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PROKLAMASIES

van die Waarnemende Staatspresident van die Republiek van Suid-Afrika

No. R. 224, 1978

BOEDELBELASTINGWET, 1955, EN DIE
INKOMSTEBELASTINGWET, 1962

KONVENSIE TUSSEN DIE REGERING VAN DIE REPUBLIEK VAN SUID-AFRIKA EN DIE REGERING VAN DIE VERENIGDE KONINKRYK VAN GROOT-BRITTANJE EN NOORD-IERLAND VIR DIE VERMYDING VAN DUBBELE BELASTING EN DIE VOORKOMING VAN FISKALE ONTDUIKING MET BETREKKING TOT BELASTING OP BOEDEL VAN GESTORWE PERSONE EN OP GESKENKE

Kragtens die bevoegdheid my verleen by artikel 26 (2) van die Boedelbelastingwet, 1955 (Wet 45 van 1955), en artikel 108 (2) van die Inkomstebelastingwet, 1962 (Wet 58 van 1962), verklaar ek hierby dat die Konvensie wat in die Bylae van hierdie Proklamasie vervat is, kragtens artikel 26 (1) en artikel 108 (1) van onderskeidelik genoemde Wette tussen die Regering van die Republiek van Suid-Afrika en die Regering van die Verenigde Koninkryk van Groot-Brittanje en Noord-Ierland aangegaan is ter vermyding van dubbele belasting en die voorkoming van fiskale ontduiking met betrekking tot belasting op boedels van gestorwe persone en op geskenke.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Pretoria, op hede die Een-en-twintigste dag van Augustus Eenduisend Negehonderd Agt-en-sewentig.

M. VILJOEN, Waarnemende Staatspresident.

Op las van die Waarnemende Staatspresident-in-rade:

O. P. F. HORWOOD.

BYLAE

KONVENSIE TUSSEN DIE REGERING VAN DIE REPUBLIEK VAN SUID-AFRIKA EN DIE REGERING VAN DIE VERENIGDE KONINKRYK VAN GROOT-BRITTANJE EN NOORD-IERLAND VIR DIE VERMYDING VAN DUBBELE BELASTING EN DIE VOORKOMING VAN FISKALE ONTDUIKING MET BETREKKING TOT BELASTING OP BOEDEL VAN GESTORWE PERSONE EN OP GESKENKE

Die Regering van die Republiek van Suid-Afrika en die Regering van die Verenigde Koninkryk van Groot-Brittanje en Noord-Ierland het;

PROCLAMATIONS

by the Acting State President of the Republic of South Africa

No. R. 224, 1978

ESTATE DUTY ACT, 1955, AND THE INCOME TAX
ACT, 1962

CONVENTION BETWEEN THE GOVERNMENT OF THE REPUBLIC OF SOUTH AFRICA AND THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND FOR THE AVOIDANCE OF DOUBLE TAXATION AND THE PREVENTION OF FISCAL EVASION WITH RESPECT TO TAXES ON ESTATES OF DECEASED PERSONS AND ON GIFTS

Under the powers vested in me by section 26 (2) of the Estate Duty Act, 1955 (Act 45 of 1955), and section 108 (2) of the Income Tax Act, 1962 (Act 58 of 1962), I do hereby declare that the Convention set out in the Schedule to this Proclamation has, under section 26 (1) and section 108 (1) of the said Acts respectively, been entered into between the Government of the Republic of South Africa and the Government of the United Kingdom of Great Britain and Northern Ireland for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on estates of deceased persons and on gifts.

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

M. VILJOEN, Acting State President.

By Order of the Acting State President-in-Council:

O. P. F. HORWOOD.

SCHEDULE

CONVENTION BETWEEN THE GOVERNMENT OF THE REPUBLIC OF SOUTH AFRICA AND THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND FOR THE AVOIDANCE OF DOUBLE TAXATION AND THE PREVENTION OF FISCAL EVASION WITH RESPECT TO TAXES ON ESTATES OF DECEASED PERSONS AND ON GIFTS

The Government of the Republic of South Africa and the Government of the United Kingdom of Great Britain and Northern Ireland;

Uit 'n begeerte om 'n nuwe Konvensie ter vermyding van dubbele belasting en die voorkoming van fiskale ontduiking met betrekking tot belasting op boedels van gestorwe persone en op geskenke aan te gaan;

As volg ooreengekom:—

ARTIKEL 1

Bestek

Hierdie Konvensie is van toepassing op enige persoon wat binne die bestek val van 'n belasting wat die onderwerp van hierdie Konvensie is.

ARTIKEL 2

Belastings gedek

(1) Die belastings wat die onderwerp van hierdie Konvensie uitmaak, is:

(a) in die Verenigde Koninkryk, die kapitaaloordragbelasting;

(b) in Suid-Afrika, die boedelbelasting en die belasting op geskenke.

(2) Hierdie Konvensie is ook van toepassing op enige identiese of wesenlik soortgelyke belastings wat deur enigeen van die Kontrakterende State bykomend by, of in plaas van, die bestaande belastings opgelê word na die datum van ondertekening van hierdie Konvensie.

ARTIKEL 3

Algemene woordskrywing

(1) In hierdie Konvensie, tensy die samehang anders vereis, beteken:

(a) die uitdrukking "Verenigde Koninkryk" Groot-Brittanje en Noord-Ierland;

(b) die uitdrukking "Suid-Afrika" die Republiek van Suid-Afrika;

(c) die uitdrukking "burgers":

(i) met betrekking tot die Verenigde Koninkryk, enige burger van die Verenigde Koninkryk en Kolonies, of enige Britse onderdaan wat nie daardie burgerskap of die burgerskap van enige ander Statebondsland of gebied besit nie, met dien verstande dat hy in albei gevalle die reg op verblyf in die Verenigde Koninkryk het ten tyde van die dood of oordrag of ander tersaaklike tydstop;

(ii) met betrekking tot Suid-Afrika, enige burger van Suid-Afrika;

(d) die uitdrukking "belasting":

(i) die kapitaaloordragbelasting wat in die Verenigde Koninkryk opgelê word, of

(ii) die boedelbelasting of belasting op geskenke wat in Suid-Afrika opgelê word, of

(iii) enige ander belasting wat deur 'n Kontrakterende Staat opgelê word en waarop hierdie Konvensie van toepassing is uit hoofde van die bepalinge van paragraaf (2) van Artikel 2,

na gelang die samehang vereis;

(e) die uitdrukking "Kontrakterende Staat" en "die ander Kontrakterende Staat" die Verenigde Koninkryk of Suid-Afrika, na gelang die samehang vereis;

(f) die uitdrukking "bevoegde owerheid", in die geval van die Verenigde Koninkryk, die Kommissaris van Binnelandse Inkomste of hulle gemagtigde verteenwoordiger, en in die geval van Suid-Afrika, die Sekretaris van Binnelandse Inkomste of sy gemagtigde verteenwoordiger;

(g) die uitdrukking "oordrag", in die geval van Suid-Afrika, ook 'n skenking en word die uitdrukking "oordraer" dienoreenkomstig uitgelê.

Desiring to conclude a new Convention for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on estates of deceased persons and on gifts;

Have agreed as follows:—

ARTICLE 1

Scope

This Convention shall apply to any person who is within the scope of a tax which is the subject of this Convention.

ARTICLE 2

Taxes covered

(1) The taxes which are the subject of this Convention are:

(a) in the United Kingdom, the capital transfer tax;

(b) in South Africa, the estate duty and the donations tax.

(2) This Convention shall also apply to any identical or substantially similar taxes which are imposed by either Contracting State after the date of signature of this Convention in addition to, or in place of, the existing taxes.

ARTICLE 3

General definitions

(1) In this Convention, unless the context otherwise requires:

(a) the term "United Kingdom" means Great Britain and Northern Ireland;

(b) the term "South Africa" means the Republic of South Africa;

(c) the term "nationals" means:

(i) in relation to the United Kingdom, any citizen of the United Kingdom and Colonies, or any British subject not possessing that citizenship or the citizenship of any other Commonwealth country or territory, provided in either case he had the right of abode in the United Kingdom at the time of the death or transfer or other material time;

(ii) in relation to South Africa, any citizen of South Africa;

(d) the term "tax" means:

(i) the capital transfer tax imposed in the United Kingdom, or

(ii) the estate duty or the donations tax imposed in South Africa, or

(iii) any other tax imposed by 'n Contracting State to which this Convention applies by virtue of the provisions of paragraph (2) of Article 2,

as the context requires;

(e) the terms "a Contracting State" and "the other Contracting State" mean the United Kingdom or South Africa, as the context requires;

(f) the term "competent authority" means, in the case of the United Kingdom, the Commissioners of Inland Revenue or their authorised representative, and in the case of South Africa, the Secretary for Inland Revenue or his authorised representative;

(g) the term "transfer" includes, in the case of South Africa, a donation and the term "transferor" shall be construed accordingly.

(2) By die toepassing van hierdie Konvensie deur 'n Kontrakterende Staat het enige uitdrukking wat nie anders omskryf is nie, tensy die samehang anders vereis, die betekenis wat daaraan geheg word ingevolge die wet van daardie Kontrakterende Staat met betrekking tot die belasting wat die onderwerp van hierdie Konvensie uitmaak.

ARTIKEL 4

Fiskale domisilie

(1) Vir die toepassing van hierdie Konvensie was 'n individu gedomisilieer:

(a) in die Verenigde Koninkryk as hy in die Verenigde Koninkryk gedomisilieer was kragtens die wet van die Verenigde Koninkryk of as aldus gedomisilieer beskou word vir die doeleindes van 'n belasting wat die onderwerp van hierdie Konvensie uitmaak;

(b) in Suid-Afrika as hy gewoonlik in Suid-Afrika woonagtig was.

(2) Waar 'n individu uit hoofde van die bepalinge van paragraaf (1) van hierdie Artikel, met inagneming van die bepalinge van paragraaf (4) van hierdie Artikel, op enige tydstep in albei Kontrakterende State gedomisilieer was, en

(a) 'n burger van die Verenigde Koninkryk maar nie van Suid-Afrika was nie, en

(b) nie in sewe of meer van die 10 inkomstebelastingjare van aanslag wat daardie tyd onmiddellik voorafgegaan het in Suid-Afrika gewoon het of gewoonlik woonagtig was nie,

dan word hy geag op daardie tydstep in die Verenigde Koninkryk gedomisilieer te wees.

(3) Waar 'n individu uit hoofde van die bepalinge van paragraaf (1) van hierdie Artikel, met inagneming van die bepalinge van paragraaf (4) van hierdie Artikel, op enige tydstep in albei Kontrakterende State gedomisilieer was, en

(a) 'n burger van Suid-Afrika maar nie van die Verenigde Koninkryk was nie, en

(b) nie in sewe of meer van die 10 inkomstebelastingjare van aanslag wat eindig met die jaar van aanslag waarin daardie tyd val in die Verenigde Koninkryk gewoon het of gewoonlik woonagtig was nie,

dan word hy geag op daardie tydstep in Suid-Afrika gedomisilieer te wees. Vir die toepassing van hierdie paragraaf moet die vraag of 'n individu in die Verenigde Koninkryk gewoon het of gewoonlik woonagtig was soos vir doeleindes van inkomstebelasting bepaal word maar sonder inagneming van enige woonhuis wat in die Verenigde Koninkryk vir sy gebruik beskikbaar is.

(4) 'n Individu word nie, uit hoofde van paragraaf (2) of (3) van hierdie Artikel, geag op enige tydstep in 'n Kontrakterende Staat gedomisilieer te wees nie indien hy ingevolge die wet van daardie Kontrakterende Staat, uitgesonderd die wet wat betrekking het op 'n belasting wat die onderwerp van hierdie Konvensie uitmaak, meer as drie jaar voor daardie tyd opgehou het om in daardie Kontrakterende Staat gedomisilieer te wees.

(5) Waar 'n individu uit hoofde van die bepalinge van paragraaf (1) van hierdie Artikel in albei Kontrakterende State gedomisilieer was, dan word sy status, behoudens die bepalinge van paragrawe (2), (3) en (4) van hierdie Artikel, soos volg vasgestel:

(a) Hy word geag gedomisilieer te wees in die Kontrakterende Staat waarin hy 'n permanente tuiste tot sy beskikking gehad het. As hy 'n permanente tuiste in albei Kontrakterende State tot sy beskikking gehad het, word die domisilie geag te wees in die Kontrakterende Staat waarmee sy persoonlike en ekonomiese betrekkinge die nouste was (middelpunt van lewensbelange);

(2) As regards the application of this Convention by a Contracting State any term not otherwise defined shall, unless the context otherwise requires, have the meaning which it has under the law of that Contracting State relating to the taxes which are the subject of this Convention.

ARTICLE 4

Fiscal domicile

(1) For the purposes of this Convention an individual was domiciled:

(a) in the United Kingdom if he was domiciled in the United Kingdom in accordance with the law of the United Kingdom or is treated as so domiciled for the purposes of a tax which is the subject of this Convention;

(b) in South Africa if he was ordinarily resident in South Africa.

(2) Subject to the provisions of paragraph (4) of this Article, where by reason of the provisions of paragraph (1) of this Article an individual was at any time domiciled in both Contracting States, and

(a) was a national of the United Kingdom but not of South Africa, and

(b) had not been resident or ordinarily resident in South Africa in seven or more of the 10 income tax years of assessment immediately preceding that time,

then he shall be deemed to be domiciled at that time in the United Kingdom.

(3) Subject to the provisions of paragraph (4) of this Article, where by reason of the provisions of paragraph (1) of this Article an individual was at any time domiciled in both Contracting States, and

(a) was a national of South Africa but not of the United Kingdom, and

(b) had not been resident or ordinarily resident in the United Kingdom in seven or more of the 10 income tax years of assessment ending with the year of assessment in which that time falls,

then he shall be deemed to be domiciled at that time in South Africa. For the purposes of this paragraph the question whether an individual was resident or ordinarily resident in the United Kingdom shall be determined as for the purposes of income tax, but without regard to any dwelling-house available in the United Kingdom for his use.

(4) An individual shall not, by virtue of paragraph (2) or (3) of this Article, be deemed to be domiciled at any time in a Contracting State if, under the law of that Contracting State other than its law relating to a tax which is the subject of this Convention, he had ceased to be domiciled in that Contracting State more than three years before that time.

(5) Where by reason of the provisions of paragraph (1) of this Article an individual was domiciled in both Contracting States, then, subject to the provisions of paragraphs (2), (3) and (4) of this Article, his status shall be determined as follows:

(a) He shall be deemed to be domiciled in the Contracting State in which he had a permanent home available to him. If he had a permanent home available to him in both Contracting States, the domicile shall be deemed to be in the Contracting State with which his personal and economic relations were closer (centre of vital interests);

(b) indien daar nie vasgestel kan word in watter Kontrakterende Staat hy die middelpunt van sy lewensbelange gehad het nie, of indien hy nie 'n permanente tuiste tot sy beskikking in enigeen van die Kontrakterende State gehad het nie, word die domisilie geag te wees in die Kontrakterende Staat waarin hy 'n gewoontelike verblyfplek het;

(c) indien hy 'n gewoontelike verblyfplek in beide Kontrakterende State of nie in enigeen van hulle gehad het nie, word die domisilie geag te wees in die Kontrakterende Staat waarvan hy 'n burger is; en

(d) indien hy 'n burger van beide Kontrakterende State of nie van enigeen van hulle is nie, moet die bevoegde owerhede van die Kontrakterende State die saak deur onderlinge ooreenkoms besleg.

