

REPUBLIEK
VAN
SUID-AFRIKA



REPUBLIC
OF
SOUTH AFRICA

Staatskoerant Government Gazette

Verkoopprijs • Selling price
(AVB uitgesluit/GST excluded)
Plaaslik **45c** Local
Buitelands **60c** Other countries
Posvry • Post free

**Regulasiekoerant
Regulation Gazette
No. 3992**

As 'n Nuusblad by die
Poskantoor geregistreer
Registered at the Post Office
as a Newspaper

Vol. 254

PRETORIA, 29 AUGUSTUS
AUGUST 1986

No. 10403

GOEWERMENTSKENNISGEWINGS

DEPARTEMENT VAN FINANSIES

No. R. 1770

29 Augustus 1986

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE 1 (No. 1/1/1245)

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

K. D. S. DURR,

Adjunk-minister van Finansies en van Handel en Nywerheid.

GOVERNMENT NOTICES

DEPARTMENT OF FINANCE

No. R. 1770

29 August 1986

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE 1 (No. 1/1/1245)

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.

K. D. S. DURR,

Deputy Minister of Finance and of Trade and Industry.

BYLAE

I Tariefpos	II Statistiese Eenheid	III IV Skaal van Reg	
		Algemeen	M.B.N.
53.04 Deur tariefpos No. 53.04 deur die volgende te vervang: "53.04 Afval van skaap- of lamwol of van ander dierehaar (fyn of grof), uitgepluis of uitgerafel (met inbegrip van uitgepluisde of uitgerafelde lappe)	kg	vry"	

Opmerking.—Tariefpos No. 53.04 word herskryf om oorskakeling na die Geharmonieerde Stelsel te vergemaklik.

SCHEDULE

I Tariff Heading	II Statistical Unit	III IV Rate of Duty	
		General	M.F.N.
53.04 By the substitution for tariff heading No. 53.04 of the following: "53.04 Waste of sheep's or lambs' wool or of other animal hair (fine or coarse), pulled or garnetted (including pulled or garnetted rags)	kg	free"	

Note.—Tariff heading No. 53.04 is restated to facilitate the change-over to the Harmonized System.

No. R. 1771

29 Augustus 1986

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE 3 (No. 3/876)

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

K. D. S. DURR,

Adjunk-minister van Finansies en van Handel en Nywerheid.

No. R. 1771

29 August 1986

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE 3 (No. 3/876)

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.

K. D. S. DURR,

Deputy Minister of Finance and of Trade and Industry.

BYLAE

I Korting- item	II			III Mate van Korting
	Tarief- pos	Korting- kode	Beskrywing	
311.02			Deur tariefpos No. 53.04 te skrap.	

Opmerking.—Hierdie wysiging spruit voort uit die wysiging van tariefpos No. 53.04 van Bylae No. 1.

SCHEDULE

I Rebate Item	II			III Extent of Rebate
	Tariff Heading	Rebate Code	Description	
311.02			By the deletion of tariff heading No. 53.04.	

Note.—This amendment is consequential to the amendment of tariff heading No. 53.04 of Schedule No. 1.

No. R. 1794

29 Augustus 1986

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN REËLS (No. DAR/53)

Kragtens artikel 6 (1) (i) van die Doeane- en Aksynswet, 1964, word die opmerking by paragraaf 4 van die Bylae by die reëls gepubliseer by Goewermenskennisgewing R. 1771 van 5 Oktober 1973 vervang deur:

“Opmerking.—Van vliegtuigloodse wat klaring verlang by bogemelde lughawens (uitgesonderd Jan Smuts lughawe, en ten opsigte van geskeduleerde internasionale vlugte te D. F. Malan-, Louis Botha- en J. G. Strijdomlughawe) waar daar geen resident-doeane- en aksynsbeamptes gestasioneer is nie, word vereis dat minstens 12 uur kennis van die tyd en datum van hulle aankoms of vertrek aan die doeane- en aksynskantoor by genoemde plekke gegee word, sodat reëlins vir die diens van die nodige beamptes getref kan word.”

D. J. COLESKY,

Kommissaris van Doeane en Aksyns.

Opmerking.—Die uitwerking van hierdie wysiging is dat daar nou ook voorsiening gemaak word vir 'n etmaaldiens vir die ondersoek van passasiers en hul bagasie op geskeduleerde internasionale vlugte te D. F. Malan-, Louis Botha- en J. G. Strijdomlughawe.

No. R. 1795

29 Augustus 1986

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN REGULASIES (No. MR/69)

Kragtens artikel 120 van die Doeane- en Aksynswet, 1964, word die regulasies gepubliseer by Goewermenskennisgewing R. 1770 van 5 Oktober 1973 gewysig in die mate in die Bylae hiermee aangetoon.

K. D. S. DURR,

Adjunk-minister van Finansies en van Handel en Nywerheid.

No. R. 1794

29 August 1986

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF RULES (No. DAR/53)

Under section 6 (1) (i) of the Customs and Excise Act, 1964, the note to paragraph 4 of the Schedule to the rules published in Government Notice R. 1771 of 5 October 1973 is substituted by:

“Note.—Aircraft pilots requiring clearance at the above-mentioned airports (except at Jan Smuts Airport, and in respect of scheduled international flights at D. F. Malan, Louis Botha and J. G. Strijdom Airports) at which no resident customs and excise officers are stationed, are required to give at least twelve hours' notice of the time and date of their arrival or departure to the customs and excise office at the places mentioned, in order that arrangements may be made for the attendance of the necessary officers.”

D. J. COLESKY,

Commissioner for Customs and Excise.

Note.—The effect of this amendment is that provision is also made for a twenty-four hour service for the examination of passengers and their baggage on scheduled international flights at D. F. Malan, Louis Botha and J. G. Strijdom Airports.

No. R. 1795

29 August 1986

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF REGULATIONS (No. MR/69)

Under section 120 of the Customs and Excise Act, 1964, the regulations published in Government Notice R. 1770 of 5 October 1973 are amended to the extent set out in the Schedule hereto.

K. D. S. DURR,

Deputy Minister of Finance and of Trade and Industry.

BYLAE

1. Deur paragrawe 108.02.16 en 108.02.18 in die Eerste Bylae deur die volgende te vervang:

"108.02.16 D. F. Malanlughawe	(a) Vir die aanname van klaringsbriewe (uitgesonderd klaringsbriewe vir uitvoer en vorm DA 14) en vir die ontvangs van regte en ander inkomste	Maandag tot Vrydag: 08h00 tot 12h30 en 13h30 tot 15h00
	(b) Vir die aanname van klaringsbriewe vir uitvoer en vorm DA 14	Maandag tot Vrydag: 08h00 tot 12h30 en 13h30 tot 16h30
	(c) Vir die ondersoek van passasiers en hul bagasie op geskeduleerde internasionale vlugte	Etmaaldiens
	(d) Vir ander sake	Maandag tot Vrydag: 08h00 tot 12h45 en 13h30 tot 16h30
108.02.18 Louis Bothalughawe	(a) Vir die aanname van klaringsbriewe (uitgesonderd klaringsbriewe vir uitvoer en vorm DA 14) en vir die ontvangs van regte en ander inkomste	Maandag tot Vrydag: 07h30 tot 12h00 en 13h00 tot 14h30
	(b) Vir die aanname van klaringsbriewe vir uitvoer en vorm DA 14	Maandag tot Vrydag: 07h30 tot 12h00 en 13h00 tot 16h00
	(c) Vir die ondersoek van passasiers en hul bagasie op geskeduleerde internasionale vlugte	Etmaaldiens
	(d) Vir ander sake	Maandag tot Vrydag: 07h30 tot 12h15 en 13h00 tot 16h00"

2. Deur na paragraaf 108.02.19 in die Eerste Bylae die volgende in te voeg:

"108.02.20 J. G. Strijdomlughawe	Vir die ondersoek van passasiers en hul bagasie op geskeduleerde internasionale vlugte	Etmaaldiens"
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3. Deur Opmerking 1 in die Eerste Bylae onder die opskrif Doeane- en Aksynslughawens deur die volgende te vervang:

"1. Aandag word gevestig op die bepaling van paragraaf 4 van die Bylae by die reëls waarvolgens vliegtuigloodse wat klaring verlang by doeane- en aksynslughawens (uitgesonderd Jan Smutslughawe, en ten opsigte van geskeduleerde internasionale vlugte te D. F. Malan-, Louis Botha- en J. G. Strijdomlughawe) minstens twaalf uur kennis moet gee van die tyd en datum van hul aankoms of vertrek, sodat reëlings vir die diens van die nodige beamptes getref kan word."

Opmerking.—Die uitwerking van hierdie wysiging is dat daar nou voorsiening gemaak word vir 'n etmaaldiens vir die ondersoek van passasiers en hul bagasie op geskeduleerde internasionale vlugte te D. F. Malan-, Louis Botha- en J. G. Strijdomlughawe.

SCHEDULE

1. By the substitution for paragraphs 108.02.16 and 108.02.18 in the First Schedule of the following:

"108.02.16 D. F. Malan Airport	(a) For the acceptance of bills of entry (except bills of entry for export and form DA 14) and for the receipt of duties and other revenue	Monday to Friday: 08h00 to 12h30 and 13h30 to 15h00
	(b) For the acceptance of bills of entry for export and form DA 14	Monday to Friday: 08h00 to 12h30 and 13h30 to 16h30
	(c) For the examination of passengers and their baggage on scheduled international flights	Twenty-four hour service
	(d) For other business	Monday to Friday: 08h00 to 12h45 and 13h30 to 16h30
108.02.18 Louis Botha Airport	(a) For the acceptance of bills of entry (except bills of entry for export and form DA 14) and for the receipt of duties and other revenue	Monday to Friday: 07h30 to 12h00 and 13h00 to 14h30
	(b) For the acceptance of bills of entry for export and form DA 14	Monday to Friday: 07h30 to 12h00 and 13h00 to 16h00
	(c) For the examination of passengers and their baggage on scheduled international flights	Twenty-four hour service
	(d) For other business	Monday to Friday: 07h30 to 12h15 and 13h00 to 16h00"

2. By the insertion after paragraph 108.02.19 in the First Schedule of the following:

"108.02.20 J. G. Strijdom Airport	For the examination of passengers and their baggage on scheduled international flights	Twenty-four hour service"
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3. By the substitution for Note 1 in the First Schedule under the heading Customs and Excise Airports of the following:

"1. Attention is drawn to the provisions of paragraph 4 of the Schedule to the rules in terms of which aircraft pilots requiring clearance at customs and excise airports (except at Jan Smuts Airport, and in respect of scheduled international flights at D. F. Malan, Louis Botha and J. G. Strijdom Airports) must give at least twelve hours' notice of the time and date of their arrival or departure in order that arrangements may be made for the attendance of the necessary officers."

