) As 'n lid van die treinpersoneel op 'n buitestasie afgeboek word in die omstandighede waarvoor daar in regulasie 75 (4) (b) voorsiening gemaak word, word die volgende afboekskoste toegestaan:

Afboektydperk	Kosteskaal
Hoogstens vyf uur.....	R1,50
Langer as vyf uur, maar hoogstens 10 uur	R3,00
Langer as 10 uur.....	30c per uur;

met dien verstande dat hoogstens R1,50 afboekskoste betaal word vir 'n tydperk wat sodanige dienaar van diens afgeboek word tussen twee ritte van minder as ses uur elk wat tussen 06h00 en 22h00 begin en eindig, maar geen afboekskoste is betaalbaar nie as 'n lid van die treinpersoneel ingevolge regulasie 78 (6) vir ononderbroke tyd betaal word ofskoon hy tussen ritte van diens afgeboek word.

REGULATION 142

Substitute the following for paragraph (1):

(1) A driver (road transport service) or an assistant to a driver (road transport service) employed on road transport services and operating from his headquarters shall, when booked off duty at a point other than his headquarters, be paid the following booking-off expenses:

<i>Period booked off</i>	<i>Rate of expenses</i>
Not exceeding five hours.....	R1,50
Exceeding five hours but not exceeding 10 hours	R3,00
Exceeding 10 hours.....	30c per hour.

Expenses on this basis shall also be payable to any such servant employed on relief or other duty on a road transport service away from his headquarters when he is booked off duty at a place away from his headquarters or the place at which he is performing such relief or other duty.

REGULATION 149

Substitute the following for paragraph (6) (b):

(b) Subject to such conditions as the General Manager may prescribe, the fixed amount may be paid to a servant as soon as he again moves into an unfurnished house or flat at his new headquarters or indicates in writing that he intends doing so as early as practicable.

PROCLAMATION

by the State President of the Republic of South Africa

No. R. 170, 1978

CONDUCT OF ELECTIONS OF ELECTED MEMBERS OF THE VENDA LEGISLATIVE ASSEMBLY.—AMENDMENT OF PROCLAMATION R. 13 OF 1973

By virtue of the powers vested in me by section 2 (3) of the Bantu Homelands Constitution Act, 1971 (Act 21 of 1971), I hereby amend the Venda Election Proclamation, 1973 (Proclamation R. 13 of 1973), in accordance with the accompanying Schedule.

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

N. DIEDERICH, State President.

By Order of the State President-in-Council:

C. P. MULDER.

SCHEDULE

Substitute the following subsection for subsection (2) of section 24:

“(2) Such polling officer shall thereupon, with due regard to the maintenance of secrecy and in the presence of two witnesses and a person of the voter's own choice who shall accompany him, read to such voter the names of the candidates for the particular electoral division and at the same time inform him of the emblem (if any), referred to in section 22, appearing opposite the name of any such candidate on the ballot paper, and affix a cross in the space provided on the ballot paper opposite the name (or names) of the candidate (or candidates) or emblem selected by word of mouth or indicated, as the case may be, by such voter and shall thereafter fold the ballot paper and put it into the ballot box.”.

REGULASIE 142

Vervang paragraaf (1) deur die volgende:

(1) As 'n bestuurder (padvervoerdiens) of 'n assistent van 'n bestuurder (padvervoerdiens) op padvervoerdiens van sy hoofkwartier af werk en op 'n plek behalwe sy hoofkwartier van diens afgeboek word, word die volgende afboekskoste aan hom betaal:

<i>Afboektydperk</i>	<i>Kosteskaal</i>
Hoogstens vyf uur.....	R1,50
Langer as vyf uur, maar hoogstens 10 uur	R3,00
Langer as 10 uur.....	30c per uur.

Koste op hierdie grondslag word ook betaal aan elke sodanige dienaar wat aflos- of ander diens op 'n padvervoerdiens weg van sy hoofkwartier doen wanneer hy van diens afgeboek word op 'n plek weg van sy hoofkwartier of plek waar hy sodanige aflos- of ander diens verrig.

REGULASIE 149

Vervang paragraaf (6) (b) deur die volgende:

(b) Onderworpe aan sodanige voorwaardes as wat die Hoofbestuurder mag voorskryf, kan die vaste bedrag aan 'n dienaar betaal word sodra hy by sy nuwe hoofkwartier weer in 'n ongemeubileerde huis of woonstel intrek en skriftelik aandui dat hy van voorneme is om dit so spoedig doenlik te doen.

100/2/75/

PROKLAMASIE

van die Staatspresident van die Republiek van Suid-Afrika

No. R. 170, 1978

HOU VAN VERKIESINGS VAN DIE VERKOSLEDE VAN DIE VENDA- WETGEWENDE VERGADERING.—WYSIGING VAN PROKLAMASIE R. 13 VAN 1973

Kragtens die bevoegdheid my verleen by artikel 2 (1) van die Grondwet van die Bantoetuislande, 1971 (Wet 2 van 1971), wysig ek hierby die Venda-verkiesingsproklamasie, 1973 (Proklamasie R. 13 van 1973), ooreenkomstig bygaande Bylae.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Kaapstad, op hede die Dertien dag van Junie Eenduisend Negehoenderd Agt-en-sewentig.

N. DIEDERICH, Staatspresident.

Op las van die Staatspresident-in-rade:

C. P. MULDER.

BYLAE

Vervang subartikel (2) van artikel 24 deur die volgende subartikel:

“(2) Sodanige stemopnemer moet daarop met behoeftelike inagneming van die handhawing van geheimhouding en in die teenwoordigheid van twee getuies en 'n persoon van die kieser se eie keuse wat hom moet vergesel, a sodanige kieser die name van die kandidate vir bepaalde kiesafdeling voorlees en hom terselfdertyd kennis stel van die embleem (as daar is) in artikel bedoel wat teenoor die naam van enige sodanige kandidaat op die stembrief verskyn, en 'n kruis in die ruimte op die stembrief aanbring teenoor die naam (of name) van die kandidaat (of kandidate) of embleem wat mondeling deur sodanige kieser gekies of aangedui is, na gelang van die geval, en vou daarna die stembrief en plaas dit in die stembus.”.

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Militaria is 'n militêr-historiese tydskrif wat deur die Dokumentasiediens van die Suid-Afrikaanse Weermag op 'n kwartaalbasis uitgegee word.

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Die Anglo-Boereoorlog en vroeëre Suid-Afrikaanse militêre geskiedenis.

Suid-Afrikaanse deelname aan beide Wêreldoorloë.

Eenheidsgeskiedenis.

Die groei en ontwikkeling van die Suid-Afrikaanse Weermag.

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