ARTIKEL 5

Algemene belastingregte

(1) Behoudens die bepalings van Artikels 6, 7, 8 en 9 en die volgende paragrawe van hierdie Artikel, is eiendom, indien die oorledene of oordraer in een van die Kontrakterende State gedomisilieer was tydens die dood of oordrag, nie in die ander Kontrakterende Staat belasbaar nie tensy hy in die ander Kontrakterende Staat gedomisilieer was binne die 10 jaar wat die dood of oordrag onmiddellik voorafgegaan het.

(2) Paragraaf (1) van hierdie Artikel is nie in die Verenigde Koninkryk van toepassing op eiendom wat in 'n oormaking vervat is nie; maar behoudens die bepalings van Artikels 6, 7, 8 en 9 is daardie eiendom nie in die Verenigde Koninkryk belasbaar nie indien die persoon wat die oormaking bewerkstellig het op die tydstip toe die oormaking geskied het in Suid-Afrika gedomisilieer was en nie binne die onmiddellik voorafgaande 10 jare in die Verenigde Koninkryk gedomisilieer was nie.

(3) Indien enige eiendom op grond van paragraaf (1) van hierdie Artikel slegs in een Kontrakterende Staat belasbaar sou wees en belasting, ofskoon hefbaar, nie in daardie Kontrakterende Staat betaal word nie (anders as gevolg van 'n uitdruklike vrystelling, aftrekking, krediet of toelae) kan belasting, ondanks die bepalings van daardie paragraaf, in die ander Kontrakterende Staat opgelê word met betrekking tot daardie eiendom.

ARTIKEL 6

Onroerende eiendom

(1) Onroerende eiendom kan belas word in die Kontrakterende Staat waarin sodanige eiendom geleë is.

(2) Die uitdrukking "onroerende eiendom" het die betekenis wat daaraan geheg word ingevolge die wet van die Kontrakterende Staat waarin die betrokke eiendom geleë is, altyd met dien verstande dat skulde wat deur 'n verband of andersins verseker is nie as onroerende eiendom beskou word nie. Die uitdrukking omvat in elk geval eiendom wat bykomend by onroerende eiendom is, lewende hawe en uitrusting gebruik in landbou en bosbou, regte waarop die bepalings van die algemene reg betreffende vaste eiendom van toepassing is, vruggebruik van onroerende eiendom en regte op wisselende of vaste betalings as vergoeding vir die ontginning, of reg op ontginning van minerale afsettings, bronne en ander natuurlike hulpbronne; skepe, bote en lugvaartuie word nie onroerende eiendom geag te wees nie.

(3) Die bepalings van paragrawe (1) en (2) van hierdie Artikel is ook van toepassing op onroerende eiendom van 'n onderneming en op onroerende eiendom wat gebruik word vir die verrigting van onafhanklike persoonlike dienste.

(b) if the Contracting State in which he had his centre of vital interests cannot be determined, or if he had not a permanent home available to him in either Contracting State, the domicile shall be deemed to be in the Contracting State in which he had an habitual abode;

(c) if he had an habitual abode in both Contracting States or in neither of them, the domicile shall be deemed to be in the Contracting State of which he was a national; and

(d) if he was a national of both Contracting States or of neither of them, the competent authorities of the Contracting States shall settle the question by mutual agreement.

ARTICLE 5

General taxing rights

(1) Subject to the provisions of Articles 6, 7, 8 and 9 and the following paragraphs of this Article, if the deceased or the transferor was domiciled in one of the Contracting States at the time of the death or transfer, property shall not be taxable in the other Contracting State unless he had been domiciled in the other Contracting State within the 10 years immediately preceding the death or transfer.

(2) Paragraph (1) of this Article shall not apply in the United Kingdom to property comprised in a settlement; but, subject to the provisions of Articles 6, 7, 8 and 9, such property shall not be taxable in the United Kingdom if at the time when the settlement was made the settlor was domiciled in South Africa and had not been domiciled in the United Kingdom within the immediately preceding 10 years.

(3) If by reason of paragraph (1) of this Article any property would be taxable only in one Contracting State and tax, though chargeable, is not paid (otherwise than as a result of a specific exemption, deduction, credit or allowance) in that Contracting State, tax may be imposed by reference to that property in the other Contracting State notwithstanding that paragraph.

ARTICLE 6

Immovable property

(1) Immovable property may be taxed in the Contracting State in which such property is situated.

(2) The term "immovable property" shall have the meaning which it has under the law of the Contracting State in which the property in question is situated provided always that debts secured by mortgage or otherwise shall not be regarded as immovable property. The terms shall in any case include property accessory to immovable property, livestock and equipment used in agriculture and forestry, rights to which the provisions of general law respecting landed property apply, usufruct of immovable property and rights to variable or fixed payments as consideration for the working of, or the right to work, mineral deposits, sources and other natural resources; ships, boats and aircraft shall not be regarded as immovable property.

(3) The provisions of paragraphs (1) and (2) of this Article shall also apply to immovable property of an enterprise and to immovable property used for the performance of independent personal services.

ARTIKEL 7

Besigheidseiendom van 'n permanente saak en bates wat betrekking het op 'n vaste basis wat gebruik word vir die verrigting van onafhanklike persoonlike dienste

(1) Bates wat deel uitmaak van die besigheidseiendom van 'n permanente saak van 'n onderneming, uitgesonderd bates in Artikels 6, 8 en 9 bedoel, kan belas word in die Kontrakterende Staat waarin die permanente saak geleë is.

(2) (a) Vir die toepassing van hierdie Konvensie beteken die uitdrukking "permanente saak" 'n vaste plek van besigheid waardeur die besigheid van 'n onderneming ten volle of gedeeltelik gedryf word.

(b) Die uitdrukking "permanente saak" sluit veral in:

- (i) 'n plek van bestuur;
- (ii) 'n tak;
- (iii) 'n kantoor;
- (iv) 'n fabriek;
- (v) 'n werkswinkel;
- (vi) 'n myn, 'n olie- of gasbron, 'n steengroef, of enige ander plek van ontginning van natuurlike hulpbronne; en

(vii) 'n bouterrein of konstruksie- of installasieprojek wat meer as 12 maande bestaan.

(c) Ondanks die voorafgaande bepalings van hierdie paragraaf, word geag dat die uitdrukking "permanente saak" nie die volgende insluit nie:

(i) Die gebruik van fasiliteite alleenlik om goedere of handelsware wat aan die onderneming behoort, op te berg, te vertoon of af te lewer;

(ii) die instandhouding van 'n voorraad goedere of handelsware wat aan die onderneming behoort alleenlik met die doel om dit op te berg, te vertoon of af te lewer;

(iii) die instandhouding van 'n voorraad goedere of handelsware wat aan die onderneming behoort alleenlik met die oog op die verwerking daarvan deur 'n ander onderneming;

(iv) die instandhouding van 'n vaste besigheidsplek alleenlik met die doel om vir die onderneming goedere of handelsware aan te koop of inligting in te win;

(v) die instandhouding van 'n vaste besigheidsplek alleenlik met die doel om enige ander aktiwiteit van 'n voorlopige of bykomstige aard vir die onderneming te verrig; of

(vi) die instandhouding van 'n vaste besigheidsplek alleenlik vir enige kombinasie van aktiwiteite genoem in (i) tot (v) van hierdie subparagraaf, met dien verstande dat die algehele aktiwiteit van die vaste besigheidsplek wat uit hierdie kombinasie voortvloei, van 'n voorlopige of bykomstige aard is.

(d) Ondanks die bepalings van subparagrafe (a) en (b), waar 'n persoon—uitgesonderd 'n agent met 'n onafhanklike status op wie subparagraaf (e) van toepassing is—namens 'n onderneming optree en magtiging het, en dit gewoonlik in 'n Kontrakterende Staat uitoefen, om ooreenkomste in die naam van die onderneming te sluit, word daardie onderneming geag 'n permanente saak in daardie Staat te hê met betrekking tot enige bedrywighede wat daardie persoon namens die onderneming onderneem, tensy die bedrywighede van sodanige persoon beperk is tot dié in subparagraaf (c) genoem wat, indien deur 'n vaste besigheidsplek uitgeoefen, nie hierdie vaste besigheidsplek 'n permanente saak maak ooreenkomstig die bepalings van daardie subparagraaf nie.

(e) 'n Onderneming word nie geag 'n permanente saak in 'n Kontrakterende Staat te hê nie bloot omdat dit in daardie Staat handel dryf deur bemiddeling van 'n makelaar, algemene kommissie-agent of ander agent met onafhanklike status, waar sodanige persone in die gewone loop van hul besigheid optree.

ARTICLE 7

Business property of a permanent establishment and assets pertaining to a fixed base used for the performance of independent personal services

(1) Except for assets referred to in Articles 6, 8 and 9, assets forming part of the business property of a permanent establishment of an enterprise may be taxed in the Contracting State in which the permanent establishment is situated.

(2) (a) For the purposes of this Convention, the term "permanent establishment" means a fixed place of business through which the business of an enterprise is wholly or partly carried on.

(b) The term "permanent establishment" includes especially:

- (i) a place of management;
- (ii) a branch;
- (iii) an office;
- (iv) a factory;
- (v) a workshop;
- (vi) a mine, an oil or gas well, a quarry, or any other place of extraction of natural resources; and
- (vii) a building site or construction or installation project which exists for more than 12 months.

(c) Notwithstanding the preceding provisions of this paragraph, the term "permanent establishment" shall be deemed not to include:

(i) the use of facilities solely for the purpose of storage, display, or delivery of goods or merchandise belonging to the enterprise;

(ii) the maintenance of a stock of goods or merchandise belonging to the enterprise solely for the purpose of storage, display or delivery;

(iii) the maintenance of a stock of goods or merchandise belonging to the enterprise solely for the purpose of processing by another enterprise;

(iv) the maintenance of a fixed place of business solely for the purpose of purchasing goods or merchandise or of collecting information, for the enterprise;

(v) the maintenance of a fixed place of business solely for the purpose of carrying on, for the enterprise, any other activity of a preparatory or auxiliary character; or

(vi) the maintenance of a fixed place of business solely for any combination of activities mentioned in (i) to (v) of this subparagraph provided that the overall activity of the fixed place of business resulting from this combination is of a preparatory or auxiliary character.

(d) Notwithstanding the provisions of subparagraphs (a) and (b), where a person—other than an agent of an independent status to whom subparagraph (e) applies—is acting on behalf of an enterprise and has, and habitually exercises in a Contracting State, an authority to conclude contracts in the name of the enterprise, that enterprise shall be deemed to have a permanent establishment in that State in respect of any activities which that person undertakes for the enterprise, unless the activities of such person are limited to those mentioned in subparagraph (c) which, if exercised through a fixed place of business, would not make this fixed place of business a permanent establishment under the provisions of that subparagraph.

(e) An enterprise shall not be deemed to have a permanent establishment in a Contracting State merely because it carries on business in that State through a broker, general commission agent or any other agent of an independent status, provided that such persons are acting in the ordinary course of their business.

(f) Die feit dat 'n maatskappy wat 'n inwoner van 'n Kontrakterende Staat is, beheer het oor of beheer word deur 'n maatskappy wat 'n inwoner van die ander Kontrakterende Staat is of wat in daardie ander Staat besigheid dryf (hetsy deur bemiddeling van 'n permanente saak of andersins) beteken nie op sigself dat enigeen van die maatskappye 'n permanente saak van die ander is nie.

(3) Bates wat betrekking het op 'n vaste basis wat vir die verrigting van onafhanklike persoonlike dienste gebruik word, uitgesonderd bates wat in Artikel 6 beskrywe word, kan belas word in die Kontrakterende Staat waarin die vaste basis geleë is.

ARTIKEL 8

Skepe en lugvaartuie

Die eksploitasie van skepe en lugvaartuie in internasionale verkeer en roerende eiendom wat behoort by die eksploitasie van sodanige skepe en lugvaartuie kan belas word in die Kontrakterende Staat waarin die plek van effektiewe bestuur van die onderneming geleë is.

ARTIKEL 9

Aandele, skuldbriewe en effekte-trustskemabesit

Eiendom bestaande uit

(a) aandele, effekte, skuldbriewe en obligasies uitgegee deur maatskappye met regs persoonlikheid in een van die Kontrakterende State (met inbegrip van enige sodanige eiendom wat binne die bepalings van Artikel 7 val), en

(b) regte van besitters van onderaandele in enige effekte-trustskema waar die register van besitters van onderaandele in een van die Kontrakterende State gehou word,

kan deur daardie Kontrakterende State belas word.

ARTIKEL 10

Strydigheid aangaande die aard van eiendom

(1) Indien die oorledene of oordraer ten tyde van dood of oordrag in een van die Kontrakterende State gedomisileer was, en

(a) enige reg of belange ooreenkomstig daardie Kontrakterende Staat se wet as eiendom beskou word wat nie binne Artikels 6, 7, 8 of 9 val nie, maar

(b) daardie reg ooreenkomstig die ander Kontrakterende Staat se wet as eiendom beskou word wat binne daardie Artikels val,

dan word die Artikel van die Konvensie waaronder die eiendom val ooreenkomstig die wet van die ander Kontrakterende Staat bepaal.

(2) Indien die oorledene of oordraer ten tyde van dood of oordrag in geeneen van die Kontrakterende State gedomisileer was nie, en elke Kontrakterende Staat enige eiendom as binne sy gebied geleë sou beskou en belasting gevolglik in albei Kontrakterende State opgelê sou word, bepaal die bevoegde owerhede die situs van die eiendom deur onderlinge ooreenkoms.

ARTIKEL 11

Aftrekkings, toelaes, ens.

(1) By die vasstelling van die bedrag waarop belasting bereken moet word, word veroorloofde aftrekkings toegelaat ooreenkomstig die wet wat in die gebied waarin die belasting opgelê word van krag is.

(2) Niks in hierdie Konvensie vervat, word uitgelê as sou dit 'n verpligting lê op enigeen van die Kontrakterende State om aan individue wat nie in daardie Kontrakterende Staat gedomisileer is of aan die boedels van sodanige individue enige van die persoonlike toelaes, verligtings en verminderings vir belastingdoeleindes toe te staan wat aan individue wat aldus gedomisileer is, of aan hulle boedels toegestaan word nie.

(f) The fact that a company which is a resident of a Contracting State controls or is controlled by a company which is a resident of the other Contracting State, or which carries on business in that other State (whether through a permanent establishment or otherwise), shall not of itself constitute either company a permanent establishment of the other.

(3) Except for assets described in Article 6, assets pertaining to a fixed base used for the performance of independent personal services may be taxed in the Contracting State in which the fixed base is situated.