Note.—The effect of this amendment is that provision is now made for a twenty-four hour service for the examination of passengers and their baggage on scheduled international flights at D. F. Malan, Louis Botha and J. G. Strijdom Airports.

No. R. 1796

29 Augustus 1986

WET OP STREEKSDIENSTERADE, 1985
(WET 109 VAN 1985)

BEREKENING EN BETALING VAN STREEKSDIENSTEHEFFING EN STREEKSVESTIGINGSHEFFING

Kragtens artikel 12 (1) (b) van die Wet op Streeksdiensterade, 1985 (Wet 109 van 1985), bepaal ek, Barend Jacobus du Plessis, Minister van Finansies, hierby dat die streeksdiensteheffing en die streeksvestigingsheffing bereken en betaal word op die wyse in die Bylae uiteengesit.

B. J. DU PLESSIS,
Minister van Finansies.

No. R. 1796

29 August 1986

REGIONAL SERVICES COUNCILS ACT, 1985
(ACT 109 OF 1985)

CALCULATION AND PAYMENT OF REGIONAL SERVICES LEVY AND REGIONAL ESTABLISHMENT LEVY

Under section 12 (1) (b) of the Regional Services Councils Act, 1985 (Act 109 of 1985), I, Barend Jacobus du Plessis, Minister of Finance, hereby determine that the regional services levy and the regional establishment levy shall be calculated and paid in the manner set out in the Schedule.

B. J. DU PLESSIS,
Minister of Finance.

BYLAE*Indeling van paragrawe***DEEL I**

1. Woordbepaling

DEEL II

2. Vrystellings van die streeksdiensteheffing
3. Werknemer binne die streek geëmplojeer

DEEL III

4. Heffing van streeksvestigingsheffing
5. Hefbare waardes
6. Vrystellings van die streeksvestigingsheffing
7. Onderneming binne die streek gedryf

DEEL IV

8. Vrystelling van klein bedrae
9. Betaling van streeksdiensteheffing en streeksvestigingsheffing
10. Boete op laat betaling
11. Registrasie
12. Aanslae
13. Terugbetalings
14. Reëlins om probleme of ongerymdhede te bowe te kom
15. Magte van raad en Kommissaris
16. Besware
17. Appelle

DEEL I**Woordbepaling**

1. In hierdie bylae, tensy uit die samehang anders blyk, het enige woord of uitdrukking waaraan daar in die Wet op Streeksdiensterade, 1985 (Wet 109 van 1985), 'n betekenis toegeskryf is, die betekenis aldus daaraan toegeskryf, en beteken—

“aanvangsdatum” 19.....;

“finansiële bate” ’n handelseffekte, wissel, valuta of ander papier wat ’n finansiële onderneming normaalweg koop en verkoop of andersins handel mee dryf;

“finansiële onderneming” ’n bankinstelling, bouvereniging, effekterust, langtermyn- of korttermyn-versekeraar, pensioenfonds, voorsorgsfonds, uittreding-annuïteitsfonds, bystandsfonds, mediese bystandsfonds, finansier, koopvereniging of dergelike instelling, of ’n onderneming in die loop waarvan daar met finansiële bates handel gedryf word of ’n maatskappy wat as belegger van geld besigheid dryf;

“goed” ligaaamlike roerende goed, met inbegrip van ’n aandeel in die eiendomsreg op enige bedoelde goed, maar uitgesonderd ’n finansiële bate;

“hefbare transaksie”—

- (a) in die geval van ’n onderneming binne die streek gedryf in die loop waarvan—

- (i) goed normaalweg verkoop word, ’n verkoop van goed ingevolge ’n ooreenkoms wat in die gewone loop van die onderneming gesluit is;
- (ii) vaste eiendom normaalweg verkoop word, ’n verkoop van vaste eiendom binne die streek geleë ingevolge ’n ooreenkoms wat in die gewone loop van die onderneming gesluit is;
- (iii) goed normaalweg verhuur word, die verhuring van enige goed, maar nie, in die geval van ’n finansiële onderneming, die verhuring van goed ingevolge ’n huurtransaksie soos in artikel 1 van die Wet op Kredietooreenkoms, 1980 (Wet 75 van 1980), omskryf nie;
- (iv) vaste eiendom normaalweg verhuur word, die verhuring van enige vaste eiendom binne die streek geleë;

SCHEDULE*Arrangement of paragraphs***PART I**

1. Definitions

PART II

2. Exemptions from the regional services levy
3. Employee employed within the region

PART III

4. Levy of regional establishment levy
5. Leviable values
6. Exemptions from the regional establishment levy
7. Enterprise carried on within region

PART IV

8. Exemption of small amounts
9. Payment of regional establishment levy and regional services levy
10. Penalty on late payment
11. Registration
12. Assessments
13. Refunds
14. Arrangements to overcome difficulties or anomalies
15. Powers of council and Commissioner
16. Objections
17. Appeals

PART I**Definitions**

1. In this Schedule, unless the context otherwise indicates, any word or expression to which a meaning has been assigned in the Regional Services Councils Act, 1985 (Act 109 of 1985), bears the meaning so assigned thereto, and—

“accommodation enterprise” means any enterprise in the course of which accommodation or lodging is regularly or systematically supplied on a temporary or permanent basis, whether with or without meals, to members of the general public;

“Act” means the Regional Services Councils Act, 1985 (Act 109 of 1985), including any regulation made under that Act and any determination made under that Act by the Minister of Finance by notice in the *Gazette*;

“commencement date” means 19.....;

“Commissioner” means the Commissioner for Inland Revenue or any officer acting under his control, direction or supervision;

“consideration”, in relation to any leviable transaction, means the whole or any portion of—

- (a) in the case of any sale of goods or fixed property, the selling price payable in respect thereof;
- (b) in the case of the letting of any goods or fixed property, the rental payable in respect thereof;
- (c) in the case of the rendering of any service, the price, fee or other amount payable in respect thereof;
- (d) in the case of any leviable transaction concluded in the carrying on of a financial enterprise—
 - (i) the gross amounts of interest or finance charges receivable in respect of any loan, advance or credit granted: Provided that where any such loan, advance or credit is repayable together with interest or finance charges by way of periodic instalments and a separate determination of such interest or finance charges is not made in respect of each such instalment, each such instalment shall be deemed to include an equal portion of the total interest or finance charges payable;
 - (ii) the gross amounts of interest or dividends receivable on any funds invested;

- (v) enige nywerheids-, handels-, konstruksie-, professionele of ander diens gelewer word, so 'n diens gelewer; en
- (b) in die geval van 'n finansiële onderneming binne die streek gedryf—
 - (i) die toestaan van 'n lening, voorskot of krediet, met inbegrip van die toestaan van krediet ingevolge 'n kredietooreenkoms soos in artikel 1 van die Wet op Kredietooreenkoms, 1980 (Wet 75 van 1980), omskryf;
 - (ii) die belegging van fondse deur bedoelde onderneming;
 - (iii) die verhuring van goed of vaste eiendom;
 - (iv) die lewering van 'n bank-, beleggings- of ander finansiële diens; en
 - (v) die koop, verkoop of verdiskontering van of andersins handel dryf met finansiële bates, hetsy die ooreenkoms vir bedoelde transaksie voor, op of na die aanvangsdatum gesluit is;
- “heffingspligtige” iemand wat aanspreeklik is vir die betaling van die streeksdiensteheffing of die streeksvestigingsheffing;
- “huisvestigingsonderneming” 'n onderneming in die loop waarvan huisvesting of verblyf gereeld of stelselmatig op 'n tydelike of permanente basis, met of sonder etes, aan lede van die algemene publiek verskaf word;
- “Kommissaris” die Kommissaris van Binnelandse Inkomste of 'n beampte wat onder sy beheer, leiding of toesig optree;
- “maand” engeen van die twaalf dele waarin 'n kalenderjaar ingedeel is;
- “Staat” die Regering van die Republiek van Suid-Afrika, 'n provinsiale administrasie, 'n instelling of liggaam beoog in artikel 84 (1) (f) van die Wet op Provinsiale Bestuur, 1961 (Wet 32 van 1961), 'n streeksdiensteraad en enige liggaam by of ingevolge 'n wet ingestel wat geheel of hoofsaaklik deur toekennings uit die Staatsinkomstefonds gefinansier word;
- “Staatsafdeling” 'n departement, administrasie, owerheid, tak, raad, liggaam of ander afdeling van die Staat;
- “vaste eiendom” ook 'n aandeel in die eiendomsreg op vaste eiendom;
- “vergoeding”, met betrekking tot 'n hefbare transaksie, die geheel of 'n gedeelte van—
 - (a) in die geval van 'n verkoop van goed of vaste eiendom, die verkoopprijs ten opsigte daarvan betaalbaar;
 - (b) in die geval van die verhuring van goed of vaste eiendom, die huurgeld ten opsigte daarvan betaalbaar;
 - (c) in die geval van die lewering van 'n diens, die prys, fooi of ander bedrag ten opsigte daarvan betaalbaar;
 - (d) in die geval van 'n hefbare transaksie gesluit in die bedryf van 'n finansiële onderneming—
 - (i) die bruto bedrae aan rente of finansieringskoste ontvangbaar ten opsigte van 'n lening, voorskot of krediet toegestaan: Met dien verstande dat waar so 'n lening, voorskot of krediet tesame met rente of finansieringskoste by wyse van periodieke afbetalings terugbetaalbaar is en 'n afsonderlike bepaling van rente of finansieringskoste nie ten opsigte van elke bedoelde afbetaling gemaak word nie, elke bedoelde afbetaling geag word 'n gelyke deel van die totale rente of finansieringskoste betaalbaar in te sluit;

- (iii) the gross amounts of rental receivable in respect of the letting of goods or fixed property, but excluding any rental payable under a leasing transaction as defined in section 1 of the Credit Agreements Act, 1980;
- (iv) the gross amounts receivable by way of commission, fees, charges and other amounts payable in respect of any service rendered as contemplated in paragraph (b) (iv) of the definition of “leviable transaction”; and
- (v) the gross profit, as determined in accordance with generally accepted accounting practice, derived from trading in financial assets as contemplated in paragraph (b) (v) of the said definition,

including, in the case of any consideration contemplated in paragraphs (a), (b) or (c), any interest or finance charge payable to the seller or lessor of such goods or fixed property or the person rendering such service, as the case may be, in respect of such consideration, but excluding any amount received by or accrued to an agent on behalf of his principal;

“financial asset” means any marketable security, bill of exchange, currency or other paper ordinarily purchased and sold or otherwise traded with by a financial enterprise;

“financial enterprise” means any banking institution, building society, unit trust, long-term insurer, short-term insurer, pension fund, provident fund, retirement annuity fund, benefit fund, medical benefit fund, financier, buying association or similar institution, or any enterprise in the course of which financial assets are traded with, or any company which carries on business as an investor of money;

“fixed property” includes any share in the rights of ownership of fixed property;

“goods” means corporeal movable things, including any share in the rights of ownership of any such thing, but excluding any financial asset;

“leviable transaction” means—

- (a) in the case of an enterprise carried on within the region in the course of which—
 - (i) goods are normally sold, any sale of goods under an agreement of sale concluded in the ordinary course of such enterprise;
 - (ii) fixed property is normally sold, any sale of fixed property situated within the region under an agreement concluded in the ordinary course of the enterprise;
 - (iii) goods are normally let, the letting of any goods, but excluding, in the case of any financial enterprise, the letting of any goods under a leasing agreement as defined in section 1 of the Credit Agreements Act, 1980 (Act 75 of 1980);
 - (iv) fixed property is normally let, the letting of any fixed property situated within the region;
 - (v) any industrial, commercial, construction, professional or other service is rendered, any such service rendered; and
- (b) in the case of a financial enterprise carried on within the region—
 - (i) the granting of any loan, advance or credit, including the granting of credit under a credit agreement as defined in section 1 of the Credit Agreements Act, 1980;
 - (ii) the investment of funds by such enterprise;

- (ii) die bruto bedrae aan rente of dividende ontvangbaar op enige fondse belê;
- (iii) die bruto bedrae aan huurgeld ontvangbaar ten opsigte van die verhuring van goed of vaste eiendom, maar met uitsluiting van enige huurgeld betaalbaar ingevolge 'n huurtransaksie soos in artikel 1 van die Wet op Kredietooreenkomste, 1980, omskryf;
- (iv) die bruto bedrae ontvangbaar by wyse van kommissie, fooie, vorderings en ander bedrae betaalbaar ten opsigte van 'n diens gelewer soos in paragraaf (b) (iv) van die omskrywing van "hefbare transaksie" beoog; en
- (v) die bruto wins, soos ooreenkomstig algemeen aanvaarde rekeningkundige praktyk vasgestel, verkry uit die dryf van handel met finansiële bates soos in paragraaf (b) (v) van genoemde omskrywing beoog.

en ook, in die geval van enige vergoeding in paragrawe (a), (b) of (c) bedoel, enige rente of finansieringskoste betaalbaar aan die verkoper of verhuurder van bedoelde goed of vaste eiendom of die persoon wat bedoelde diens lewer, na gelang van die geval, ten opsigte van bedoelde vergoeding, maar nie 'n bedrag ontvang deur of toegeval aan 'n agent ten behoeve van sy prinsipaal nie;

"verkoop" 'n ooreenkoms waarvolgens eiendomsreg van goed of vaste eiendom vanaf een persoon na 'n ander oorgaan, en ook 'n ooreenkoms waarvolgens besit van goed of vaste eiendom vanaf een Staatsafdeling op 'n ander oorgaan, maar nie, in die geval van iemand wat 'n finansiële onderneming bedryf, die oorgaan vanaf hom van eiendomsreg van enige goed wat deur hom verkry is met die doel om ten opsigte van bedoelde goed 'n kredietooreenkoms aan te gaan soos in artikel 1 van die Wet op Kredietooreenkomste, 1980, omskryf nie;

"Wet" die Wet op Streeksdiensterade, 1985 (Wet 109 van 1985), ook enige regulasie kragtens daardie Wet uitgevaardig en enige bepaling kragtens daardie Wet deur die Minister van Finansies by kennisgewing in die *Staatskoerant* afgekondig.

DEEL II

Wystellings van die streeksdiensteheffing

2. Van die streeksdiensteheffing word vrygestel—
 - (a) besoldiging betaalbaar aan 'n private of huisbediende;
 - (b) besoldiging betaalbaar deur 'n godsdienstige of liefdadigheidsinrigting van 'n openbare aard;
 - (c) soveel van die trekkings wat met betrekking tot 'n persoon wat 'n onderneming bedryf soos in paragraaf (b) van die omskrywing van "streeksdiensteheffing" in artikel 1 van die Wet beoog, ten opsigte van 'n boekjaar van bedoelde persoon vasgestel is (soos na die einde van bedoelde boekjaar vasgestel) as wat meer is as die opgehoopte winste van die onderneming of, waar bedoelde persoon die onderneming in vennootskap bedryf, sy deel van bedoelde winste, hetsy bedoelde winste in die lopende of 'n vorige boekjaar verdien is.

Werknemer binne die streek in diens

3. 'n Werknemer word geag binne die streek in diens te wees indien—

- (a) hy in 'n onderneming in diens is wat ingevolge paragraaf 7 geag word binne die streek bedryf te wees of, indien hy in 'n onderneming in diens is wat ingevolge daardie paragraaf geag word gedeeltelik binne die streek bedryf te wees, hy geheel in daardie deel van die onderneming in diens is wat binne die streek bedryf word; of

- (iii) the letting of goods or fixed property;
- (iv) the rendering of any banking, investment or other financial service; and
- (v) the purchase, sale or discounting of or otherwise dealing in financial assets,

whether the agreement for such transaction is concluded before, on or after the commencement date;

"month" means any one of the 12 portions into which the calendar year is divided;

"sale" means any agreement in terms of which ownership of goods or fixed property passes from one person to another, including any agreement whereunder possession of goods or fixed property passes from one State division to another, but does not include, in the case of any taxpayer carrying on a financial enterprise, the passing from him of ownership any goods acquired by him for the purpose of entering into in respect of such goods any credit agreement as defined in section 1 of the Credit Agreements Act, 1980 (Act 75 of 1980);

"State" means the government of the Republic of South Africa, any provincial administration, any institution or body referred to in section 84 (1) (f) of the Provincial Government Act, 1961 (Act 32 of 1961), any regional services council and any body established by or under any law which is financed wholly or mainly by way of grants from the State Revenue Fund;

"State division" means any department, administration, authority, branch, board, body or other division of the State;

"taxpayer" means any person who is liable for the payment of the regional establishment levy or the regional services levy.

PART II

Exemption from the regional services levy

2. There shall be exempt from the regional services levy—

- (a) remuneration payable to any private or domestic servant;
- (b) remuneration payable by any religious or charitable institution of a public character;
- (c) so much of the drawings determined in relation to a person carrying on an enterprise as contemplated in paragraph (b) of the definition of "regional services levy" in section 1 of the Act in respect of any financial year of such person (as determined after the end of such financial year) as exceeds the accumulated profits of the enterprise or, where such person carries on the enterprise in partnership, his share of such profits, whether such profits were earned in the current or any previous financial year.

Employee employed within region

3. An employee shall be deemed to be employed within the region if—

- (a) he is employed in an enterprise which is in terms of paragraph 7 deemed to be carried on within the region or, if he is employed in an enterprise which is in terms of that paragraph deemed to be partly carried on within the region, he is employed wholly in that part of the enterprise which is deemed to be carried on within the region; or

(b) in enige ander geval—

- (i) sy diens geheel of hoofsaaklik by 'n vaste standplaas binne die streek gelewer word; of
- (ii) waar sy diens geheel of hoofsaaklik gelewer word terwyl hy reis of by verskeie standplase waartussen hy reis, hy vanuit 'n basis werk wat binne die streek geleë is.

DEEL III

Heffing van streeksvestigingsheffing

4. Behoudens die bepalings van paragrawe 6 en 8, word die streeksvestigingsheffing bereken en betaal op die hefbare waarde ingevolge paragraaf 5 ten opsigte van 'n maand met betrekking tot 'n hefbare transaksie vasgestel.