ARTICLE 8

Ships and aircraft

Ships and aircraft operated in international traffic and movable property pertaining to the operation of such ships and aircraft may be taxed in the Contracting State in which the place of effective management of the enterprise is situated.

ARTICLE 9

Shares, debentures and unit trust holdings

Property consisting of

(a) shares, stock, debentures and debenture stock issued by companies incorporated in one of the Contracting States (including any such property falling within the provisions of Article 7), and

(b) rights of unit holders in any unit trust scheme where the register of unit holders is kept in one of the Contracting States,

may be taxed by that Contracting State.

ARTICLE 10

Conflict as to the nature of property

(1) If the deceased or the transferor was domiciled in one of the Contracting States at the time of death or transfer, and

(a) by the law of that Contracting State any right or interest is regarded as property not falling within Articles 6, 7, 8 or 9, but

(b) by the law of the other Contracting State that right is regarded as property falling within those Articles, then the Article of the Convention under which the property falls shall be determined by the law of the other Contracting State.

(2) If the deceased or the transferor was domiciled in neither Contracting State at the time of the death or transfer, and each Contracting State would regard any property as situated in its territory and in consequence tax would be imposed in both Contracting States, the competent authorities shall determine the *situs* of the property by mutual agreement.

ARTICLE 11

Deductions, allowances, etc.

(1) In determining the amount on which tax is to be computed permitted deductions shall be allowed in accordance with the law in force in the territory in which the tax is imposed.

(2) Nothing contained in this Convention shall be construed as obliging either Contracting State to grant to individuals not domiciled in that Contracting State, or to the estates of such individuals, any of the personal allowances, reliefs, and reductions for tax purposes which are granted to individuals so domiciled, or to their estates.

ARTIKEL 12

Kredietbepalings

(1) Waar 'n Kontrakterende Staat belasting hef in verband met enige geval met verwysing na enige eiendom wat die ander Kontrakterende Staat ooreenkomstig Artikels 6, 7, 8 of 9 kan belas, moet die eersgenoemde Kontrakterende Staat teen soveel van sy belasting (soos anders bereken) wat aan daardie eiendom toe te skryf is 'n krediet (wat nie die bedrag van die belasting aldus toe te skryf, te bowe gaan nie) toelaat gelyk aan soveel van die belasting gehef in die ander Kontrakterende Staat in verband met dieselfde geval wat aan sodanige eiendom toe te skryf is.

(2) Waar 'n Kontrakterende Staat, behoudens paragraaf (3) van hierdie Artikel, belasting hef in verband met enige geval met verwysing na enige eiendom nie in paragraaf (1) van hierdie Artikel bedoel nie en die oorledene of oordraer ten tyde van die dood of oordrag in die ander Kontrakterende Staat gedomisileer was, moet die eersgenoemde Kontrakterende Staat teen soveel van sy belasting (soos anders bereken) wat aan daardie eiendom toe te skryf is 'n krediet (wat nie die bedrag van die belasting aldus toe te skryf, te bowe gaan nie) toelaat gelyk aan soveel van die belasting gehef in die ander Kontrakterende Staat in verband met dieselfde geval wat aan sodanige eiendom toe te skryf is.

(3) Waar

(a) die Verenigde Koninkryk kragtens paragraaf (2) van Artikel 5 belasting hef in verband met enige geval met verwysing na enige eiendom wat nie in paragraaf (1) van hierdie Artikel bedoel is nie en wat vervat is in 'n oormaking waarin 'n belang in besitreg bestaan, en

(b) die individu wat aanspraak op die belang het in Suid-Afrika gedomisileer was ten tyde van die geval wat aanleiding tot die aanspreeklikheid vir belasting gegee het,

moet die Verenigde Koninkryk teen soveel van sy belasting (soos anders bereken) wat aan daardie eiendom toe te skryf is 'n krediet (wat nie die bedrag van die belasting aldus toe te skryf, te bowe gaan nie) toelaat gelyk aan soveel van die belasting in Suid-Afrika gehef in verband met dieselfde geval wat aan sodanige eiendom toe te skryf is.

(4) Vir die toepassing van hierdie Artikel geld die volgende:

(a) die belasting wat toe te skryf is aan enige eiendom en wat in 'n Kontrakterende Staat gehef word, is die belasting soos verminder deur die bedrag van enige krediet deur daardie Kontrakterende Staat toegelaat in verband met belasting toe te skryf aan daardie eiendom gehef in 'n ander gebied as 'n Kontrakterende Staat;

(b) belasting word in 'n Kontrakterende Staat gehef as dit ooreenkomstig die wet van daardie Kontrakterende Staat hefbaar en betaal is; en

(c) belasting gehef by die dood van 'n oordraer weens 'n oordrag wat gedoen is binne die drie jare wat die dood onmiddellik voorafgegaan het, hetsy as gevolg van die insluiting van eiendom geraak deur die oordrag in die oordraer se boedel of andersins ten opsigte van die oordrag, word behandel asof dit in verband met daardie oordrag gehef is.

ARTIKEL 13

Tydsbeperking

Enige eis vir 'n krediet of vir 'n terugbetaling van belasting, wat gegrond is op die bepalinge van hierdie Konvensie moet ingestel word binne ses jaar vanaf die datum van die geval wat aanleiding gegee het tot 'n aanspreeklikheid vir belasting of, indien later, binne een jaar vanaf die laaste datum waarop belasting waarvoor krediet gegee word, verskuldig is. Die bevoegde owerheid van 'n Kontrakterende Staat kan, in toepaslike omstandighede, hierdie

ARTICLE 12

Credit provisions

(1) Where a Contracting State imposes tax in connection with any event by reference to any property which the other Contracting State may tax in accordance with Articles 6, 7, 8 or 9, the former Contracting State shall allow against so much of its tax (as otherwise computed) as is attributable to such property a credit (not exceeding the amount of tax so attributable) equal to so much of the tax imposed in the other Contracting State in connection with the same event as is attributable to such property.

(2) Subject to paragraph (3) of this Article, where a Contracting State imposes tax in connection with any event by reference to any property not referred to in paragraph (1) of this Article and the deceased or transferor was domiciled in the other Contracting State at the time of the death or transfer, the first-mentioned Contracting State shall allow against so much of its tax (as otherwise computed) as is attributable to such property a credit (not exceeding the amount of tax so attributable) equal to so much of the tax imposed in the other Contracting State in connection with the same event as is attributable to such property.

(3) Where

(a) under paragraph (2) of Article 5 the United Kingdom imposes tax in connection with any event by reference to any property which is not referred to in paragraph (1) of this Article and which is comprised in a settlement in which an interest in possession subsists, and

(b) at the time of the event giving rise to the liability to tax the individual entitled to that interest was domiciled in South Africa,

the United Kingdom shall allow against so much of its tax (as otherwise computed) as is attributable to such property a credit (not exceeding the amount of tax so attributable) equal to so much of the tax imposed in South Africa in connection with the same event as is attributable to such property.

(4) For the purposes of this Article:

(a) the tax attributable to any property imposed in a Contracting State is tax as reduced by the amount of any credit allowed by that Contracting State in respect of tax attributable to that property imposed in a territory other than a Contracting State;

(b) tax is imposed in a Contracting State if it is chargeable under the law of that Contracting State and duly paid; and

(c) where tax is imposed on the death of a transferor by reason of a transfer made within the three years immediately preceding the death, whether in consequence of the inclusion of property affected by the transfer in the transferor's estate or otherwise with respect to the transfer, that tax shall be treated as if it were imposed in connection with that transfer.

ARTICLE 13

Time limit

Any claim for a credit or for a repayment of tax founded on the provisions of this Convention shall be made within six years from the date of the event giving rise to a liability to tax or, where later, within one year from the last date on which tax for which credit is given is due. The competent authority of a Contracting State

tydsbeperking verleng waar die finale vasstelling of betaling van belasting in die ander Kontrakterende Staat vertraag word.

ARTIKEL 14

Nie-diskriminasie

(1) Die burgers van 'n Kontrakterende Staat word nie in die ander Kontrakterende Staat onderwerp aan enige belasting of enige vereiste daaraan verbonde wat anders is of swaarder druk as die belasting en die daaraan verbonde vereistes waaraan burgers van daardie ander Kontrakterende Staat in dieselfde omstandighede onderwerp is of onderwerp kan word nie.

(2) Die belasting op 'n permanente saak wat 'n onderneming van 'n Kontrakterende Staat in die ander Kontrakterende Staat het, word nie in daardie ander Kontrakterende Staat op 'n minder gunstige wyse gehef nie as die belasting wat gehef word op ondernemings van daardie ander Kontrakterende Staat wat dieselfde bedrywighede uitoefen.

(3) Ondernemings van 'n Kontrakterende Staat waarvan die kapitaal uitsluitlik of gedeeltelik, regstreeks of onregstreeks, die eiendom is van of beheer word deur een of meer inwoners van die ander Kontrakterende Staat, mag nie in die eersgenoemde Kontrakterende Staat onderwerp word aan enige belasting of enige vereiste daaraan verbonde wat anders is of swaarder druk as die belasting en die daaraan verbonde vereistes waaraan ander soortgelyke ondernemings van daardie eersgenoemde Kontrakterende Staat onderwerp is of onderwerp kan word nie.

(4) Niks in hierdie Artikel vervat, word uitgelê as sou dit 'n beperking op die bepalings van paragraaf (2) van Artikel 11 plaas nie.

(5) Die uitdrukking "belasting" in hierdie Artikel beteken belasting deur hierdie Konvensie gedek.

ARTIKEL 15

Prosedure vir onderlinge ooreenkoms

(1) Waar 'n persoon van mening is dat die optrede van een van of albei die Kontrakterende State tot gevolg het of tot gevolg sal hê dat hy nie ooreenkomstig die bepalings van hierdie Konvensie belas word nie, kan hy, ondanks die regsmiddels waarvoor voorsiening gemaak word deur die landswette van daardie Kontrakterende State, sy saak stel aan die bevoegde owerheid van enigeen van die Kontrakterende State.

(2) Die bevoegde owerheid moet, indien die beswaar vir hom geregverdig voorkom en hy nie self in staat is om 'n bevredigende oplossing te vind nie, probeer om die saak deur onderlinge ooreenkoms met die bevoegde owerheid van die ander Kontrakterende Staat te besleg ten einde belasting te vermy wat nie in ooreenstemming met die bepalings van hierdie Konvensie is nie.

(3) Die bevoegde owerhede van die Kontrakterende State moet probeer om enige moeilikhede of twyfel wat ontstaan in verband met die uitleg of toepassing van hierdie Konvensie deur onderlinge ooreenkoms uit die weg te ruim.

(4) Die bevoegde owerhede van die Kontrakterende State kan regstreeks met mekaar in verbinding tree ten einde tot 'n ooreenkoms te geraak soos in die voorafgaande paragrawe beoog.

ARTIKEL 16

Uitruil van inligting

(1) Die bevoegde owerhede van die Kontrakterende State ruil sodanige inligting uit as wat nodig is vir die uitvoering van die bepalings van hierdie Konvensie of ter voorkoming van bedrog of vir die toepassing van wetsbepalings teen wetlike ontduiking in verband met die belastings wat die onderwerp van hierdie Konvensie uitmaak. Enige inligting aldus uitgeruil, moet as geheim

may, in appropriate circumstances, extend this time limit where the final determination or the payment of tax in the other Contracting State is delayed.

ARTICLE 14

Non-discrimination

(1) The nationals of a Contracting State shall not be subjected in the other Contracting State to any taxation or any requirement connected therewith which is other or more burdensome than the taxation and connected requirements to which nationals of that other Contracting State in the same circumstances are or may be subjected.

(2) The taxation on a permanent establishment which an enterprise of a Contracting State has in the other Contracting State shall not be less favourably levied in that other Contracting State than the taxation levied on enterprises of that other Contracting State carrying on the same activities.

(3) Enterprises of a Contracting State, the capital of which is wholly or partly owned or controlled, directly or indirectly, by one or more residents of the other Contracting State, shall not be subjected in the first-mentioned Contracting State to any taxation or any requirement connected therewith which is other or more burdensome than the taxation and connected requirements to which other similar enterprises of that first-mentioned State are or may be subjected.

(4) Nothing contained in this Article shall be construed as restricting the provisions of paragraph (2) of Article 11.

(5) In this Article the term "taxation" means taxes covered by this Convention.

ARTICLE 15

Mutual agreement procedure

(1) Where a person considers that the actions of one or both of the Contracting States result or will result for him in taxation not in accordance with the provisions of this Convention, he may, irrespective of the remedies provided by the domestic laws of those Contracting States, present his case to the competent authority of either Contracting State.

(2) The competent authority shall endeavour, if the objection appears to it to be justified and if it is not itself able to arrive at a satisfactory solution, to resolve the case by mutual agreement with the competent authority of the other Contracting State, with a view to the avoidance of taxation which is not in accordance with the provisions of this Convention.

(3) The competent authorities of the Contracting States shall endeavour to resolve by mutual agreement any difficulties or doubts arising as to the interpretation or application of this Convention.

(4) The competent authorities of the Contracting States may communicate with each other directly for the purpose of reaching an agreement in the sense of the preceding paragraphs.

ARTICLE 16

Exchange of information

(1) The competent authorities of the Contracting States shall exchange such information as is necessary for carrying out the provisions of this Convention or for the prevention of fraud or the administration of statutory provisions against legal avoidance in relation to the taxes which are the subject of this Convention. Any information so exchanged shall be treated as secret and shall not be

behandel word en mag nie aan enige persone openbaar gemaak word nie, uitgesonderd persone (met inbegrip van 'n hof of administratiewe liggaam) wat te doen het met die aanslaan of invordering van, of vervolging ten opsigte van, of die beslissing van appèlle in verband met, die belastinge wat die onderwerp van hierdie Konvensie uitmaak.

(2) In geen geval word die bepalings van paragraaf (1) van hierdie Artikel uitgelê as sou dit die bevoegde owerheid van enigeen van die Kontrakterende State die verpligting opleë:

(a) om administratiewe maatreëls uit te voer wat met die geldende wette of administratiewe gebruik van 'n Kontrakterende Staat strydig is nie;

(b) om besonderhede te verstrek wat nie kragtens die wette of in die normale loop van die administrasie van daardie of die ander Kontrakterende Staat verkry kan word nie;

(c) om inligting te verstrek wat enige handels-, besigheids-, nywerheids-, kommersiële of professionele geheim of handelsproses, of inligting, aan die lig sou bring waarvan die openbaarmaking teen die openbare beleid sou wees nie.

ARTIKEL 17

Diplomatiese en konsulêre beamptes

Niks in hierdie Konvensie raak die fiskale voorregte van diplomatieke of konsulêre beamptes ingevolge die algemene reëls van die volkereg of ingevolge die bepalings van spesiale ooreenkomste nie.

ARTIKEL 18

Inwerkingtreding

(1) Hierdie Konvensie is aan bekragtiging onderworpe in ooreenstemming met die toepaslike prosedures van elke Kontrakterende Staat en die bekragtigingsoorkondes word so spoedig moontlik te Londen uitgeruil.