Hefbare waardes

5. (1) By die toepassing van hierdie Bylae is die hefbare waarde met betrekking tot 'n hefbare transaksie ten opsigte van 'n maand die som van—

- (a) alle bedrae aan vergoeding wat gedurende die maand deur die heffingpligtige ontvang is of aan hom toegeval het, of, volgens die keuse van die heffingpligtige wat skriftelik aan die raad meegedeel word, alle bedoelde bedrae wat gedurende die maand werklik deur hom ontvang is, ten opsigte van bedoelde hefbare transaksie; en
- (b) enige bedrag wat gedurende die lopende of 'n vorige maand toegelaat is om ingevolge item (i) of (ii) afgetrek te word, wat gedurende die lopende maand deur die heffingpligtige verhaal of vergoed is,

min die som van—

- (i) enige bedrag wat gedurende die lopende of 'n vorige maand ingesluit is in die hefbare waarde wat met betrekking tot die belastingpligtige se onderneming vasgestel is en wat gedurende die lopende maand terugbetaalbaar geword het deur, of nie meer betaalbaar is nie aan, die heffingpligtige—
 - (aa) as gevolg van die opsegging of beëindiging van die hefbare transaksie ten opsigte waarvan bedoelde hefbare waarde vasgestel is; of
 - (bb) by wyse van 'n vermindering van die vergoeding betaalbaar ten opsigte van goed of vaste eiendom wat verkoop of verhuur is of 'n diens wat gelewer is, en
- (ii) enige skuld aan die heffingpligtige verskuldig wat in die lopende of 'n vorige maand ingesluit is by die hefbare waarde vasgestel met betrekking tot sy onderneming en wat gedurende die lopende maand oninbaar geword het en afgeskryf is; en
- (iii) in die geval van 'n belastingpligtige wat 'n finansiële onderneming bedryf, enige bruto verlies (soos ooreenkomstig algemeen aanvaarde rekeningkundige praktyk vasgestel) gedurende die maand deur hom gely uit die dryf van handel met finansiële bates.

(2) Waar, ten opsigte van 'n maand, die som van die bedrae wat ingevolge items (i), (ii) en (iii) afgetrek mag word meer is as die bedrae in items (a) en (b) van daardie subparagraaf bedoel, word die oorskot vorentoe gedra en geag 'n bedrag te wees wat ingevolge genoemde items (i), (ii) en (iii) in die volgende daaropvolgende maand afgetrek mag word.

(b) in any other case—

- (i) his employment is exercised wholly or mainly at a fixed locality situated within the region; or
- (ii) where his employment is exercised wholly or mainly while travelling or at several localities between which he travels, he operates from a base situated within the region.

PART III

Levy of regional establishment levy

4. Subject to the provisions of paragraphs 6 and 8, the regional establishment levy shall be calculated on the leviable value determined under paragraph 5 in respect of any month in relation to any leviable transaction.

Leviable values

5. (1) For the purposes of this Schedule, the leviable value in relation to any leviable transaction in respect of any month shall be the sum of—

- (a) all amounts of consideration received by or accrued to the taxpayer during the month, or, at the option of the taxpayer which shall be notified to the council in writing, all such amounts actually received by him during the month, in respect of such leviable transaction; and
- (b) any amount allowed to be deducted during the current or any previous month under item (i) or (ii) which has during the current month been recovered or recouped by the taxpayer,

less the sum of—

- (i) any amount which was during the current or any previous month included in the leviable value determined in relation to the taxpayer's enterprise and which has during the current month become repayable by, or no longer payable to, the taxpayer—
 - (aa) in consequence of the cancellation or termination of the leviable transaction in respect of which such leviable value was determined; or
 - (bb) by way of a reduction of the consideration payable in respect of goods or fixed property sold or let or any service rendered;
- (ii) any debt due to the taxpayer which was during the current or any previous month included in the leviable value determined in relation to the taxpayer's enterprise and which has during the current month become irrecoverable and has been written off; and
- (iii) in the case of any taxpayer carrying on a financial enterprise, any gross loss (as determined in accordance with generally accepted accounting practice) suffered by him during the month in trading with any financial asset.

(2) Where, in respect of any month, the sum of the amounts which may be deducted under items (i), (ii) and (iii) of subparagraph (1) exceeds the sum of the amounts referred to in items (a) and (b) of that subparagraph, the excess shall be carried forward and be deemed to be an amount which may be deducted under the said items (i), (ii) and (iii) in the next succeeding month.

(3) Waar die vergoeding betaalbaar ten opsigte van 'n hefbare transaksie enige verkoopbelasting insluit wat ingevolge die Verkoopbelastingwet, 1978 (Wet 103 van 1978), betaalbaar is, word die hefbare waarde van bedoelde hefbare transaksie vasgestel ooreenkomstig die formule

$$L = C - \left(\frac{r}{100 + r} \times C \right)$$

in welke formule "L" die hefbare waarde is wat vasgestel staan te word, "C" bedoelde vergoeding is en "r" die skaal is, uitgedruk as 'n persentasie, waarteen bedoelde verkoopbelasting bereken is.

(4) Waar 'n heffingspligtige die raad oortuig dat, vanweë die aard van die onderneming wat deur hom bedryf word, die vasstelling van die hefbare waarde met betrekking tot bedoelde onderneming ten opsigte van 'n maand nie gerieflik binne die ingevolge paragraaf 10 voorgeskrewe tydperk vir betaling van die streeksvestigingsheffing gedoen kan word nie, kan die raad, onderworpe aan die voorwaardes wat hy mag opleë, instem om die vasstelling van bedoelde hefbare waarde ten opsigte van 'n vroeër maand in die plek van eersgenoemde vasstelling te aanvaar.

Vrystellings van die streeksvestigingsheffing

6. Van die streeksvestigingsheffing word vrygestel—

- (a) 'n intekengeld of skenking ontvang deur of toegeval aan 'n amateursportklub of 'n organisasie sonder winsbejag wat ingestel is om persone met gemeenskaplike belange te verteenwoordig en waarvan die fondse geheel of hoofsaaklik uit intekengelde of skenkings van lede of skenkings van die groot publiek;
- (b) vergoeding ontvang deur of toegeval aan 'n organisasie sonder winsoogmerk waarvan die enigste of vernamste oogmerk is om aan natuurbewarings- of dierebeskermingsbedrywighede deel te neem of dit te bevorder;
- (c) soveel van 'n bedrag ontvang deur of toegeval aan 'n beheerraad soos omskryf in artikel 1 van die Bemarkingswet, 1968 (Wet 59 van 1968), uit die verkoop van 'n produk te opsigte waarvan bedoelde beheerraad kragtens die bepalings van daardie Wet ingestel is of geag word ingestel te wees, as wat die koste vir bedoelde beheerraad van bedoelde produk nie te bowe gaan nie;
- (d) vergoeding ontvang deur of toegeval aan 'n Staatsafdeling vanaf 'n ander Staatsafdeling, indien bedoelde eersgenoemde Staatsafdeling ingestel is geheel of gedeeltelik met die doel om aan 'n ander Staatsafdeling goed te verskaf of dienste te lewer;
- (e) vergoeding ontvang deur of toegeval aan 'n Staatsafdeling of behuisingnutsmaatskappy uit die verhuring of verkoop van 'n woonerf of behuising wat sonder winsoogmerk deur hom verhuur of verkoop is;
- (f) enige huurgeld deur 'n werkgewer verkry uit die verhuring van huisvesting aan sy werknemer, indien bedoelde huisvesting sonder winsbejag aan bedoelde werknemer verhuur is;
- (g) vergoeding wat deur die belastingpligtige ontvang is of aan hom toegeval het of, waar die belastingpligtige 'n keuse uitgeoefen het soos in paragraaf (5) (1) (a) bedoel, wat werklik deur hom ontvang is, nie later nie as ses maande na die aanvangsdatum ingevolge 'n ooreenkoms wat voor die aanvangsdatum formeel en finaal deur hom aangegaan is.

(3) Where the consideration payable in respect of any leviable transaction includes any sales tax chargeable under the Sales Tax Act, 1978 (Act 103 of 1978), the leviable value of such leviable transaction shall be determined in accordance with the formula

$$L = C - \left(\frac{r}{100 + r} \times C \right)$$

in which formula "L" is the leviable value to be determined, "C" is the said consideration and "r" is the rate, expressed as a percentage, at which such sales tax was calculated.

(4) Where any taxpayer satisfies the council that, by reason of the nature of the enterprise carried on by him, the determination of the leviable value in relation to such enterprise in respect of any month cannot conveniently be completed within the period for payment of the regional establishment levy prescribed under paragraph 10, the council may, subject to such conditions as it may impose, agree to accept the determination of such leviable value in respect of any preceding month in lieu of such firstmentioned determination.

Exemptions from the regional establishment levy

6. There shall be exempt from the regional establishment levy—

- (a) any subscription or donation received by or accrued to an amateur sporting club or any non-profitmaking organisation established to represent persons with common interests;
- (b) consideration received by or accrued to any non-profitmaking organisation the sole or principal object of which is to engage in or promote nature conservation or animal protection activities;
- (c) so much of any amount received by or accrued to any control board as defined in section 1 of the Marketing Act, 1968 (Act 59 of 1968), from the sale of any product in respect of which such control board has under the provisions of that Act been established or deemed to be established, as does not exceed the cost to such control board of such produce;
- (d) consideration received by or accrued to a State division from any other State division, if such firstmentioned State division was established wholly or mainly for the purpose of supplying goods or rendering services to any other State division;
- (e) consideration received by or accrued to any State division or utility housing company from the letting or sale of any residential stand or housing let or sold by it on a non-profitmaking basis;
- (f) any rental derived by an employer from the letting of accommodation to his employee, if such accommodation is let to such employee on a non-profitmaking basis.
- (g) any consideration received by or accrued to the taxpayer or, where the taxpayer has exercised an option contemplated in paragraph 5 (1) (a), which has been actually received by him, not later than six months after the commencement date in terms of an agreement which was formally and finally concluded by him before the commencement date.

Onderneming binne die streek bedryf

7. (1) 'n Onderneming in die loop waaraan konstruksie-bedrywighede uitgevoer word, word geag binne die streek bedryf te wees indien—

- (a) die konstruksie, oprigting, installasie, verandering of herstel van 'n pad, spoorlyn, pyplyn of spanningsleiding binne die streek plaasvind; of
- (b) 'n ander konstruksiebedrywighede, met inbegrip van die installasie, oprigting verandering of herstel van 'n gebou of installasie of van enige masjinerie, installasie, toerusting of artikel wat 'n integrerende deel van 'n gebou of installasie uitmaak, vanuit 'n basis binne die streek uitgevoer word: Met dien verstande dat so 'n bedrywighede geag word vanuit 'n basis binne die streek uitgevoer te wees indien 'n terreinkantoor of dergelike plek binne die streek ingestel is met die doel om geheel of gedeeltelik oor die bedryf van bedoelde bedrywighede toesig te hou of dit te bestuur of beheer.

(2) 'n Onderneming in die loop waarvan goed verkoop word, word geag binne die streek bedryf te wees indien goed—

- (a) binne die streek deur die verkoper daarvan vervaardig of geproduseer is en deur hom verkoop is anders as in 'n winkel, stoor, pakhuis of dergelike plek wat buite die streek geleë is waarin verkoops personeel en voorrade goed permanent gehou word;
- (b) verkoop word in 'n winkel, stoor, pakhuis of ander plek wat binne die streek geleë is waar die goed deur 'n koper besigtig mag word of aflewering daarvan deur hom geneem mag word; of
- (c) verkoop word deur middel van posbestelling, deur-tot-deur of ander verkoopswyse wat bedryf word uit 'n basis wat binne die streek geleë is.

(3) 'n Onderneming [behalwe 'n onderneming in subparagrafe (1) en (2) bedoel] word geag binne die streek bedryf te wees indien in die geval van—

- (a) 'n onderneming in die loop waarvan vaste eiendom verkoop of verhuur word, enige bedoelde vaste eiendom binne die streek geleë is;
- (b) 'n onderneming in die loop waarvan goed verhuur word, bedoelde onderneming binne die streek bestuur of beheer word;
- (c) 'n onderneming in die loop waarvan dienste gelewer word, bedoelde onderneming binne die streek bestuur of beheer word;
- (d) 'n huisvestingsonderneming, huisvesting of etes binne die streek voorsien word; of
- (e) 'n finansiële onderneming, die besigheidsbedrywighede van die onderneming binne die streek bestuur of beheer word.

(4) Waar 'n onderneming beide binne en buite die streek bedryf word—

- (a) word bedoelde onderneming tot die mate waarin dit binne die streek bedryf word, geag 'n afsonderlike onderneming te wees wat binne die streek bedryf word; en
- (b) word 'n paslike deel, soos tot bevrediging van die Kommissaris vasgestel, van enige vergoeding wat deur die onderneming ontvang is of aan hom toegeval het uit die bedryf van die onderneming beide binne en buite die streek, geag ontvang te gewees het deur of toe te geval het aan die onderneming wat binne die streek bedryf word.

Enterprise carried on within region

7. (1) An enterprise in the course of which construction activities are carried on shall be deemed to be carried on within the region if—

- (a) the construction, erection, installation, alteration or repair of any road, railway, pipeline or transmission line takes place within the region; or
- (b) any other construction activity, including the installation, erection, alteration or repair of any building or plant or of any machinery, plant, equipment or article forming an integral part of any building or plant, is conducted from a base situated within the region: Provided that any such activity shall be deemed to be conducted from a base situated within the region if a site office or similar place has been established within the region for the purpose of wholly or partly supervising, managing or controlling the carrying on of such activity.

(2) An enterprise in the course of which goods are sold shall be deemed to be carried on within the region if goods—

- (a) are manufactured or produced within the region by the seller thereof and are sold by him otherwise than in a shop, store, warehouse or similar place situated outside the region in which sales staff and stocks of goods are permanently maintained;
- (b) are sold in a shop, store, warehouse or other place situated within the region where the goods may be viewed or delivery thereof taken by a purchaser; or
- (c) are sold by mail-order, door-to-door or other selling operation conducted from a base situated within the region.

(3) An enterprise [other than an enterprise contemplated in subparagraphs (1) and (2)] shall be deemed to be carried on within the region if in the case of—

- (a) an enterprise in the course of which fixed property is sold or let, any such fixed property is situated within the region;
- (b) an enterprise in the course of which goods are let, such enterprise is managed or controlled within the region;
- (c) an enterprise in the course of which services are rendered, such enterprise is managed or controlled within the region;
- (d) an accommodation enterprise, accommodation or meals are supplied within the region; or
- (e) a financial enterprise, the business operations of the enterprise are managed or controlled within the region.

(4) Where an enterprise is carried on both within and outside the region—

- (a) the enterprise shall, to the extent that it is carried on within the region, be deemed to be a separate enterprise carried on within the region; and
- (b) an appropriate portion, as determined to the satisfaction of the Commissioner, of any consideration received by or accrued to the enterprise from the carrying on of the enterprise both within and outside the region shall be deemed to have been received by or to have accrued to the enterprise carried on within the region.

DEEL IV**Vrystelling van klein bedrae**

8. Waar die raad oortuig is dat die totale bedrag aan streeksdiensteheffing en streeksvestigingsheffing waarvoor iemand by ontstentenis van die bepalings van hierdie paragraaf gedurende enige tydperk van 12 maande wat op of na die aanvangsdatum begin, aanspreeklik sou geword het minder is as R60, stel die raad so iemand vry van aanspreeklikheid vir bedoelde heffings.

Betaling van streeksdiensteheffing en streeksvestigingsheffing

9. (1) Die streeksdiensteheffing en streeksvestigingsheffing word, behoudens die bepalings van subparagraaf (2), betaal binne 'n tydperk van 20 dae, of die verdere tydperk wat die raad toelaat, na die einde van elke maand waarin—

- (a) enige besoldiging deur 'n werkgewer aan sy werknemers betaal of verskuldig word;
- (b) 'n bedrag aan trekkings vasgestel word met betrekking tot iemand wat 'n onderneming bedryf soos in paragraaf (b) van die omskrywing van "streeksdiensteheffing" in artikel 1 van die Wet beoog; of
- (c) 'n hefbare waarde vasgestel word met betrekking tot iemand wat 'n onderneming bedryf.

(2) Waar die som van die bedrae aan streeksdiensteheffing en streeksvestigingsheffing waarvoor 'n werkgewer of persoon ten opsigte van 'n maand aanspreeklik is of mag word, minder is as R10, kan bedoelde werkgewer of persoon kies om betaling daarvan te maak binne 'n tydperk van 20 dae, of die verdere tydperk wat die raad toelaat, na die einde van elke volle tydperk van drie maande.

(3) Elke betaling van streeksdiensteheffing of streeksvestigingsheffing word vergesel van 'n opgaaf in die vorm wat die raad voorskryf.

(4) Elke persoon wat ingevolge die bepalings van paragraaf 11 as 'n heffingpligtige geregistreer is, moet binne die tydperk deur subparagraaf (1) of (2) toegelaat, die raad van die in subparagraaf (3) bedoelde opgaaf voorsien ten opsigte van elke maand of tydperk van drie maande, na gelang van die geval, hetsy enige bedoelde heffing ten opsigte van bedoelde maand of tydperk betaalbaar is al dan nie.

Boete op laat betalings

10. (1) Indien 'n heffingpligtige versuim om 'n bedrag aan streeksdiensteheffing of streeksvestigingsheffing waarvoor hy aanspreeklik is, ten volle binne die in paragraaf 9 (1) of (2) voorgeskrewe tydperk, na gelang van die geval, te betaal, kan die Kommissaris, indien hy oortuig is dat die heffingpligtige se versuim om bedoelde heffing te betaal te wyte is aan 'n bedoeling om betaling daarvan te ontduik of uit te stel, benewens enige rente wat ingevolge die Wet betaalbaar mag wees, 'n boete oplê van 'n bedrag wat die bedrag aan onbetaalde heffing nie te bowe gaan nie.

(2) 'n Besluit van die Kommissaris om 'n boete ingevolge subparagraaf (1) op te lê, is aan beswaar en appel onderhewig.

(3) 'n Boete ingevolge subparagraaf (1) opgelê, word geag 'n skuld aan die raad te wees en kan deur die raad by wyse van geregtelike proses in 'n bevoegde hof verhaal word.

Registrasie

11. (1) Elke persoon wat op of te eniger tyd na 19.....—

- (a) synde 'n werkgewer, 'n werknemer behalwe 'n private of huisbediende binne die streek employeer of in diens neem; of

PART IV**Exemption of small amounts**

8. Where the council is satisfied that the total amount of regional services levy and regional establishment levy for which any taxpayer would, but for the provisions of this paragraph, become liable during any period of twelve consecutive months commencing on or after the commencement date, is less than R60, the council shall exempt such taxpayer from liability for payment of the said levies.

Payment of regional services levy and regional establishment levy

9. (1) The regional services levy and the regional establishment levy shall, subject to the provisions of subparagraph (2), be paid within a period of 20 days, or such further period as the council may allow, after the end of every month during which—

- (a) any remuneration is paid or becomes payable by any employer to any employee;
- (b) any amount of drawings is determined in relation to any person carrying on an enterprise as contemplated in paragraph (b) of the definition of "regional services levy" in section 1 of the Act; or
- (c) any leviable value is determined in relation to any person carrying on any enterprise.

(2) Where the sum of the amounts of regional services levy and regional establishment levy for which any employer or person is or may become liable in respect of any month is less than R10, such employer or person may elect to make payment thereof within a period of 20 days, or such further period as the council may allow, after the end of every completed period of three months.

(3) Every payment of regional services levy or regional establishment levy shall be accompanied by a return in such form as the council may prescribe.

(4) Every person who is registered as a taxpayer under the provisions of paragraph 11 shall within the period allowed by subparagraph (1) or (2) furnish the council with the return referred to in subparagraph (3) in respect of every month or period of three months, as the case may be, whether or not any such levy is payable in respect of such month or period.

Penalty on late payment

10. (1) If any taxpayer fails to pay in full within the period for payment prescribed under paragraph 9 (1) or (2), as the case may be, any amount of regional services levy or regional establishment levy for which he is liable, the Commissioner may, if he is of the opinion that the taxpayer's failure to pay such levy was due to an intention to evade or postpone payment thereof, impose in addition to any interest which may be payable under the Act, a penalty of an amount not exceeding the amount of the unpaid levy.