(2) Hierdie Konvensie tree in werking onmiddellik na die verstryking van 30 dae wat volg op die datum waarop die bekragtigingsoorkondes uitgeruil is en is daarna van krag:

(a) in die Verenigde Koninkryk, met betrekking tot eiendom ten opsigte waarvan aanspreeklikheid vir belasting op of na 1 Januarie 1978 ontstaan;

(b) in Suid-Afrika, met betrekking tot skenkings wat op of na 1 Januarie 1978 van krag word en die boedels van persone wat op of na daardie datum sterf.

(3) Behoudens die bepalings van paragraaf (4) en (5) van hierdie Artikel hou die Konvensie tussen die Verenigde Koninkryk en die Unie van Suid-Afrika vir die Vermyding van Dubbele Belasting en die Voorkoming van Fiskale Ontduiking met betrekking tot Boedelbelasting geteken te Londen op 14 Oktober 1946 (hieronder genoem "die 1946-Konvensie"), soos gewysig by die Protokol geteken te Pretoria op 22 Desember 1954 (hieronder genoem "die 1954-Protokol") op om van krag te wees met betrekking tot eiendom of boedels waarop hierdie Konvensie ingevolge die bepalings van paragraaf (2) van hierdie Artikel van toepassing is.

(4) Waar enige bepaling van die 1946-Konvensie, soos by die 1954-Protokol gewysig, by 'n dood op of na 1 Januarie 1978 en voor inwerkingtreding van hierdie Konvensie, enige groter verligting as hierdie Konvensie sou verskaf het, hou daardie bepaling aan om van krag te wees by daardie dood.

(5) Waar by 'n dood na die inwerkingtreding van hierdie Konvensie en voor 27 Maart 1981 enige bepaling van die 1946-Konvensie, soos by die 1954-Protokol gewysig,

disclosed to any persons other than persons (including a Court or administrative body) concerned with the assessment or collection of, or prosecution in respect of, or the determination of appeals in relation to, the taxes which are the subject of this Convention.

(2) In no case shall the provisions of paragraph (1) of this Article be construed so as to impose on the competent authority of either Contracting State the obligation:

(a) to carry out administrative measures at variance with the laws or administrative practice prevailing in either Contracting State;

(b) to supply particulars which are not obtainable under the laws or in the normal course of the administration of that or of the other Contracting State;

(c) to supply information which would disclose any trade, business, industrial, commercial or professional secret or trade process, or information, the disclosure of which would be contrary to public policy.

ARTICLE 17

Diplomatic and consular officials

Nothing in this Convention shall effect the fiscal privileges of diplomatic or consular officials under the general rules of international law or under the provisions of special agreements.

ARTICLE 18

Entry into force

(1) This Convention shall be subject to ratification in accordance with the applicable procedures of each Contracting State and instruments of ratification shall be exchanged at London as soon as possible.

(2) This Convention shall enter into force immediately after the expiration of 30 days following the date on which the instruments of ratification are exchanged, and shall thereupon have effect:

(a) in the United Kingdom in respect of property by reference to which there is a charge to tax which arises on or after 1 January 1978;

(b) in South Africa in respect of donations taking effect on or after 1 January 1978 and the estates of persons dying on or after that date.

(3) Subject to the provisions of paragraphs (4) and (5) of this Article, the Convention between the United Kingdom and the Union of South Africa for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with respect to Estate Duty signed at London on 14 October 1946 (hereinafter referred to as "the 1946 Convention"), as amended by the Protocol signed at Pretoria on 22 December 1954 (hereinafter referred to as "the 1954 Protocol") shall cease to have effect in respect of property or estates to which this Convention in accordance with the provisions of paragraph (2) of this Article applies.

(4) Where on a death on or after 1 January 1978 and before the entry into force of this Convention any provision of the 1946 Convention as amended by the 1954 Protocol would have afforded any greater relief than this Convention, that provision shall continue to have effect on that death.

(5) Where on a death after the entry into force of this Convention and before 27 March 1981 any provision of the 1946 Convention as amended by the 1954 Protocol

enige groter verligting as hierdie Konvensie sou verskaf het met betrekking tot

(a) enige geskenk inter vivos deur die oorledene voor 27 Maart 1974 gemaak; of

(b) enige oorgemaakte eiendom waarin die oorledene 'n voordelige belang besit het voor 27 Maart 1974 maar nie op enige latere tydstop nie,

hou daardie bepaling aan om in die Verenigde Koninkryk van krag te wees met betrekking tot daardie geskenk of oorgemaakte eiendom.

(6) Die 1946-Konvensie, soos by die 1954-Protokol gewysig, eindig op die laaste datum waarop dit van krag is in ooreenstemming met die voorafgaande bepalings van hierdie Artikel.

ARTIKEL 19

Opsegging

(1) Hierdie Konvensie bly van krag totdat dit deur een van die Kontrakterende State opgesê word. Enigeen van die Kontrakterende State kan hierdie Konvensie opses op enige tydstop na 5 jaar vanaf die datum waarop hierdie Konvensie van krag geword het, met dien verstande dat kennis van beëindiging minstens 6 maande voor die tyd langs die diplomatieke kanale gegee is. In daardie geval hou die Konvensie op om van krag te wees aan die einde van die tydperk in die kennisgewing aangedui maar bly nog van krag met betrekking tot die boedel van enige persoon wat voor die einde van daardie tydperk sterf en met betrekking tot enige ander gebeure (uitgesonderd dood) wat plaasvind voor die einde van daardie tydperk en aanleiding gee tot belastingaanspreeklikheid ooreenkomstig die wette van enigeen van die Kontrakterende State.

(2) Die opsegging van hierdie Konvensie hernuwe nie enige verdrag of reëling herroep by hierdie Konvensie of by verdrae voorheen tussen die Kontrakterende State gesluit.

Ten bewyse waarvan die ondergetekendes, behoorlik daartoe gemagtig deur hul onderskeie Regerings, hierdie Konvensie onderteken het.

Gedoen, in duplo, te Pretoria op hede die 31ste dag van Julie 1978, in die Afrikaanse en die Engelse taal, waarvan beide tekste ewe outentiek is.

VIR DIE REGERING VAN DIE REPUBLIEK VAN SUID-AFRIKA:

O. P. F. HORWOOD.

VIR DIE REGERING VAN DIE VERENIGDE KONINKRYK VAN GROOT-BRITTANJE EN NOORD-IERLAND:

DAVID SCOTT.

No. R. 228, 1978

A. AFSONDERING VAN SEKERE GROND VIR OKKUPASIE OF VERKRYGING DEUR SWARTES INGEVOLGE DIE BEPALINGS VAN ARTIKEL 36A VAN DIE GRONDWET VAN DIE SWART STATE, 1971 (WET 21 VAN 1971).—WYSIGING VAN PROKLAMASIES R. 154 VAN 1974, R. 273 VAN 1975 EN R. 37 VAN 1976

B. INSTELLING VAN DIE CISKEISE NASIONALE ONTWIKKELINGSKORPORASIE EN DIE KWAZULU-ONTWIKKELINGSKORPORASIE. —WYSIGING VAN PROKLAMASIES R. 49 VAN 1976 EN R. 73 VAN 1978

Kragtens die bevoegdheid my verleen by artikel 36A van die Grondwet van die Swart State, 1971 (Wet 21 van 1971), en by artikel 5 (1) van die Wet op die Bevordering

would have afforded any greater relief than this Convention in respect of

(a) any gift inter vivos made by the deceased before 27 March 1974, or

(b) any settled property in which the deceased had a beneficial interest in possession before 27 March 1974 but not at any time thereafter,

that provision shall continue to have effect in the United Kingdom in relation to that gift or settled property.

(6) The 1946 Convention as amended by the 1954 Protocol shall terminate on the last date on which it has effect in accordance with the foregoing provisions of this Article.

ARTICLE 19

Termination

(1) This Convention shall remain in force until terminated by one of the Contracting States. Either Contracting State may terminate this Convention at any time after five years from the date on which the Convention enters into force provided that at least 6 months' prior notice has been given through the diplomatic channel. In such event the Convention shall cease to have effect at the end of the period specified in the notice but shall continue to apply in respect of the estate of any person dying before the end of that period and in respect of any event (other than death) occurring before the end of that period and giving rise to liability to tax under the laws of either Contracting State.

(2) The termination of the present Convention shall not have the effect of reviving any treaty or arrangement abrogated by the present Convention or by treaties previously concluded between the Contracting States.

In witness whereof the undersigned, duly authorised thereto by their respective Governments, have signed this Convention.

Done in duplicate at Pretoria this 31st day of July 1978, in the English and Afrikaans languages, both texts being equally authoritative.

FOR THE GOVERNMENT OF THE REPUBLIC OF SOUTH AFRICA:

O. P. F. HORWOOD.

FOR THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND:

DAVID SCOTT.

No. R. 228, 1978

A. RESERVATION OF CERTAIN LAND FOR OCCUPATION OR ACQUISITION BY BLACKS IN TERMS OF THE PROVISIONS OF SECTION 36A OF THE BLACK STATES CONSTITUTION ACT, 1971 (ACT 21 OF 1971).—AMENDMENT OF PROCLAMATIONS R. 154 OF 1974, R. 273 OF 1975 AND R. 37 OF 1976

B. ESTABLISHMENT OF THE CISKEIAN NATIONAL DEVELOPMENT CORPORATION AND THE KWAZULU DEVELOPMENT CORPORATION.—AMENDMENT OF PROCLAMATIONS R. 49 OF 1976 AND R. 73 OF 1978

Under the powers vested in me by section 36A of the Black States Constitution Act, 1971 (Act 21 of 1971), and section 5 (1) of the Promotion of the Economic

van die Ekonomiese Ontwikkeling van Swart State, 1968 (Wet 46 van 1968), gelees met artikel 25 van die Swart Administrasie Wet, 1927 (Wet 38 van 1927), wysig ek hierby—

(a) Proklamasie R. 154 van 1974 deur—

(i) in artikel 3 (1) (c) die uitdrukking "Swart Beleggingskorporasie van Suid-Afrika, Beperk" deur die uitdrukking "Ekonomiese Ontwikkelingskorporasie, Beperk" te vervang; en

(ii) paragraaf (d) van artikel 3 (1) deur die volgende paragraaf te vervang:

"(d) die Ciskeise Nasionale Ontwikkelingskorporasie Beperk, ingestel by Proklamasie R. 49 van 1976; of";

(b) Proklamasie R. 273 van 1975 deur—

(i) in artikel 3 (1) (c) die uitdrukking "Swart Beleggingskorporasie van Suid-Afrika, Beperk" deur die uitdrukking "Ekonomiese Ontwikkelingskorporasie, Beperk" te vervang; en

(ii) paragraaf (d) van artikel 3 (1) deur die volgende paragraaf te vervang:

"(d) die Ciskeise Nasionale Ontwikkelingskorporasie Beperk, ingestel by Proklamasie R. 49 van 1976; of";

(c) Proklamasie R. 37 van 1976 deur—

(i) artikel 3 (1) (c) die uitdrukking "Swart Beleggingskorporasie van Suid-Afrika, Beperk" te vervang deur die uitdrukking "Ekonomiese Ontwikkelingskorporasie, Beperk", en die woord "of" aan die end van die paragraaf te skrap; en

(ii) na paragraaf (c) van artikel 3 (1) die volgende paragraaf in te voeg:

"(cA) die kwaZulu-ontwikkelingskorporasie Beperk, ingestel by Proklamasie R. 73 van 1978; of";

(d) Proklamasie R. 49 van 1976 deur die uitdrukking "die Ciskei soos omskryf in die Ciskeise Grondwetproklamasie, 1972 (Proklamasie R. 187 van 1972)" deur die uitdrukking "die gebied van die Ciskeise Wetgewende Vergadering, soos van tyd tot tyd gewysig, insluitende gebiede in die distrikte vermeld in artikel 2 van die Ciskeise Grondwetproklamasie, 1972 (Proklamasie R. 187 van 1972), wat ingevolge artikel 36A van die Grondwet van die Swart State, 1971 (Wet 21 van 1971), vir okkupasie of verkryging deur Swartes afgesonder is", te vervang; en

(e) Proklamasie R. 73 van 1978 deur die uitdrukking "daardie gedeeltes van die tuislande wat deur die Zoeloe-volkseenheid bewoon word" deur die uitdrukking "die gebied van die kwaZulu Wetgewende Vergadering, soos van tyd tot tyd gewysig, insluitende gebiede in die Provinsie Natal wat ingevolge artikel 36A van die Grondwet van die Swart State, 1971 (Wet 21 van 1971), vir okkupasie of verkryging deur Swartes afgesonder is", te vervang;

en bepaal ek verder dat die wysigings bedoel in paragrawe (a), (b) en (d) geag word in werking te getree het op 1 April 1976.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Pretoria, op hede die Agt-en-twintigste dag van Augustus Eenduisend Negehoenderd Agt-en-sewentig.

M. VILJOEN, Waarnemende Staatspresident.

Op las van die Waarnemende Staatspresident-in-rade:

C. P. MULDER,

Development of Black States Act, 1968 (Act 46 of 1968), read with section 25 of the Black Administration Act, 1927 (Act 38 of 1927), I hereby amend—

(a) Proclamation R. 154 of 1974 by—

(i) the substitution in section 3 (1) (c) for the expression "Black Investment Corporation of South Africa, Limited" of the expression "Economic Development Corporation, Limited"; and

(ii) the substitution for paragraph (d) of section 3 (1) of the following paragraph:

"(d) the Ciskeian National Development Corporation Limited, established by Proclamation R. 49 of 1976; or";

(b) Proclamation R. 273 of 1975 by—

(i) the substitution in section 3 (1) (c) for the expression "Black Investment Corporation of South Africa, Limited" of the expression "Economic Development Corporation, Limited"; and

(ii) the substitution for paragraph (d) of section 3 (1) of the following paragraph:

"(d) the Ciskeian National Development Corporation Limited established by Proclamation R. 49 of 1976; or";

(c) Proclamation R. 37 of 1976 by—

(i) the substitution in section 3 (1) (c) for the expression "Black Investment Corporation of South Africa, Limited" of the expression "Economic Development Corporation, Limited" and the deletion of the word "or" at the end of the paragraph; and

(ii) the insertion after paragraph (c) of section 3 (1) of the following paragraph:

"(cA) the kwaZulu Development Corporation Limited, established by Proclamation R. 73 of 1978; or";

(d) Proclamation R. 49 of 1976 by the substitution for the expression "for the Ciskei as defined in the Ciskei Constitution Proclamation, 1972 (Proclamation R. 187 of 1972)" of the expression "in respect of the area of the Ciskeian Legislative Assembly, as amended from time to time, including areas in the districts referred to in the Ciskei Constitution Proclamation, 1972 (Proclamation R. 187 of 1972) reserved for the occupation or acquisition by Blacks in terms of section 36A of the Black States Constitution Act, 1971 (Act 21 of 1971)"; and

(e) Proclamation R. 73 of 1978 by the substitution for the expression "those portions of the homelands occupied by the Zulu National Unit" of the expression "the area of the kwaZulu Legislative Assembly, as amended from time to time, including areas in the Province of Natal reserved for the occupation or acquisition by Blacks in terms of section 36A of the Black States Constitution Act, 1971 (Act 21 of 1971)";

and determine further that the amendments referred to in paragraphs (a), (b) and (c) are deemed to have come into operation on 1 April 1976.