(2) Any decision of the Commissioner to impose a penalty under subparagraph (1) shall be subject to objection and appeal.

(3) Any penalty imposed under subparagraph (1) shall be deemed to be a debt due to the council and may be recovered by the council by way of judicial process in a competent court.

Registration

11. (1) Every person who on or at any time after 19.....—

- (a) being an employer, employs or commences to employ within the region any employee other than a domestic or private servant; or

- (b) 'n onderneming binne die streek bedryf of begin bedryf in die loop waarvan 'n hefbare transaksie gesluit word,

en aanspreeklik word vir die betaling van enige streeksdiensteheffing of streeksvestigingsheffing, moet binne een maand gereken vanaf daardie datum (of, indien hy op 'n latere datum bedoelde werknemer in diens neem of begin om bedoelde onderneming te bedryf, vanaf die latere datum) aan die raad 'n verklaring verstrek in die vorm wat die raad voorskryf, wat die inligting bevat wat deur die raad vir die doeleindes van die Wet vereis word.

(2) Waar die raad oortuig is dat iemand vir die betaling van die streeksdiensteheffing of streeksvestigingsheffing aanspreeklik is of sal word, registreer hy so iemand as 'n heffingpligtige, en, waar hy oortuig is dat iemand wat as heffingpligtige geregistreer is, opgehou het om vir die betaling van so 'n heffing aanspreeklik te wees, kanselleer hy so iemand se registrasie as heffingpligtige.

(3) Die raad kan, met die doel om te bepaal of iemand aanspreeklik geword het vir die betaling van so 'n heffing, van so iemand vereis dat hy die in subparagraaf (1) bedoelde verklaring verstrek.

Aanslae

12. (1) Waar 'n geregistreerde belastingpligtige versuim het om 'n in paragraaf 9 (4) bedoelde opgaaf binne die betrokke toegelate tydperk te verstrek, kan die raad die bedrag aan enige heffing beraam wat, na sy oordeel, waarskynlik ten opsigte van die betrokke maand of tydperk betaalbaar is, en kan hy 'n aanslag maak van die bedrag aan onbetaalde heffing.

(2) Waar die Kommissaris ingevolge die bepalings van paragraaf 15 (4) die raad opgedra het om 'n aanslag van enige onbetaalde heffing te maak, maak die raad bedoelde aanslag.

(3) Die raad gee aan die betrokke heffingpligtige skriftelike kennis van 'n aanslag wat ingevolge subparagraaf (1) of (2) gemaak is.

(4) Die bedrag aan onbetaalde heffing wat in so 'n aanslag getoon word, word, behoudens die heffingpligtige se reg van beswaar en appèl hierin voorsien, geag 'n bedrag aan heffing te wees wat regtens ingevolge die Wet betaalbaar is, en kan deur die raad by wyse van geregtelike prosies in 'n bevoegde hof verhaal word, en geen heffingpligtige is bevoeg om in so 'n prosies die juisheid van so 'n aanslag in twyfel te trek nie, al is 'n beswaar en appèl daarteen ingedien.

Terugbetalings

13. (1) Waar die raad oortuig is of deur die Kommissaris meegedeel is dat 'n bedrag aan streeksdiensteheffing of streeksvestigingsheffing wat 'n heffingpligtige betaal het, of enige rente of boete wat ten opsigte van so 'n heffing deur hom betaal is, meer is as die bedrag aan bedoelde heffing, rente of boete wat regtens betaalbaar is, maak die raad aan die heffingpligtige 'n terugbetaling van die bedrag wat te veel betaal is.

(2) Geen terugbetaling word ingevolge die bepalings van subparagraaf (1) gemaak nie tensy die heffingpligtige binne twee jaar na die datum van betaling van die betrokke bedrag skriftelik daarvoor aansoek doen.

(3) Waar 'n heffingpligtige om 'n terugbetaling aansoek gedoen het en die raad van mening is dat bedoelde terugbetaling nie regtens gemaak moet word nie, gee die raad aan die heffingpligtige skriftelik kennis van sy weiering om bedoelde terugbetaling te maak.

- (b) carries on or commences to carry on within the region any enterprise in the course of which any leviable transaction is concluded,

and becomes liable for the payment of any regional services levy or regional establishment levy, shall within one month reckoned from that date (or, if he commences to employ such employee or to carry on such enterprise on a later date, from the later date) furnish the council with a declaration in such form as the council may prescribe, which shall contain such information as the council may require for the purposes of the Act.

(2) Where the council is satisfied that any person is or will become liable for the payment of the regional services levy or the regional establishment levy, it shall register such person as a taxpayer, and, where it is satisfied that any person who is registered as a taxpayer has ceased to be liable for the payment of any such levy, it shall cancel such person's registration as a taxpayer.

(3) The council may, for the purpose of determining whether any person has become liable for the payment of any such levy, require such person to furnish the declaration contemplated in subparagraph (1).

Assessments

12. (1) Where any registered taxpayer has failed to furnish any return referred to in paragraph 9 (4) within the relevant period allowed, the council may estimate the amount of any levy which, in its opinion, is probably payable in respect of the relevant month or period, and may make an assessment of the amount of the unpaid levy.

(2) Where the Commissioner has under the provisions of paragraph 15 (4) directed the council to make an assessment of any unpaid levy, the council shall make such assessment.

(3) The council shall give the taxpayer concerned written notice of any assessment made under subparagraph (1) or (2).

(4) The amount of any unpaid levy shown in any such assessment shall, subject to the taxpayer's right of objection and appeal as hereinafter provided, be deemed to be an amount of levy which is properly payable under the Act, and may be recovered by the council by way of judicial process in a competent court, and it shall not be competent for any taxpayer in any such process to question the correctness of any such assessment, notwithstanding that objection and appeal may have been lodged thereto.

Refunds

13. (1) Where the council is satisfied or has been advised by the Commissioner that any amount of regional services levy or regional establishment levy paid by any taxpayer, or any interest or penalty paid by him in respect of any such levy, is in excess of the amount of such levy, interest or penalty properly payable, the council shall make a refund to the taxpayer of the amount paid in excess.

(2) No refund shall be made under the provisions of subparagraph (1) unless the taxpayer makes written application therefor within a period of two years after the date of payment of the relevant amount.

(3) Where any taxpayer has made an application for a refund and the council is of the opinion that such refund should not properly be made, the council shall give the taxpayer written notification of its refusal to make such refund.

Reëlings om probleme of ongerymdhede te bowe te kom

14. Indien die Kommissaris in enige geval oortuig is dat as gevolg van die wyse waarop 'n heffingpligtige sy onderneming beoefen, probleme of ongerymdhede ontstaan het of mag ontstaan met betrekking tot die toepassing van enige van die bepalings van die Wet, kan die Kommissaris en die heffingpligtige ooreenkom oor die wyse waarop bedoelde bepalings in die geval van die heffingpligtige toegepas moet word, en kan hulle in bedoelde ooreenkoms sodanige reëlings tref in verband met die berekening of betaling van 'n heffing of die toepassing van 'n vrystelling van heffing waarvoor in die Wet voorsiening gemaak word, as wat na verwagting bedoelde probleme of ongerymdhede sal oorkom.

Magte van raad en Kommissaris

15. (1) Die raad is verantwoordelik vir die uitvoering van die Wet vir sover dit voorsiening maak vir die heffing en invordering van die streeksdiensheffing en streeksvestigingsheffing, maar is nie by magte om enigiemand aan te sê om enige boeke, rekords, rekeninge of ander dokumente met betrekking tot so 'n heffing voor te lê of om 'n heffingpligtige aan te sê om 'n opgaaf wat hy in verband met so 'n heffing ingedien het, te staaf nie.

(2) Waar die raad rede het om te glo dat 'n heffingpligtige so 'n heffing waarvoor hy ingevolge die Wet aanspreeklik is, nie ten volle betaal het nie, kan die raad die aangeleentheid aan die Kommissaris voorlê vir die optrede wat die Kommissaris goeddink.

(3) Die Kommissaris doen die ouditering van 'n heffingpligtige se sake wat hy nodig ag om te verseker dat die bepalings van die Wet met betrekking tot die betaling van die streeksdiensheffing en die streeksvestigingsheffing nagekom word, en kan enigiemand aansê om enige boeke, rekords of rekeninge of enige ander dokument vir ondersoek voor te lê wat volgens die Kommissaris se oortuiging nodig is of mag wees om die aanspreeklikheid van so iemand of enigiemand anders vir die betaling van so 'n heffing vas te stel.

(4) (a) Waar die Kommissaris oortuig is dat 'n heffingpligtige so 'n heffing waarvoor hy aanspreeklik is, nie ten volle betaal het nie, kan die Kommissaris die raad opdra om ingevolge die bepalings van paragraaf 12 'n aanslag op die heffingpligtige te maak.

(b) Die Kommissaris kan vir die doeleindes van 'n aanslag in item (a) beoog, die bedrag beraam waarop heffing betaalbaar is.

(5) Die Kommissaris kan soos en wanneer hy dit nodig ag, die raad voorsien van 'n beslissing of aanwysing oor die uitleg van 'n bepaling van die Wet met betrekking tot die op lê of vrystelling van so 'n heffing, en in dié geval is die raad verplig om bedoelde beslissing of aanwysing toe te pas.

Besware

16. (1) Iemand wat ontevrede is met 'n aanslag wat ingevolge die bepalings van paragraaf 12 deur die raad op hom gemaak is of met die raad se weiering om 'n terugbetaling ingevolge die bepalings van paragraaf 13 te maak, kan beswaar by die raad aanteken.

(2) Elke beswaar geskied skriftelik en moet die gronde waarop dit steun, in besonderhede aandui.