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

M. VILJOEN, Acting State President.

By Order of the Acting State President-in-Council:

C. P. MULDER,

GOEWERMENSKENNISGEWINGS**DEPARTEMENT VAN ARBEID**

No. R. 1803

8 September 1978

WET OP NYWERHEIDSVERSOENING, 1956**BAK- EN/OF BANKETNYWERHEID (KAAP).—
WYSIGING VAN HOOFOOREENKOMS**

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

(a) kragtens artikel 48 (1) (a) van die Wet op Nywerheidsversoening, 1956, dat die bepalings van die Ooreenkoms (hierna die Wysigingsooreenkoms genoem) wat in die Bylae hiervan verskyn en op die Bak- en/of Banketnywerheid betrekking het, met ingang van 1 Oktober 1978 en vir die tydperk wat op 31 Maart 1979 eindig, bindend is vir die werkgewersorganisasie en die vakvereniging wat die Wysigingsooreenkoms aangegaan het en vir die werkgewers en werknemers wat lede van genoemde organisasie of vereniging is;

(b) kragtens artikel 48 (1) (b) van genoemde Wet, dat die bepalings van die Wysigingsooreenkoms, uitgesonderd dié vervat in klousule 1 (1), met ingang van 1 Oktober 1978 en vir die tydperk wat op 31 Maart 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 1 (2) van die Wysigingsooreenkoms; en

(c) kragtens artikel 48 (3) (a) van genoemde Wet, dat die bepalings van die Wysigingsooreenkoms, uitgesonderd dié vervat in klousule 1 (1), met ingang van 1 Oktober 1978 en vir die tydperk wat op 31 Maart 1979 eindig, in die gebiede gespesifiseer in klousule 1 (2) van die Wysigingsooreenkoms *mutatis mutandis* bindend is vir alle Swartes in diens in genoemde Nywerheid by dié werkgewers vir wie enigeen van genoemde bepalings ten opsigte van werknemers bindend is en vir daardie werkgewers ten opsigte van Swartes in hul diens.

S. P. BOTHA, Minister van Arbeid.

BYLAE**NYWERHEIDSRaad VIR DIE BAK- EN/OF BANKET-
NYWERHEID (KAAP)****OOREENKOMS**

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

Cape Master Bakers' and/or Confectioners' Association

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

Bakery Employees' Industrial Union

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

wat die partye is by die Nywerheidsraad vir die Bak- en/of Banketnywerheid (Kaap),

om die Hofooreenkoms van die Raad, gepubliseer by Goewermentskennisgewing R. 2223 van 8 Desember 1972, soos verleng en gewysig by Goewermentskennisgewings R. 2388 en R. 2389 van 20 Desember 1974, R. 1713 en R. 1714 van 17 September 1976 en R. 147 van 20 Januarie 1978, te wysig.

1. TOEPASSINGSBESTEK VAN OOREENKOMS

Hierdie Ooreenkoms moet in die Bak- en/of Banketnywerheid nagekom word—

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

GOVERNMENT NOTICES**DEPARTMENT OF LABOUR**

No. R. 1803

8 September 1978

INDUSTRIAL CONCILIATION ACT, 1956**BAKING AND/OR CONFECTIONERY INDUSTRY
(CAPE).—AMENDMENT OF MAIN AGREEMENT**

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

(a) in terms of section 48 (1) (a) of the Industrial Conciliation Act, 1956, declare that the provisions of the Agreement (hereinafter referred to as the Amending Agreement) which appears in the Schedule hereto and which relates to the Baking and/or Confectionery Industry, shall be binding, with effect from 1 October 1978 and for the period ending 31 March 1979, upon the employers' organisation and the trade union which entered into the Amending Agreement and upon the employers and employees who are members of the said organisation or union;

(b) in terms of section 48 (1) (b) of the said Act, declare that the provisions of the Amending Agreement, excluding those contained in clause 1 (1), shall be binding, with effect from 1 October 1978 and for the period ending 31 March 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 1 (2) of the Amending Agreement; and

(c) in terms of section 48 (3) (a) of the said Act, declare that in the areas specified in clause 1 (2) of the Amending Agreement and with effect from 1 October 1978 and for the period ending 31 March 1979, the provisions of the Amending Agreement, excluding those contained in clause 1 (1), shall *mutatis mutandis* be binding upon all Blacks employed in the said Industry by the employers upon whom any of the said provisions are binding in respect of employees and upon those employers in respect of Blacks in their employ.

S. P. BOTHA, Minister of Labour.

SCHEDULE**INDUSTRIAL COUNCIL FOR THE BAKING AND/OR
CONFECTIONERY INDUSTRY (CAPE)****AGREEMENT**

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

Cape Master Bakers' and/or Confectioners' Association

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

Bakery Employees' Industrial Union

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

being parties to the Industrial Council for the Baking and/or Confectionery Industry (Cape),

to amend the Main Agreement of the Council published under Government Notice R. 2223 of 8 December 1972, as extended and amended by Government Notices R. 2388 and R. 2389 of 20 December 1974, R. 1713 and R. 1714 of 17 September 1976 and R. 147 of 20 January 1978.

1. SCOPE OF APPLICATION OF AGREEMENT

The terms of this Agreement shall be observed in the Baking and/or Confectionery Industry—

(1) by all employers who are members of the employers' organisation and all employees who are members of the trade union;

(2) in die landdrosdistrikte Die Kaap, Wynberg, Simonstad, Bellville, Goodwood, Somerset-Wes, Strand, Stellenbosch, Kuilsrivier, Paarl en Wellington.

2. KLOUSULE 4.—LONE

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

“(a) *Werknemers uitgesonderd los werknemers:*

	Per week
	R
Voormanbakker/banketbakker.....	54,10
Inspekteur of opsigter.....	54,10
Bakker/banketbakker.....	44,40
Bakkers- en/of banketbakkersassistent, man.....	30,80
Bakkers- en/of banketbakkersassistent, vrou.....	27,50
Nasiener/versender.....	36,75
Bestelwaman—	
gedurende eerste jaar diens by dieselfde werkgewer....	36,25
gedurende daaropvolgende jare diens by dieselfde werkgewer.....	42,00
Drywer.....	28,60
Werktuigkundige.....	58,80
Magasynman.....	42,30
Klerk, man, gekwalifiseer.....	42,30
Klerk, man, ongekwalifiseer—	
gedurende eerste jaar ondervinding.....	24,20
gedurende tweede jaar ondervinding.....	31,50
Klerk, vrou, gekwalifiseer.....	31,50
Klerk, vrou, ongekwalifiseer—	
gedurende eerste jaar ondervinding.....	19,80
gedurende tweede jaar ondervinding.....	27,50
Kantoorbode—	
18 jaar en ouer.....	26,95
onder 18 jaar.....	21,45
Bestelwaman se assistent of afleweringssassistent—	
18 jaar en ouer.....	26,95
onder 18 jaar.....	21,45
Arbeider, man—	
18 jaar en ouer.....	26,95
onder 18 jaar.....	21,45
Arbeider, vrou.....	21,45
Besteller—	
18 jaar en ouer.....	26,95
onder 18 jaar.....	21,45
Wag.....	29,15

Met dien verstande dat 'n arbeider wat sanitêre emmers verwyder, leegmaak of vervang, 25c per week betaal moet word benewens die weekloon wat vir 'n arbeider voorgeskryf word.”

Namens die partye op hede die 26ste dag van Junie 1978 te Kaapstad onderteken.

H. A. SCOTT, Voorsitter.

L. J. KENSLEY, Ondervoorsitter.

J. D. F. COLINESE, Sekretaris.

(2) in the Magisterial Districts of The Cape, Wynberg, Simonstown, Bellville, Goodwood, Kuils River, Somerset West, Strand, Stellenbosch, Paarl and Wellington.

2. CLAUSE 4.—WAGES

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

“(a) *Employees other than casual employees:*

	Per week
	R
Foreman baker/confectioner.....	54,10
Inspector or overseer.....	54,10
Baker/confectioner.....	44,40
Baker's and/or confectioner's assistant, male.....	30,80
Baker's and/or confectioner's assistant, female.....	27,50
Checker/dispatcher.....	36,75
Vanman—	
during first year of employment with the same employer.....	36,25
during subsequent years of employment with the same employer.....	42,00
Driver.....	28,60
Mechanic.....	58,80
Storeman.....	42,30
Clerical employee, male, qualified.....	42,30
Clerical employee, male, unqualified—	
during first year of experience.....	24,20
during second year of experience.....	31,50
Clerical employee, female, qualified.....	31,50
Clerical employee, female, unqualified—	
during first year of experience.....	19,80
during second year of experience.....	27,50
Office messenger—	
of the age of 18 years and over.....	26,95
under the age of 18 years.....	21,45
Vanman's assistant or delivery assistant—	
of the age of 18 years and over.....	26,95
under the age of 18 years.....	21,45
Labourer, male—	
of the age of 18 years and over.....	26,95
under the age of 18 years.....	21,45
Labourer, female.....	21,45
Delivery employee—	
of the age of 18 years and over.....	26,95
under the age of 18 years.....	21,45
Watchman.....	29,15

Provided that a labourer engaged in removing, emptying or replacing sanitary pails shall be paid the sum of 25 cents per week in addition to the weekly wage prescribed for a labourer.”

Signed at Cape Town on behalf of the parties this 26th day of June 1978.

H. A. SCOTT, Chairman.

L. J. KENSLEY, Vice-Chairman.

J. D. F. COLINESE, Secretary.

No. R. 1804

8 September 1978

WET OP NYWERHEIDSVERSOENING, 1956

BAK- EN/OF BANKETNYWERHEID (KAAP).—VERLENGING VAN GELDIGHEDSDUUR VAN HOOFOOREENKOMS

Ek, Stephanus Petrus Botha, Minister van Arbeid, verleng hierby, kragtens artikel 48 (4) (a) (i) van die Wet op Nywerheidsversoening, 1956, die tydperke vasgestel in Goewermentskennisgewings R. 2223 van 8 Desember 1972, R. 2388 en R. 2389 van 20 Desember 1974, R. 1713 en R. 1714 van 17 September 1976 en R. 147 van 20 Januarie 1978, met 'n verdere tydperk van ses maande wat op 31 Maart 1979 eindig.

S. P. BOTHA, Minister van Arbeid.

No. R. 1804

8 September 1978

INDUSTRIAL CONCILIATION ACT, 1956

BAKING AND/OR CONFECTIONERY INDUSTRY (CAPE).—EXTENSION OF PERIOD OF OPERATION OF MAIN AGREEMENT

I, Stephanus Petrus Botha, Minister of Labour, hereby, in terms of section 48 (4) (a) (i) of the Industrial Conciliation Act, 1956, extend the periods fixed in Government Notices R. 2223 of 8 December 1972, R. 2388 and R. 2389 of 20 December 1974, R. 1713 and R. 1714 of 17 September 1976 and R. 147 of 20 January 1978, by a further period of six months ending 31 March 1979.

S. P. BOTHA, Minister of Labour.

No. R. 1805 8 September 1978

WET OP NYWERHEIDSVERSOENING, 1956

YSTER-, STAAL-, INGENIEURS- EN METALLURGIESE NYWERHEID.—VERLENGING VAN GELDIGHEIDSDUUR VAN OOREENKOMS VIR ERKENNING AS VAKMAN

Ek, Stephanus Petrus Botha, Minister van Arbeid, verleng hierby, kragtens artikel 48 (4) (a) (i) van die Wet op Nywerheidsversoening, 1956, die tydperke vasgestel in Goewermentskennisgewings R. 1744 van 19 September 1975 en R. 1583 van 12 Augustus 1977, met 'n verdere tydperk van drie jaar wat op 28 September 1981 eindig.

S. P. BOTHA, Minister van Arbeid.

No. R. 1807 8 September 1978

WET OP NYWERHEIDSVERSOENING, 1956

INTREKKING VAN ARBITRASIE TOEKENNING

Ek, Stephanus Petrus Botha, Minister van Arbeid, verklaar hierby, kragtens artikel 49 (7) (b) (ii) van die Wet op Nywerheidsversoening, 1956, dat die bepalings van die Arbitrasietoekenning in die geskil tussen die Suid-Afrikaanse Vereniging van Munisipale Werknemers (nie-Politiek) en die Stadsraad van Messina, wat op 18 Augustus 1972 deur die Nywerheidshof gemaak is, met ingang van die datum van publikasie van hierdie kennisgewing ophou om bindend te wees.

S. P. BOTHA, Minister van Arbeid.

DEPARTEMENT VAN DOEANE EN AKSYNS

No. R. 1792 8 September 1978

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE 1 (No. 1/1/575)

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.

BYLAE

I Tariefpos	II Statistiese Eenheid	III IV V Skaal van Reg		
		Algemeen	M.B.N.	Voorkeur
25.19 Deur subpos No. 25.19.30 deur die volgende te vervang: „25.19.30 Natuurlike magnesiumkarbonaat (magnesiet)	kg	15%”		

Opmerking.—Subpos No. 25.19.30 word herskryf.

SCHEDULE

I Tariff Heading	II Statistical Unit	III IV V Rate of Duty		
		General	M.F.N.	Preferential
25.19 By the substitution for subheading No. 25.19.30 of the following: “25.19.30 Natural magnesium carbonate (magnesite)	kg	15%”		

Note.—Subheading No. 25.19.30 is restated.

No. R. 1805 8 September 1978

INDUSTRIAL CONCILIATION ACT, 1956

IRON, STEEL, ENGINEERING AND METALLURGICAL INDUSTRIES.—EXTENSION OF PERIOD OF OPERATION OF JOURNEYMAN RECOGNITION AGREEMENT

I, Stephanus Petrus Botha, Minister of Labour, hereby, in terms of section 48 (4) (a) (i) of the Industrial Conciliation Act, 1956, extend the periods fixed in Government Notices R. 1744 of 19 September 1975 and R. 1583 of 12 August 1977, by a further period of three years ending 28 September 1981.

S. P. BOTHA, Minister of Labour.

No. R. 1807 8 September 1978

INDUSTRIAL CONCILIATION ACT, 1956

CANCELLATION OF ARBITRATION AWARD

I, Stephanus Petrus Botha, Minister of Labour, hereby, in terms of section 49 (7) (b) (ii) of the Industrial Conciliation Act, 1956, declare that the Arbitration Award in the dispute between the South African Association of Municipal Employees (non-Political) and the Town Council of Messina, made by the Industrial Tribunal on 18 August 1972 shall cease to be binding with effect from the date of publication of this notice.

S. P. BOTHA, Minister of Labour.

DEPARTMENT OF CUSTOMS AND EXCISE

No. R. 1792 8 September 1978

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE 1 (No. 1/1/575)

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

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

No. R. 1793

8 September 1978

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE 1 (No. 1/1/576)

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.

No. R. 1793

8 September 1978

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE 1 (No. 1/1/576)

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

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

BYLAE

I Tariefpos	II Statistiese Eenheid	III IV V Skaal van Reg		
		Algemeen	M.B.N.	Voorkeur
39.01 Deur subpos No. 39.01.61.20 deur die volgende te vervang: „.20 In blokke, stukke, poeiers, korrels, vlokke en dergelike massavorms	kg	20%”		

Opmerking.—Die skaal van reg op poliëtileentereftalate in blokke, stukke, poeiers, korrels, vlokke en dergelike massavorms word van 5% na 20% verhoog.

SCHEDULE

I Tariff Heading	II Statistical Unit	III IV V Rate of Duty		
		General	M.F.N.	Preferential
39.01 By the substitution for subheading No. 39.01.61.20 of the following: „.20 In blocks, lumps, powders, granules, flakes and similar bulk forms	kg	20%”		

Note.—The rate of duty on polyethylene terephthalates in blocks, lumps, powders, granules, flakes and similar bulk forms is increased from 5% to 20%.

No. R. 1800

8 September 1978

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE 4 (No. 4/230)

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.

No. R. 1800

8 September 1978

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE 4 (No. 4/230)

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.

BYLAE

I Item	II Tariefpos en Beskrywing	III Mate van Korting
404.03	Deur na paragraaf (XIII) die volgende in te voeg: „(XIV) Goedere van enige beskrywing, vir gebruik deur die Raad vir Geesteswetenskaplike Navorsing	Volle reg min die reg in Afdeling B van Deel 2 van Bylae No. 1”

Opmerking.—Voorsiening word gemaak vir 'n korting op reg op goedere van enige beskrywing vir gebruik deur die Raad vir Geesteswetenskaplike Navorsing.

SCHEDULE

I Item	II Tariff Heading and Description	III Extent of Rebate
404.03	By the insertion after paragraph (XIII) of the following: “(XIV) Goods of any description, for use by the Human Sciences Research Council	Full duty less the duty in Section B of Part 2 of Schedule No. 1”

Note.—Provision is made for a rebate of duty on goods of any description for use by the Human Sciences Research Council.

No. R. 1796

8 September 1978

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE 1 (No. 1/1/579)

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.

No. R. 1796

8 September 1978

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE 1 (No. 1/1/579)

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

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

BYLAE

I Tariefpos	II Statistiese Eenheid	III IV V Skaal van Reg		
		Algemeen	M.B.N.	Voorkeur
85.20 Deur subpos No. 85.20.30 deur die volgende te vervang:				
„85.20.30 Ontladingslampe:				
.05 Kwikdamplampe (met inbegrip van dié met gloeidrade toegerus), nie-fluoresseertipe, van minstens 80 W maar hoogstens 200 W	getal	15% of 400c elk min 85%		10% of 400c elk min 90% (V.K.)
.15 Kwikdamplampe (met inbegrip van dié met gloeidrade toegerus), nie-fluoresseertipe, van meer as 200 W maar hoogstens 500 W	getal	15% of 825c elk min 85%		10% of 825c elk min 90% (V.K.)
.25 Fluoresseerlampe met 'n nominale stroomverbruik van 1 500 mA; fluoresseerlampe, kouekatodetipe, met 'n lengte van minstens 1 750 mm en met 'n deursnee van hoogstens 25,4 mm; fluoresseerlampe, nie-lineêretipe	getal	15%		10% (V.K.)
.50 Ander fluoresseerlampe	getal	25%		20% (V.K.)
.90 Ander	getal	15%		10% (V.K.)

Opmerking.—Subpos No. 85.20.30 word herskryf en spesifieke voorsiening word gemaak vir kwikdamplampe (met inbegrip van dié met gloeidrade toegerus) teen die skale van reg aangetoon.

SCHEDULE

I Tariff Heading	II Statistical Unit	III IV V Rate of Duty		
		General	M.F.N.	Preferential
85.20 By the substitution for subheading No. 85.20.30 of the following:				
„85.20.30 Discharge lamps:				
.05 Mercury vapour lamps (including those fitted with incandescent filaments), non-fluorescent type, of 80 W or more but not exceeding 200 W	no.	15% or 400c each less 85%		10% or 400c each less 90% (U.K.)
.15 Mercury vapour lamps (including those fitted with incandescent filaments), non-fluorescent type, of more than 200 W but not exceeding 500 W	no.	15% or 825c each less 85%		10% or 825c each less 90% (U.K.)
.25 Fluorescent lamps with a nominal current consumption of 1 500 mA; fluorescent lamps, cold cathode type, with a length of 1 750 mm or more and with a diameter not exceeding 25,4 mm; fluorescent lamps, non-linear type	no.	15%		10% (U.K.)
.50 Other fluorescent lamps	no.	25%		20% (U.K.)
.90 Other	no.	15%		10% (U.K.)

Note.—Subheading No. 85.20.30 is restated and specific provision is made for mercury vapour lamps (including those fitted with incandescent filaments) at the rates of duty indicated.

No. R. 1799

8 September 1978

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE 3 (No. 3/559)

Kragtens artikel 75 van die Doeane- en Aksynswet, 1964—

(1) word Bylae 3 by genoemde Wet hierby gewysig in die mate in die Bylae hiervan aangetoon; en

(2) word hierdie wysiging vir sover dit betrekking het op die weefstowwe wat in paragrawe (2) en (3) van tariefpos No. 51.04 in item 311.12 en tariefpos No. 51.04 in item 320.02 vermeld word, geag op 5 Mei 1978 in werking te getree het.

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

No. R. 1799

8 September 1978

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE 3 (No. 3/559)

Under section 75 of the Customs and Excise Act, 1964—

(1) Schedule 3 to the said Act is hereby amended to the extent set out in the Schedule hereto; and

(2) this amendment in so far as it relates to the woven fabrics specified in paragraphs (2) and (3) of tariff heading No. 51.04 in item 311.12 and tariff heading No. 51.04 in item 320.02 shall be deemed to have come into operation on 5 May 1978.

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

BYLAE

I Item	II Tariefpos en Beskrywing	III Mate van Korting
311.12	Deur tariefpos No. 51.04 deur die volgende te vervang: „51.04 (1) Oopweefstowwe van gefabriseerde vesels (kontinu), met 'n konstruksie van hoogstens 10 drade per cm ² (2) Weefstowwe van gefabriseerde vesels (kontinu) (uitgesonderd stowwe van sellulosiese vesels), met 'n massa per m ² van hoogstens 65 g (3) Weefstowwe van gefabriseerde vesels (kontinu) (uitgesonderd stowwe van sellulosiese vesels), met 'n massa per m ² van meer as 65 g	Volle reg Volle reg Volle reg min die hoogste van 25% of 23c per m ² ”
320.02	Deur voor tariefpos No. 56.07 die volgende in te voeg: „51.04 Weefstowwe van gefabriseerde vesels (kontinu), vir die vervaardiging van gestopte of gewatteerde ameublement of ameublement met ingeboude toerusting (uitgesonderd matrasse en matrassteunstukke)	Volle reg min die hoogste van 25% of 35c per m ² ”

Opmerking.—Voorsienings, met terugwerkende krag tot 5 Mei 1978, word gemaak vir 'n korting op reg op sekere weefstowwe van gefabriseerde vesels (kontinu) vir die vervaardiging van geïmpregneerde of bestrykte stowwe, met inbegrip van papierstowwe, en gestopte of gewatteerde ameublement of ameublement met ingeboude toerusting (uitgesonderd matrasse en matrassteunstukke).

SCHEDULE

I Item	II Tariff Heading and Description	III Extent of Rebate
311.12	By the substitution for tariff heading No. 51.04 of the following: “51.04 (1) Open weave fabrics of man-made fibres (continuous), with a construction not exceeding 10 threads per cm ² (2) Woven fabrics of man-made fibres (continuous) (excluding fabrics of cellulosic fibres), of a mass per m ² not exceeding 65 g (3) Woven fabrics of man-made fibres (continuous) (excluding fabrics of cellulosic fibres), of a mass per m ² exceeding 65 g	Full duty Full duty Full duty less the greater of 25% or 23c per m ² ”
320.02	By the insertion before tariff heading No. 56.07 of the following: “51.04 Woven fabrics of man-made fibres (continuous), for the manufacture of padded, stuffed or fitted furnishings (excluding mattresses and mattress supports)	Full duty less the greater of 25% or 35c per m ² ”

Note.—Provisions are, with retrospective effect to 5 May 1978, made for a rebate of duty on certain woven fabrics of man-made fibres (continuous) for the manufacture of impregnated or coated fabrics, including paper fabrics, and padded, stuffed or fitted furnishings (excluding mattresses and mattress supports).

No. R. 1801

8 September 1978

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE 5 (No. 5/82)

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

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

No. R. 1801

8 September 1978

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE 5 (No. 5/82)

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

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

BYLAE

I Item	II Tariefpos en Beskrywing	III Mate van Teruggawe
520.02	Deur tariefpos No. 49.08 deur die volgende te vervang: „49.08 Oordraers (dekalkomanieë), gebruik by die vervaardiging van rakette of raketrame	Volle reg”

Opmerking.—Item 520.02/49.08 word herskryf.

SCHEDULE

I Item	II Tariff Heading and Description	III Extent of Drawback
520.02	By the substitution for tariff heading No. 49.08 of the following: „49.08 Transfers (decalcomanias), used in the manufacture of racquets or racquet frames	Full duty”

Note.—Item 520.02/49.08 is restated.

No. R. 1797

8 September 1978

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE 1 (No. 1/4/18)

Kragtens artikel 48 van die Doeane- en Aksynswet, 1964, word Deel 4 van Bylae 1 by genoemde Wet hierby gewysig in die mate in die Bylae hiervan aangetoon.

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

No. R. 1797

8 September 1978

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE 1 (No. 1/4/18)

Under section 48 of the Customs and Excise Act, 1964, Part 4 of Schedule 1 to the said Act is hereby amended to the extent set out in the Schedule hereto.

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

BYLAE

I Bobelastingitem	II Tariefpos en Beskrywing	III Skaal van Bobelasting
167.00	Deur tariefpos No. 39.00 deur die volgende te vervang: „39.00 Kunsharse en -plastiekstowwe, sellulose-esters en -eters; artikels daarvan (uitgesonderd goedere van subposte Nos. 39.01.10.05, 39.01.10.20, 39.01.10.40, 39.01.20.05, 39.01.20.06, 39.01.20.30, 39.01.20.31, 39.01.30.10, 39.01.61.20, 39.01.69.10, 39.01.77.10, 39.01.79.10, 39.01.85, 39.02.10.15, 39.02.10.20, 39.02.10.25, 39.02.40.20, 39.02.40.25, 39.02.60.10, 39.02.60.20, 39.02.80.05, 39.02.80.10, 39.02.85.10, 39.02.85.20, 39.03.10, 39.03.70.10, 39.07.10.10, 39.07.10.21, 39.07.10.23, 39.07.10.45, 39.07.30.10, 39.07.90.10, 39.07.90.50 en 39.07.90.70)	12,5%”

Opmerking.—Hierdie wysiging is as gevolg van die wysiging van Deel 1 van Bylae No. 1 by die Doeane- en Aksynswet, 1964.

SCHEDULE

I Surcharge Item	II Tariff Heading and Description	III Rate of Surcharge
167.00	By the substitution for tariff heading No. 39.00 of the following: „39.00 Artificial resins and plastic materials, cellulose esters and ethers; articles thereof (excluding goods of subheadings Nos. 39.01.10.05, 39.01.10.20, 39.01.10.40, 39.01.20.05, 39.01.20.06, 39.01.20.30, 39.01.20.31, 39.01.30.10, 39.01.61.20, 39.01.69.10, 39.01.77.10, 39.01.79.10, 39.01.85, 39.02.10.15, 39.02.10.20, 39.02.10.25, 39.02.40.20, 39.02.40.25, 39.02.60.10, 39.02.60.20, 39.02.80.05, 39.02.80.10, 39.02.85.10, 39.02.85.20, 39.03.10, 39.03.70.10, 39.07.10.10, 39.07.10.21, 39.07.10.23, 39.07.10.45, 39.07.30.10, 39.07.90.10, 39.07.90.50 and 39.07.90.70)	12,5%”

Note.—This amendment is consequential to the amendment to Part 1 of Schedule No. 1 to the Customs and Excise Act, 1964.

No. R. 1798 8 September 1978

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE 3 (No. 3/558)

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.

No. R. 1798

8 September 1978

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE 3 (No. 3/558)

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.

BYLAE

I	II	III
Item	Tariefpos en Beskrywing	Mate van Korting
311.04	Deur tariefpos No. 49.08 te skrap.	
311.06	Deur tariefpos No. 49.08 te skrap.	
313.06	Deur in tariefpos No. 49.08 die uitdrukking „Oorskuifprente (dekalkomanieë)” deur die uitdrukking „Oordraers (dekalkomanieë)” te vervang.	
313.07	Deur in tariefpos No. 49.08 die uitdrukking „Oorskuifprente (dekalkomanieë)” deur die uitdrukking „Oordraers (dekalkomanieë)” te vervang.	

Opmerkings.—1. Die voorsienings vir 'n korting op reg op oorskuifprente (dekalkomanieë), vir gebruik in die tekstielbreierynywerheid en vir die bedrukking van weefstowwe, word ingetrek.
2. Die vertaling van items 313.06/49.08 en 313.07/49.08 word reggestel.

SCHEDULE

I	II	III
Item	Tariff Heading and Description	Extent of Rebate
311.04	By the deletion of tariff heading No. 49.08.	
311.06	By the deletion of tariff heading No. 49.08.	
313.06	By the substitution in the Afrikaans text of tariff heading No. 49.08 for the expression “Oorskuifprente (dekalkomanieë)” of the expression “Oordraers (dekalkomanieë)”.	
313.07	By the substitution in the Afrikaans text of tariff heading No. 49.08 for the expression “Oorskuifprente (dekalkomanieë)” of the expression “Oordraers (dekalkomanieë)”.	

Notes.—1. The provisions for a rebate of duty on transfers (decalcomanias), for use in the textile knitting industry and for the printing of woven fabrics, are withdrawn.
2. The translation in the Afrikaans text of items 313.06/49.08 and 313.07/49.08 is rectified.

No. R. 1795 8 September 1978

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE 1 (No. 1/1/578)

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.

No. R. 1795

8 September 1978

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE 1 (No. 1/1/578)

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

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

BYLAE

I	II	III IV V		
		Skaal van Reg		
Tariefpos	Statistiese Eenheid	Algemeen	M.B.N.	Voorkeur
85.01 Deur subpos No. 85.01.01.20 deur die volgende te vervang:				
„30 Wisselstroom, met 'n berekende vermoë van hoogstens 25 kV.A	getal	5%		vry (V.K.)
40 Wisselstroom, met 'n berekende vermoë van meer as 25 kV.A maar hoogstens 450 kV.A	getal	20%		15% (V.K.)
50 Wisselstroom, met 'n berekende vermoë van meer as 450 kV.A	getal	5%		vry (V.K.)”