(3) Geen beswaar word deur die raad in oorweging geneem nie wat nie by sy kantoor afgelewer is of betyds aan hom geos is nie om hom te bereik binne 30 dae na die datum van die kennisgewing van die aanslag of kennisgewing van die raad se weiering om 'n terugbetaling te maak waarteen die beswaar gemaak word, tensy die raad oortuig is dat daar redelike gronde vir die vertraging by die indiening van die beswaar bestaan.

Arrangements to overcome difficulties or anomalies

14. If in any case the Commissioner is satisfied that in consequence of the manner in which any taxpayer conducts his enterprise, difficulties or anomalies have arisen or may arise in regard to the application of any of the provisions of the Act, the Commissioner and the taxpayer may agree as to the manner in which such provisions shall be applied in the case of such taxpayer, and they may in such agreement make such arrangements as to the calculation or payment of any levy or the application of any exemption from any levy provided in the Act as appear to overcome such difficulties or anomalies.

Powers of council and Commissioner

15. (1) The council shall be responsible for the administration of the Act in so far as it provides for the levy and recovery of the regional services levy and the regional establishment levy, but shall not be empowered to require any person to produce any books, records, accounts or other documents in relation to any such levy, or to require any taxpayer to substantiate any return submitted by him in connection with any such levy.

(2) Where the council has reason to believe that any taxpayer has not paid in full any such levy for which he is liable under the Act, the council may submit the matter to the Commissioner for such action as the Commissioner deems fit.

(3) The Commissioner shall conduct such audits into the affairs of any taxpayer as he considers are necessary to ensure that the provisions of the Act are complied with, and may require any person to produce for examination any books, records or accounts or any other documents which in the opinion of the Commissioner are or may be necessary for the purpose of determining the liability of such person or any other person for the payment of any such levy.

(4) (a) Where the Commissioner is of the opinion that any taxpayer has not paid in full any such levy for which he is liable, the Commissioner may direct the council to make an assessment upon the taxpayer under the provisions of paragraph 12.

(b) The Commissioner may, for the purposes of any assessment contemplated in item (a), estimate the amount upon which the levy is payable.

(5) The Commissioner may as and when he deems it expedient, furnish the council with any ruling or directive on the interpretation of any provision of the Act relating to the imposition of or exemption from any such levy, and in such case the council shall be obliged to apply such ruling or directive.

Objections

16. (1) Any person who is dissatisfied with any assessment made upon him by the council under the provisions of paragraph 12 or with the council's refusal to make a refund under the provisions of paragraph 13 may lodge an objection with the council.

(2) Every objection shall be in writing and shall specify in detail the grounds upon which it is made.

(3) No objection shall be considered by the council which is not delivered at its office or posted to it in sufficient time to reach it within 30 days after the date of the notice of assessment or notice of the council's refusal to make a refund against which the objection is lodged, unless the council is satisfied that reasonable grounds exist for the delay in lodging the objection.

(4) Die raad kan nadat hy die beswaar oorweeg het—

- (a) die aanslag wysig of verminder; of
- (b) 'n terugbetaling maak van enige heffing, rente of boete wat betaal is; of
- (c) die beswaar na die Kommissaris verwys,

en moet skriftelike kennisgewing van so 'n wysiging, vermindering of verwysing, na gelang van die geval, aan die persoon stuur wat die beswaar gemaak het: Met dien verstande dat waar die betrokke aanslag of weiering om 'n terugbetaling te maak in ooreenstemming is met 'n beslissing of aanwysing wat deur die Kommissaris uitgereik is, die raad bedoelde aanslag nie wysig of verminder nie en bedoelde terugbetaling nie maak nie, maar verwys hy die beswaar na die Kommissaris.

(5) Die Kommissaris kan nadat hy 'n beswaar oorweeg het wat ingevolge subparagraaf (4) deur die raad aan hom verwys is—

- (a) die raad opdra om die aanslag te wysig of verminder; of
- (b) die raad opdra om 'n terugbetaling van enige heffing, rente of boete te maak; of
- (c) die beswaar van die hand wys,

en moet skriftelike kennisgewing van so 'n opdrag of afwysing, na gelang van die geval, aan die persoon stuur wat die beswaar gemaak het.

Appèlle

17. (1) Iemand wat geregtig is om 'n beswaar te maak en wat ontevrede is met 'n beslissing van die raad of die Kommissaris soos ingevolge paragraaf 16 (4) of (5) aan hom meegedeel, kan daarteen appelleer na 'n spesiale hof saamgestel ingevolge die bepalings van artikel 83 van die Inkomstebelastingwet, 1962 (Wet 58 van 1962).

(2) Elke kennisgewing van appèl geskied skriftelik en word by die Kommissaris ingedien binne 'n tydperk van 30 dae na die datum van die kennisgewing in paragraaf 16 (4) of (5) vermeld, en so 'n kennisgewing van appèl het geen uitwerking of krag hoegenaamd nie, tensy dit binne bedoelde tydperk ingedien word.

(3) By die verhoor van 'n appèl ingevolge hierdie paragraaf—

- (a) word die appellant beperk tot die gronde vermeld in die kennisgewing van beswaar bedoel in paragraaf 16; en
- (b) word die saak deur die spesiale hof ondersoek en oorweeg en kan hy die raad gelas om 'n terugbetaling te maak of beveel dat die aanslag waarteen geappelleer word, gewysig, verminder of bekragtig word, of na goedvinde in die geval van 'n aanslag die aanslag na die Kommissaris vir verdere ondersoek en aanslag terugverwys.

(4) Die bepalings van subartikels (8) tot en met (12) en (14) tot en met (17) van artikel 83, en van artikels 84, 85 en 86A van die Inkomstebelastingwet, 1962, en enige regulasies wat kragtens daardie Wet uitgevaardig is en betrekking het op 'n appèl na die spesiale hof bedoel in subparagraaf (1) en op 'n appèl ingevolge bedoelde artikel 86A, is *mutatis mutandis* met betrekking tot 'n appèl ingevolge hierdie paragraaf van toepassing.

(5) Die verpligting om 'n heffing hefbaar ingevolge die Wet te betaal en die reg om dit te ontvang en te in, word nie, tensy die raad aldus beveel, deur 'n appèl of hangende die beslissing van 'n geregshof ingevolge artikel 86A van die Inkomstebelastingwet, 1962, soos toegepas deur subparagraaf (4), opgeskort nie, maar indien 'n aanslag op appèl of

(4) After having considered the objection, the council may—

- (a) alter or reduce the assessment; or
- (b) make a refund of any tax, penalty or interest paid; or
- (c) refer the objection to the Commissioner,

and shall send the person who made the objection written notice of such alteration, reduction or referral, as the case may be: Provided that where the relevant assessment or refusal to make a refund is in accordance with a ruling or directive issued by the Commissioner, the council shall not alter or reduce such assessment or make such refund, but shall refer the objection to the Commissioner.

(5) After having considered an objection referred to him by the council under subparagraph (4), the Commissioner may—

- (a) instruct the council to alter or reduce the assessment; or
- (b) instruct the council to make a refund of any tax, interest or penalty paid; or
- (c) disallow the objection,

and shall send the person who made the objection written notice of such instruction or disallowance, as the case may be.

Appeals

17. (1) Any person entitled to make an objection who is dissatisfied with any decision of the council or the Commissioner as notified to him in terms of paragraph 16 (4) or (5), may appeal therefrom to the special court constituted under the provisions of section 83 of the Income Tax Act, 1962 (Act 58 of 1962).

(2) Every notice of appeal shall be in writing and shall be lodged with the Commissioner within a period of 30 days after the date of the notice mentioned in paragraph 16 (4) or (5), and such notice of appeal shall be of no force or effect whatsoever unless it is lodged within the said period.

(3) At the hearing of any appeal under this paragraph—

- (a) the appellant shall be limited to the grounds stated in the notice of objection referred to in paragraph 16; and
- (b) the special court shall inquire into and consider the matter and may direct the council to make a refund or order the assessment under appeal to be altered, reduced or confirmed or, if it thinks fit, in the case of an assessment, refer such assessment back to the Commissioner for further investigation and assessment.

(4) The provisions of subsections (8) to (12) and (14) to (17) of section 83, and of sections 84, 85 and 86A of the Income Tax Act, 1962, and any regulation made under that Act relating to any appeal to the special court referred to in subparagraph (1) and to any appeal in terms of the said section 86A, shall *mutatis mutandis* apply with reference to any appeal under this paragraph.

(5) The obligation to pay and the right to receive and recover any levy chargeable under the Act shall not, unless the council so directs, be suspended by any appeal or pending the decision of a court of law under section 86A of the Income Tax Act, 1962, as applied by subparagraph (4), but if any assessment is altered on appeal or in conformity with any such decision, a due adjustment shall be made, amounts

ooreenkomstig so 'n beslissing verander word, vind 'n behoorlike aansuiwering plaas waarby bedrae wat te veel betaal is, terugbetaal word met rente teen die in artikel 12 van die Wet bedoelde skaal, bereken vanaf die datum wat, na tot bevrediging van die Kommissaris bewys word, die datum is waarop die bedrae wat te veel betaal is, ontvang is, en bedrae wat te min betaal is met rente, bereken volgens voorskrif van genoemde artikel 12 (10), verhaal kan word.

DEPARTEMENT VAN HANDEL EN NYWERHEID

No. R. 1798

29 Augustus 1986

WET OP EIENDOMSAGENTE, 1976

UITREIKING VAN GETROUWHEIDSFONDS- EN REGISTRASIESERTIFIKATE

Die Adjunk-minister van Finansies en van Handel en Nywerheid, handelende namens die Minister van Handel en Nywerheid het, na oorleg met die Raad vir Eiendoms-agente, kragtens artikel 33 van die Wet op Eiendoms-agente, 1976 (Wet 112 van 1976), die regulasies in die Bylae hierby uitgevaardig.

BYLAE

1. In hierdie regulasies het woorde en uitdrukkings wat in hierdie Wet omskryf of gebruik word die betekenis daaraan geheg.