Opmerking.—Spesifieke voorsiening, teen 'n skaal van reg van 20% (Algemeen) en 15% (Voorkeur), word gemaak vir elektriese wisselstroomgenerators, met 'n berekende vermoë van meer as 25 kV.A maar hoogstens 450 kV.A.

SCHEDULE

I Tariff Heading	II Statistical Unit	Rate of Duty		
		III General	IV M.F.N.	V Preferential
85.01 By the substitution for subheading No. 85.01.01.20 of the following:				
".30 Alternating current, rated at 25 kV.A or less	no.	5%		free (U.K.)
.40 Alternating current, rated at more than 25 kV.A but not exceeding 450 kV.A	no.	20%		15% (U.K.)
.50 Alternating current, rated at more than 450 kV.A	no.	5%		free (U.K.)"

Note.—Specific provision, at a rate of duty of 20% (General) and 15% (Preferential), is made for electric alternating current generators, rated at more than 25 kV.A but not exceeding 450 kV.A.

No. R. 1794 8 September 1978

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE 1 (No. 1/1/577)

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.

No. R. 1794

8 September 1978

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE 1 (No. 1/1/577)

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

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

BYLAE

I Tariefpos	II Statistiese Eenheid	Skaal van Reg		
		III Algemeen	IV M.B.N.	V Voorkeur
49.08 Deur tariefpos No. 49.08 deur die volgende te vervang: „49.08 Oordraers (dekalkomanieë)	kg	20% of 500c per kg min 80%”		

Opmerking.—Die skaal van reg op oordraers (dekalkomanieë) word van 20% of 1 100c per 100 kg na 20% of 500c per kg min 80% gewysig.

SCHEDULE

I Tariff Heading	II Statistical Unit	Rate of Duty		
		III General	IV M.F.N.	V Preferential
49.08 By the substitution for tariff heading No. 49.08 of the following: “49.08 Transfers (decalcomanias)	kg	20% or 500c per kg less 80%”		

Note.—The rate of duty on transfers (decalcomanias) is amended from 20% or 1 100c per 100 kg to 20% or 500c per kg less 80%.

DEPARTEMENT VAN HANDEL

No. R. 1817 8 September 1978

WET OP EIENDOMSAGENTE, 1976

SPESIFISERING VAN DIENSTE

Ek, Jan Christiaan Heunis, Minister van Ekonomiese Sake, herroep hierby kragtens artikel 1 (iii) (a) (iv) van die Wet op Eiendomsagente, 1976 (Wet 112 van 1976), Kennisgewing R. 1473 van 29 Julie 1977.

J. C. HEUNIS, Minister van Ekonomiese Sake.

DEPARTMENT OF COMMERCE

No. R. 1817 8 September 1978

ESTATE AGENTS ACT, 1976

SPECIFICATION OF SERVICES

I, Jan Christiaan Heunis, Minister of Economic Affairs, do hereby repeal in terms of section 1 (vi) (a) (iv) of the Estate Agents Act, 1976 (Act 112 of 1976), Notice R. 1473 of 29 July 1977.

J. C. HEUNIS, Minister of Economic Affairs.

DEPARTEMENT VAN INDIËRSAKE

No. R. 1790

8 September 1978

WET OP ONDERWYS VIR INDIËRS, 1965**WYSIGING VAN DIE REGULASIES BETREFFENDE DIE ADMINISTRASIE VAN EN DIE BEHEER OOR GELD WAT VIR STAATSKOLE OF STAATSONDERSTEUNDE SKOLE INGESAMEL WORD**

Kragtens die bevoegdheid hom verleen by artikel 33 (1) van die Wet op Onderwys vir Indiërs, 1965 (Wet 61 van 1965), gelees met Goewermentskennisgewing 7 van 2 Januarie 1976, vaardig die Uitvoerende Komitee van die Suid-Afrikaanse Indiërraad die regulasies uit wat in die Bylae hiervan uiteengesit is.

BYLAE

1. In hierdie Bylae, tensy uit die samehang anders blyk, beteken die uitdrukking "die Regulasies" die regulasies gepubliseer in Goewermentskennisgewing R. 694 van 6 Mei 1966, soos gewysig by Goewermentskennisgewing R. 235 van 28 Februarie 1969.

2. Regulasie 2 van die Regulasies word hierby gewysig deur subregulasie (3) (d) deur die volgende te vervang:

"(d) (i) in die geval van 'n skool, uitgesonderd 'n onderwysersopleidingskollege, twee ouers van kinders wat die skool besoek, verkies deur die onderwyskomitee, indien sodanige komitee kragtens die Regulasies betreffende Onderwyskomitees vir Indiërskole soos afgekondig by Goewermentskennisgewing R. 459 van 25 Maart 1977 verkies is, of anders deur die ouer-onderwyser-vereniging van die betrokke skool;

(d) (ii) in die geval van 'n onderwysersopleidingskollege, twee lede van die personeel van die kollege, benoem deur die Direkteur."

DEPARTEMENT VAN KLEURLING-, REHOBOTH- EN NAMABETREKKINGE

No. R. 1812

8 September 1978

WET OP ONDERWYS VIR KLEURLINGE, 1963.—WYSIGING VAN REGULASIES

Kragtens artikel 34 van die Wet op Onderwys vir Kleurlinge, 1963 (Wet 47 van 1963), wysig ek, Hendrik Hanekom Smit, Minister van Kleurlingbetrekkings, hierby die regulasies uitgevaardig kragtens genoemde artikel en afgekondig by Goewermentskennisgewing R. 1898 van 21 November 1963, in Regulasiëkoerant 257 van 4 Desember 1963, soos gewysig, deur die uitdrukkings "R115" en "R18" waar dit in paragrawe (c) en (f) van regulasie J1 voorkom met die uitdrukkings "R156" en "R24" onderskeidelik te vervang met ingang van 1 April 1978.

H. H. SMIT, Minister van Kleurlingbetrekkings.

No. R. 1813

8 September 1978

VERTEENWOORDIGENDE KLEURLINGRAAD.—UITSLAG VAN TUSSENVERKIESING, KIESAFDELING TAFELBERG

Ooreenkomstig artikels 87 en 88 van die Wet tot die Konsolidasie van die Kieswette, 1946 (Wet 46 van 1946), soos gewysig, gelees met artikel 9 van die Wet op die Verteenwoordigende Kleurlingraad, 1964 (Wet 49 van 1964), word die volgende besonderhede betreffende die

DEPARTMENT OF INDIAN AFFAIRS

No. R. 1790

8 September 1978

INDIANS EDUCATION ACT, 1965**AMENDMENT OF THE REGULATIONS RELATING TO THE ADMINISTRATION AND CONTROL OF SCHOOL FUNDS**

Under and by virtue of the powers vested in it by section 33 (1) of the Indians Education Act, 1965 (Act 61 of 1965), read with Government Notice 7 of 2 January 1976, the Executive Committee of the South African Indian Council has made the regulations set out in the Schedule hereto.

SCHEDULE

1. In this Schedule, unless the context otherwise indicates, the expression "the Regulations" means the regulations published under Government Notice R. 694 of 6 May 1966, as amended by Government Notice R. 235 of 28 February 1969.

2. Regulation 2 of the Regulations is hereby amended by the substitution for paragraph (d) of subregulation (3) of the following paragraph:

"(d) (i) In the case of a school, excluding a teachers' training college, two parents of children attending the school, elected by the education committee, if such committee has been elected in terms of the Regulations relating to Education Committees for Indian Schools as promulgated by Government Notice R. 459, dated 25 March 1977, or otherwise by the parent-teacher association of the school concerned;

(d) (ii) in the case of a teachers' training college, two members of the staff of the college, appointed by the Director."

DEPARTMENT OF COLOURED, REHOBOTH AND NAMA RELATIONS

No. R. 1812

8 September 1978

COLOURED PERSONS EDUCATION ACT, 1963.—AMENDMENT OF REGULATIONS

In terms of section 34 of the Coloured Persons Education Act, 1963 (Act 47 of 1963), I Hendrik Hanekom Smit, Minister of Coloured Relations, hereby amend the regulations made under the said section and published under Government Notice R. 1898, dated 21 November 1963, in Regulation Gazette 257 dated 4 December 1963, as amended, by the substitution for the expressions "R115" and "R18" where they appear in paragraphs (c) and (f) of regulation J1 with the expressions "R156" and "R24" respectively with effect from 1 April 1978.

H. H. SMIT, Minister of Coloured Relations.

No. R. 1813

8 September 1978

COLOURED PERSONS REPRESENTATIVE COUNCIL.—RESULT OF BY-ELECTION, ELECTORAL DIVISION OF TABLE MOUNTAIN

In accordance with sections 87 and 88 of the Electoral Consolidation Act, 1946 (Act 46 of 1946), as amended, read with section 9 of the Coloured Persons Representative Council Act, 1964 (Act 49 of 1964), the following particulars relating to the election of a member of the Coloured

verkiesing van 'n lid van die Verteenwoordigende Kleurlingraad vir die kiesafdeling Tafelberg, gehou op 16 Augustus 1978, vir algemene inligting gepubliseer:

Persons Representative Council for the Electoral Division of Table Mountain, held on 16 August 1978, are hereby published for general information:

Naam van verkose persoon en datum waarop verkies verklaar Name of person elected and date on which declared elected	Stemme uitgebring op Votes polled for	Getal verwerpe stembriewe Number of ballot papers rejected	Totale getal stemme uitgebring Total number of votes polled	Totale getal kiesers op kieserslys Total number of voters on voters' list
Hendricks, Hassan, 16/8/78.....	Hendricks, Hassan..... 1 115 Miller, Walter Stephen..... 1 023 Toffie, Cader..... 51	51	2 240	14 933

Sekretaris van Kleurling-, Rehoboth- en Namabetrekkings.

Secretary for Coloured, Rehoboth and Nama Relations.

DEPARTEMENT VAN NASIONALE OPVOEDING

No. R. 1780 8 September 1978

WET OP DIE NASIONALE ONDERWYSBELEID, 1967

ONDERWYSERSOPLEIDING.—BENAMING VAN SERTIFIKATE—WYSIGING

Kragtens die bevoegdheid hom verleen by artikel 1B (1) (f) gelees met artikel 1B (5) van die Wet op die Nasionale Onderwysbeleid, 1967 (Wet 39 van 1967), het die Minister van Nasionale Opvoeding die beleid soos afgekondig by Goewermentskennisgewing R. 1904 van 22 Oktober 1976 en gewysig by Goewermentskennisgewing R. 2618 van 30 Desember 1977, soos volg verder gewysig:

1. Paragraaf 2 word gewysig deur onderstaande subparagraaf by te voeg:

“(g) Nasionale Onderwysersdiploma (Werkwinkel)—’n Diploma wat toegeken word aan persone na voltooiing van ’n eenjarige opleidingskursus wat goedgekeur is as ’n kwalifikasie vir indiensneming om onderwys te gee aan sekondêre skole.”

DEPARTEMENT VAN PLURALE BETREKKINGE EN ONTWIKKELING

No. R. 1816 8 September 1978

MUNISIPALITEIT WALVISBAAI. — HUURGELDE EN VORDERINGS VIR DIE STEDELIKE SWART WOONGEBIED KUISEBMOND GELEË TE WALVISBAAI

Ek, Wilhelm Laubscher Vosloo, Adjunk-minister van Plurale Betrekkinge en Ontwikkeling, handelende namens die Minister van Plurale Betrekkinge en Ontwikkeling kragtens die bevoegdheid hom verleen by artikel 38 (5) van die Swartes (Stadsgebiede) Konsolidasiewet, 1945 (Wet 25 van 1945), gelees met die bepalings van Proklamasie R. 202 van 1977—

(a) bepaal hierby dat elke geregistreerde bewoner of enige ander bewoner van enige eiendom geleë in bogenoemde Swart woongebied of enige ander persoon van wie vereis word of wat verplig is om ’n permit of sertifikaat uit te neem of die houder daarvan te wees vir watter doel ook al ingevolge die bepalings van die Regulasies Betreffende die Beheer van en Toesig oor ’n Stedelike Swart Woongebied en Aanverwante Aangeleenthede, afgekondig by Goewermentskennisgewing R. 1036 van 14 Junie 1968 en van toepassing gemaak op alle stadsgebiede in die Republiek van Suid-Afrika by Goewermentskennisgewing R. 1267 van 26 Julie 1968, hierna die Regulasies genoem, by die kantoor van die Direkteur van Gemeenskapontwikkeling, aan bogenoemde Munisipaliteit die gelde soos uiteengesit in Bylaes 1 tot en met 3 hiervan, moet betaal ten opsigte van huur, akkommodasie vir onderwysdoeleindes, water, sanitasie,

DEPARTMENT OF NATIONAL EDUCATION

No. R. 1780 8 September 1978

NATIONAL EDUCATION POLICY ACT, 1967

TEACHER TRAINING.—APPELATION OF CERTIFICATES—AMENDMENT

The Minister of National Education has, under and by virtue of the powers vested in him by section 1B (1) (f) read with section 1B (5) of the National Education Policy Act, 1967 (Act 39 of 1967), further amended the policy, as published under Government Notice R. 1904 of 22 October 1976 and amended by Government Notice R. 2618 of 30 December 1977, as follows:

1. Paragraph 2 is amended by the addition of the following subparagraph:

“(g) National Teachers’ Diploma (Workshop)—a diploma awarded to persons who have completed a one-year training course, approved as a qualification for employment as a teacher at secondary schools.”

DEPARTMENT OF PLURAL RELATIONS AND DEVELOPMENT

No. R. 1816 8 September 1978

MUNICIPALITY OF WALVIS BAY.—RENTS AND CHARGES FOR THE URBAN BLACK RESIDENTIAL AREA OF KUISEBMOND SITUATE AT WALVIS BAY

I, Wilhelm Laubscher Vosloo, Deputy Minister of Plural Relations and Development, acting on behalf of the Minister of Plural Relations and Development, under the powers vested in him by section 38 (5) of the Blacks (Urban Areas) Consolidation Act, 1945 (Act 25 of 1945), read with the provisions of Proclamation R. 202 of 1977 do hereby—

(a) determine that every registered occupier or any other occupier of any property situate in the above-mentioned Black residential area or any other person who is required or compelled to take out or to be the holder of a permit or certificate for any purpose whatsoever in terms of the provisions of the Regulations governing the Control and Supervision of an Urban Black Residential Area and Relevant Matters, published under Government Notice R. 1036, dated 14 June 1968, and made applicable to all urban areas in the Republic of South Africa by Government Notice R. 1267, dated 26 July 1968, hereinafter referred to as the Regulations, shall pay to the above-mentioned Municipality at the office of the Director of Community Development, the charges as set out in Schedules 1 to 3 inclusive, hereto, in respect of rent, accommodation for educational pur-

gesondheids-, geneeskundige en enige ander dienste deur bogenoemde Munisipaliteit gelewer of ten opsigte van enige ander doel waarvoor gelde aan bogenoemde Munisipaliteit betaalbaar is; en

(b) herroep hierby kragtens die bevoegdheid genoemde Minister verleen by artikel 38 (5) van bogenoemde Wet, die regulasies vermeld in Bylae 4 hiervan.

W. L. VOSLOO, Adjunk-minister van Plurale Betrekkinge en Ontwikkeling.

(Lêer A1/3/2/13/W4)

TARIEF VAN GELDE

BYLAE 1

HUISHUUR EN ANDER GELDE

1. Huishuur.

Die volgende huishuurgelde is betaalbaar bykomend by die dienste-geld in paragraaf 2 vermeld per maand of gedeelte daarvan:

	R
(1) Tipe O/2, D/2, N/2.....	0,75
(2) Tipe O/3, D/3, N/3.....	3,35
(3) Tipe O/4, D/4, N/4.....	5,45
(4) Tipe G en E.....	10,55
(5) Tipe G1 en E1.....	12,75
(6) Tipe G2 en E2.....	14,25
(7) Tipe E1A.....	36,23
(8) Tipe P1.....	13,25

Met dien verstande dat die houer van 'n woonpermit 'n maksimum van vyf kiloliter water gratis per maand ontvang.

	R
2. Dienste geld vir woonpersele.....	6,00

3. Handelsgeboue en -persele.

Die volgende huurgelde vir handelsgeboue is betaalbaar bykomend by die dienste-geld hierin vermeld, per maand of gedeelte daarvan:

	R
(1) Besigheidsgeboue, Tipe W/E.....	50,25
(2) Verversingstalletjie.....	10,00
(3) Dienste-geld vir handelspersele.....	6,00

4. Huur van gemeenskaps- en ontspanningsale.

	R
(1) Vir vermaaklikheid of winsgewende ondernemings of funksies, uitgesluit danse, vanaf 07h00 tot 07h00 die volgende dag; per dag.....	10,00
(2) Vir danse, vanaf 07h00 tot 07h00 die volgende dag; per dag.....	30,00

Met dien verstande dat die Munisipaliteit na goedgekeurde vrystelling kan verleen vir huurgeld.

5. Oordrag.

	R
Woonpermit.....	0,50

6. Tehuisakkommodasie.

(1) Algemene tehuis—

	R
(a) per maand.....	9,00
(b) per dag per gedeelte van 'n maand.....	0,35

(2) Woonstelle

	R
(a) Tipe AS en AD—	
per maand.....	24,00
per dag per gedeelte van maand.....	0,80
(b) Tipe CD—	
per maand.....	18,00
per dag per gedeelte van maand.....	0,60
(c) Tipe BS—	
per maand.....	17,00
per dag per gedeelte van maand.....	0,60

7. Duplikate.

	R
Duplikaatdokument, per afskrif.....	0,50

8. Motorgarages per maand of gedeelte daarvan.

	R
(1) Blokgarages.....	3,50
(2) Opslaanagarages.....	5,10

9. Diverse gelde.

Gelde van tyd tot tyd deur die Munisipaliteit bepaal en deur die Minister van Plurale Betrekkinge en Ontwikkeling goedgekeur ten opsigte van:

- (1) Ambulansdienste;
- (2) Toegang tot bioskoop;
- (3) Begraafplaas en oopmaak van grafes asook opgraving van lyke;
- (4) Bewaarskool.

poses, water, sanitation, health, medical and any other services rendered by the above-mentioned Municipality or in respect of any other purpose for which charges are payable to the above-mentioned Municipality; and

(b) repeal under and by virtue of the powers vested in the said Minister by section 38 (5) of the above-mentioned Act, the regulations specified in Schedule 4 hereto.

W. L. VOSLOO, Deputy Minister of Plural Relations and Development.

(File A1/3/2/13/W4)

TARIFF OF CHARGES

SCHEDULE 1

HOUSE RENTALS AND OTHER CHARGES

1. House rental.

The following house rentals shall be payable in addition to the service charges specified in paragraph 2 per month or part thereof:

	R
(1) Tipe O/2, D/2, N/2.....	0,75
(2) Tipe O/3, D/3, N/3.....	3,35
(3) Tipe O/4, D/4, N/4.....	5,45
(4) Tipe G and E.....	10,55
(5) Tipe G1 and E1.....	12,75
(6) Tipe G2 and E2.....	14,25
(7) Tipe E1A.....	36,23
(8) Tipe P1.....	13,25

Provided that the holder of a residential permit receives five kiloliter water free of charge per month.

	R
2. Service charges for residential sites.....	6,00

3. Rentals for trading buildings and sites.

The following rentals shall be payable in addition to the service charges specified herein, per month or part thereof:

	R
(1) Business premises, Type W/E.....	50,25
(2) Refreshment stall.....	10,00
(3) Service charges for trading sites.....	6,00

4. Rental for community and recreation halls.

	R
(1) In respect of entertainment or profitable undertakings or functions, dances excluded, between the hours 07h00 to 07h00 the following day; per day.....	10,00
(2) In respect of dances, between the hours 07h00 to 07h00 the following day; per day.....	30,00

Provided that the Municipality may at its discretion grant exemption from the payment of rentals.

	R
5. Transfer.	
Residential permit.....	0,50

6. Hostel accommodation.

	R
(1) General hostel—	
(a) per month.....	9,00
(b) per day per part of a month.....	0,35

(2) Flats—

	R
(a) Type AS and AD—	
per month.....	24,00
per day per part of a month.....	0,80
(b) Type CD—	
per month.....	18,00
per day per part of a month.....	0,60
(c) Type BS—	
per month.....	17,00
per day per part of a month.....	0,60

7. Duplicates.

	R
Duplicate document, per copy.....	0,50

8. Motor garages per month or part thereof.

	R
(1) Block garages.....	3,50
(2) Prefabricated garages.....	5,10

9. Miscellaneous fees.

Fees as determined by the Municipality from time to time and as approved by the Minister of Plural Relations and Development in respect of:

- (1) Ambulance services;
- (2) Admission to bioscope;
- (3) Cemetery and opening of graves as well as exhumation of corpses;
- (4) Crèche.

BYLAE 2

OVAMBOTEHUIS

Elke werkgewer betaal maandeliks vir die huisvesting van sy Swart werknemer in die tehuis gereserveer vir trekarbeiders, bekend as die Ovambotehuis, die gelde hierin uiteengesit:

	R
(a) Basiese heffing per inwoner per dag of gedeelte van 'n dag.....	0,40
plus;	

(b) 'n bykomende vordering vir maaltye, gebaseer op die werklike koste, volgens 'n rantsoenskaal wat deur die Munisipaliteit goedgekeur word: Met dien verstande dat elke werkgewer wat in enige maand meer as 100 werknemers in diens het en wie se gemiddelde getal inwoners in die tehuis in enige maand in enige jaar meer as 30% hoër is as die gemiddelde inwonertal in enige maand van dieselfde jaar, vir die twaalf agtereenvolgende maande 1 Januarie tot 31 Desember van die volgende jaar die basiese heffing op die gemiddelde inwonertal van die maand met die hoogste inwonertal in die vorige jaar of die werklike inwonertal in elke maand watter ook al die grootste getal is, moet betaal: Voorts met dien verstande dat as sodanige werkgewer ophou om 'n werkgewer te wees, geen verdere basiese gelde betaalbaar is nie: Voorts met dien verstande dat wanneer maaltye nie verskaf word nie, die werkgewer nie aanspreeklik is vir die betaling van enige gelde ten opsigte van die verskaffing van voedsel nie.

BYLAE 3

Die volgende gelde is betaalbaar ten opsigte van:

1. Watervoorsiening.

Die tariewe bepaal in die Waterleweringsregulasies, afgekondig by Goewermenskennissgewing 141 van 15 Oktober 1970 is *mutatis mutandis* van toepassing op die Swart woongebied.

2. Elektrisiteitsvoorsiening.

Die tariewe bepaal in die Regulasies op Elektrisiteitsverskaffing, afgekondig by Goewermenskennissgewing 109 van 17 April 1957 en van toepassing gemaak op die Munisipaliteit Walvisbaai by Goewermenskennissgewing 192 van 1 Augustus 1957, is *mutatis mutandis* van toepassing op die Swart woongebied.

3. Riolerings.

Die tariewe bepaal in die Riolerings- en Loodgietersregulasies, afgekondig by Goewermenskennissgewing 134 van 16 Junie 1958 is *mutatis mutandis* van toepassing op die Swart woongebied.

4. Sanitasie en vullisverwydering.

Die tariewe bepaal in die Gesondheidsregulasies, afgekondig by Goewermenskennissgewing 23 van 20 Januarie 1955 en van toepassing gemaak op die Munisipaliteit Walvisbaai by Goewermenskennissgewing 6 van 3 Januarie 1956 is *mutatis mutandis* van toepassing op die Swart woongebied: Met dien verstande dat die tarief van vullishouers vir huishoudelike vullis R2,25 per houer per maand bedra vir die tydperk wat op 30 Junie 1979 eindig.

Nota.—Die Goewermenskennissgewings waarna in hierdie Bylae verwys word, is afgekondig in die Offisiële koerant van Suidwes-Afrika.

BYLAE 4

Herroeping van regulasies.

1. Die Swart Woongebied Regulasies, afgekondig by Goewermenskennissgewing 243 van 14 Desember 1960 van Suidwes-Afrika, uitgesonderd hoofstukke I en VIII daarvan word hierby herroep.

2. Die volgende Goewermenskennissgewings van Suidwes-Afrika word hierby herroep:

- (1) 222 van 2 Augustus 1976.
- (2) 83 van 16 Februarie 1977.
- (3) 161 van 2 Mei 1977.

SCHEDULE 2

OVAMBO HOSTEL

Every employer shall pay monthly in respect of each of his Black employees for board and lodging in the hostel reserved for migrant labourers, known as the Ovambo Hostel, the charges as set out herein:

	R
(a) Basic fee per lodger per day or part thereof.....	0,40
plus;	

(b) an additional charge for meals, based on actual cost in accordance with a ration scale approved by the Municipality: Provided that every employer who employs more than 100 employees in any month and whose average number of inmates in the hostel during any month in any year exceeds by more than 30 per cent the average number of inmates during any month of the same year, shall, in respect of the twelve consecutive months 1 January to 31 December of the ensuing year, pay the basic fee based upon the average number of inmates during the months with the highest number of inmates of the previous year, or on the actual number of inmates in each month, whichever is the greater number: Provided further that if such employer ceases to be an employer, no further basic fee shall be payable: Provided further that when no meals are supplied to an employee, the employer shall not be liable for the payment of any fees in respect of the provision of meals.

SCHEDULE 3

The following fees are payable in respect of:

1. Water supply.

The tariffs specified in the Water Supply Regulations, published by Government Notice 141, dated 15 October 1970 shall apply *mutatis mutandis* to the Black residential area.

2. Electricity supply.

The tariff specified in the Electricity Supply Regulations, published by Government Notice 109, dated 17 April 1957 and made applicable to the Municipality of Walvis Bay by Government Notice 192, dated 1 August 1957 shall apply *mutatis mutandis* to the Black residential area.

3. Sewerage.

The tariffs specified in the Drainage and Plumbing Regulations, published by Government Notice 134, dated 16 June 1958 shall apply *mutatis mutandis* to the Black residential area.

4. Sanitation and refuse removal.

The tariffs specified in the Health Regulations, published by Government Notice 23, dated 20 January 1955 and made applicable to the Municipality of Walvis Bay by Government Notice 6, dated 3 January 1956 shall apply *mutatis mutandis* to the Black residential area: Provided that the tariff in respect of refuse receptacles for the period ending 30 June 1979, shall be R2,25 per receptacle per month.

Note.—The Government Notices referred to in this Schedule were published in the Official Gazette of South West Africa.

SCHEDULE 4

Repeal of regulations.

1. The Black residential area Regulations, published under Government Notice 243, dated 14 December 1960 of South West Africa, excluding Chapters I and VIII thereof are hereby repealed.

2. The following Government Notices of South West Africa are hereby repealed:

- (1) 222, dated 2 August 1976.
- (2) 83, dated 16 February 1977.
- (3) 161, dated 2 May 1977.

DEPARTEMENT VAN VOLKSWELSYN EN PENSIOENE

No. R. 1791

8 September 1978

WYSIGING VAN REGULASIES KRAGTENS DIE REGERINGSDIENSPENSIOENWET, 1973

Kragtens die bevoegdheid my verleen by artikel 17 van die Regeringsdienspensioenwet, 1973 (Wet 57 van 1973), wysig ek, Frederik Willem de Klerk, Minister van Volkswelsyn en Pensioene, hierby na ooreleg met die Ministers en die Administrateurs vermeld in subartikel (6) van genoemde artikel, die regulasies afgekondig by Goewermenskennissgewing R. 1062 van 22 Junie 1973, soos gewysig, soos in die Bylae hiervan uiteengesit.

F. W. DE KLERK, Minister van Volkswelsyn en Pensioene

DEPARTMENT OF SOCIAL WELFARE AND PENSIONS

No. R. 1791

8 September 1978

AMENDMENT OF THE REGULATIONS UNDER THE GOVERNMENT SERVICE PENSION ACT, 1973

By virtue of the powers vested in me by section 17 of the Government Service Pension Act, 1973 (Act 57 of 1973), I, Frederik Willem de Klerk, Minister of Social Welfare and Pensions, in consultation with the Ministers and Administrators referred to in subsection (6) of the said section, hereby amend the regulations promulgated by Government Notice R. 1062 of 22 June 1973, as amended, as set out in the Schedule hereto.

F. W. DE KLERK, Minister of Social Welfare and Pensions.

BYLAE

1. Regulasie 3 word hierby gewysig deur in subregulasie (2) die uitdrukking "2,7" deur die uitdrukking "2,85" te vervang.

2. Regulasie 8 word hierby gewysig deur in subregulasie (5) (a) subparagraaf (i) deur die volgende subparagraaf te vervang:

"(i) die bedrag wat sodanige ander fonds vereis om die tydperk van sy pensioengewende diens as lid van die Fonds vir die doeleindes van sodanige ander fonds te reken, maar wat nie 'n bedrag bereken ingevolge subregulasies (1) (a) en (b) oorskry nie, tensy die Sekretaris op goeie gronde anders gelas; en".

3. Die bepalings van paragraaf 1 van hierdie Bylae word geag op 1 April 1978 in werking te getree het.

SCHEDULE

1. Regulation 3 is hereby amended by the substitution in subregulation (2) for the expression "2,7" of the expression "2,85".

2. Regulation 8 is hereby amended by the substitution in subregulation (5) (a) for subparagraph (i) of the following subparagraph:

"(i) the amount which such other fund requires to reckon the period of his pensionable service as a member of the Fund as pensionable service for the purposes of such other fund but not exceeding an amount calculated in terms of subregulation (1) (a) and (b), unless the Secretary for good cause otherwise directs; and".

3. The provisions of paragraph 1 of this Schedule shall be deemed to have come into operation on 1 April 1978.

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