2. Elke eiendomsagent, uitgesonderd 'n eiendomsagent bedoel in paragraaf (cA) van die omskrywing van "eiendomsagent" in artikel 1 van hierdie Wet, moet—

(a) aan die raad 'n heffing betaal van—

- (i) R100 indien hy 'n eiendomsagent is ingevolge paragraaf (a) van die woordomschrywing van "eiendomsagent" of paragraaf (c) (i) van die woordomschrywing van "eiendomsagent"; of
- (ii) R60 indien hy 'n eiendomsagent is ingevolge paragraaf (c) (ii) van die woordomschrywing van "eiendomsagent"; en

(b) vir die kalenderjaar 1987 en jaarliks daarna aan die raad 'n heffing betaal van—

- (i) R100 indien hy 'n eiendomsagent is ingevolge paragraaf (a) van die woordomschrywing van "eiendomsagent" of paragraaf (c) (i) van die woordomschrywing van "eiendomsagent";
- (ii) R60 indien hy 'n eiendomsagent is ingevolge paragraaf (c) (ii) van die woordomschrywing van "eiendomsagent"; en

(c) 'n bydrae tot die fonds betaal van—

- (i) R80 indien hy 'n eiendomsagent is ingevolge paragraaf (a) van die woordomschrywing van "eiendomsagent" of paragraaf (c) (i) van die woordomschrywing van "eiendomsagent"; of
- (ii) R30 indien hy 'n eiendomsagent is ingevolge paragraaf (c) (ii) van die woordomschrywing van "eiendomsagent"; en

(d) 'n bydrae tot die fonds betaal van—

- (i) R60 indien hy 'n eiendomsagent is ingevolge paragraaf (a) van die woordomschrywing van "eiendomsagent" of paragraaf (c) (i) van die woordomschrywing van "eiendomsagent"; of
- (ii) R10 indien hy 'n eiendomsagent is ingevolge paragraaf (c) (ii) van die woordomschrywing van "eiendomsagent".

3. 'n Eiendomsagent bedoel in paragraaf (cA) van die omskrywing van "eiendomsagent" in artikel 1 van hierdie Wet moet jaarliks 'n heffing van R60 aan die raad betaal.

paid in excess being refunded with interest at the rate contemplated in section 12 (10) of the Act, calculated from the date proved to the satisfaction of the council to be the date on which such excess was received, and amounts shortpaid being recoverable with interest as provided in the said section 12 (10).

DEPARTMENT OF TRADE AND INDUSTRY

No. R. 1798

29 August 1986

ESTATE AGENTS ACT, 1976

ISSUE OF FIDELITY FUND AND REGISTRATION CERTIFICATES

The Deputy Minister of Finance and of Trade and Industry, acting on behalf of the Minister of Trade and Industry has, after consultation with the Estate Agents Board, in terms of section 33 of the Estate Agents Act, 1976 (Act 112 of 1976), made the regulations contained in the Schedule.

SCHEDULE

1. In these regulations words and expressions defined or used in this Act have the meaning assigned thereto.

2. Every estate agent excluding an "estate agent" referred to in paragraph (cA) of the definition of "estate agent" in section 1 of this Act shall—

(a) pay to the board a levy of—

- (i) R100 if he is an estate agent by virtue of paragraph (a) of the definition of "estate agent" or paragraph (c) (i) of the definition of "estate agent"; or
- (ii) R60 if he is an estate agent by virtue of paragraph (c) (ii) of the definition of "estate agent"; and

(b) for the calendar year 1987 and annually thereafter pay to the board a levy of—

- (i) R100 if he is an estate agent by virtue of paragraph (a) of the definition of "estate agent" or paragraph (c) (i) of the definition of "estate agent"; or
- (ii) R60 if he is an estate agent by virtue of paragraph (c) (ii) of the definition of "estate agent"; and

(c) pay to the fund a contribution of—

- (i) R80 if he is an estate agent by virtue of paragraph (a) of the definition of "estate agent" or paragraph (c) (i) of the definition of "estate agent"; or
- (ii) R30 if he is an estate agent by virtue of paragraph (c) (ii) of the definition of "estate agent"; and

(d) for the calendar year 1987 and annually thereafter pay to the fund a contribution of—

- (i) R60 if he is an estate agent by virtue of paragraph (a) of the definition of "estate agent" or paragraph (c) (i) of the definition of "estate agent";
- (ii) R10 if he is an estate agent by virtue of paragraph (c) (ii) of the "estate agent".

3. An estate agent referred to in paragraph (cA) of the definition of "estate agent" in section 1 of this Act shall pay annually to the board a levy of R60.

4. (1) Elke eiendomsagent aan wie reeds 'n getrouheidsfondssertifikaat of 'n registrasiesertifikaat vir 'n betrokke jaar uitgereik is moet, tensy hy gestaak het of voor daardie jaareinde sal staak om as 'n eiendomsagent op te tree en die raad skriftelik van sodanige feit in kennis gestel het, nie later nie as 31 Oktober van daardie jaar, by die raad aansoek doen om die uitreiking aan hom van 'n getrouheidsfondssertifikaat of 'n registrasiesertifikaat, na gelang van die geval, met betrekking tot die daaropvolgende kalenderjaar.

(2) Enige persoon wat voornemens is om in die loop van 'n kalenderjaar as 'n eiendomsagent te begin optree, moet by die raad aansoek doen om die uitreiking aan hom van 'n getrouheidsfondssertifikaat of 'n registrasiesertifikaat, na gelang van die geval, met betrekking tot die oorblywende gedeelte van daardie jaar.

(3) Enige eiendomsagent wat 'n besigheid bedryf anders as 'n werknemer of 'n onafhanklike kontrakteur in meer as een tak of besigheid moet aansoek doen om 'n afsonderlike getrouheidsfondssertifikaat ten opsigte van iedere sodanige tak of besigheid, ongeag die handelsnaam of styl waaronder die besigheid in iedere sodanige tak of besigheid bedryf word en moet iedere sodanige getrouheidsfondssertifikaat in 'n prominente plek in iedere sodanige tak of besigheid tot die bevrediging van die raad vertoon. Met dien verstande dat iedere sodanige getrouheidsfondssertifikaat gratis aan die eiendomsagent uitgereik moet word.

5. Die aansoeke bedoel in regulasie 4 moet vergesel word van die heffings bedoel in regulasie 2 of 3, na gelang van die geval, en die bydrae bedoel in regulasie 2, indien van toepassing.

6. 'n Aansoek deur enige persoon wat ingevolge regulasie 4 (2) om die uitreiking aan hom van 'n getrouheidsfondssertifikaat of registrasiesertifikaat vir 'n besondere jaar aansoek doen, moet, indien sodanige aansoek betrekking het op 'n tydperk wat 'n aanvang neem voor 1 Julie van daardie jaar, vergesel wees van die volle bedrag van die heffing en bydrae bedoel in regulasie 2 of die volle heffing bedoel in regulasie 3, na gelang van die geval: Met dien verstande dat—

(1) indien aansoek gedoen word op of na 1 Julie 1986, ten opsigte van die restant van 1986, moet sodanige eiendomsagent—

(a) aan die raad 'n heffing betaal van—

- (i) R50 indien hy 'n eiendomsagent is ingevolge paragraaf (a) van die woordomschrywing van "eiendomsagent" of paragraaf (c) (i) van die woordomschrywing van "eiendomsagent"; of
- (ii) R30 indien hy 'n eiendomsagent is ingevolge paragraaf (c) (ii) van die woordomschrywing van "eiendomsagent"; of
- (iii) een helfte van die heffing waarna in regulasie 3 verwys word indien hy 'n eiendomsagent is ingevolge paragraaf (cA) van die omschrywing van "eiendomsagent" in artikel 1 van hierdie Wet; en

(b) 'n bydrae tot die fonds betaal van—

- (i) R50 indien hy 'n eiendomsagent is ingevolge paragraaf (a) van die woordomschrywing van "eiendomsagent" of paragraaf (c) (i) van die woordomschrywing van "eiendomsagent"; of
- (ii) R20 indien hy 'n eiendomsagent is ingevolge paragraaf (c) (ii) van die woordomschrywing van "eiendomsagent".

4. (1) Every estate agent to whom a fidelity fund certificate or a registration certificate has already been issued for a certain year, shall, unless he has ceased or will cease before that year end to operate as an estate agent and has advised the board of such fact in writing not later than 31 October of that year, apply to the board for the issue to him of a fidelity fund certificate or registration certificate as the case may be, in respect of the succeeding calendar year.

(2) Any person who intends to commence operating as an estate agent in the course of any calendar year shall apply to the board for the issue to him of a fidelity fund certificate or a registration certificate as the case may be, in respect of the remainder of that year.

(3) Any estate agent who carries on business otherwise than as an employee or independent contractor in more than one branch or outlet, shall apply for a separate fidelity fund certificate in respect of each such branch or outlet, irrespective of the trading name or style under which business is carried on in each such branch or outlet and shall display each such fidelity fund certificate to the satisfaction of the board in a prominent position in each such branch or outlet: Provided that each such fidelity fund certificate shall be issued to the estate agent free of charge.

5. The applications referred to in regulation 4 shall be accompanied by the levies referred to in regulation 2 or 3, as the case may be, and by the contribution referred to in regulation 2, if applicable.

6. An application by any person who applies in terms of regulation 4 (2) for the issue to him of a fidelity fund certificate or a registration certificate for a certain year shall, if such application is in respect of a period commencing before 1 July of that year, be accompanied by the full amount of the levy and contribution referred to in regulation 2 or the full amount of the levy referred to in regulation 3, as the case may be: Provided that—

(1) if application is made on or after 1 July 1986, in respect of the remainder of 1986, such estate agent shall—

(a) pay to the board a levy of—

- (i) R50 if he is an estate agent by virtue of paragraph (a) of the definition of "estate agent" or paragraph (c) (i) of the definition of "estate agent"; or
- (ii) R30 if he is an estate agent by virtue of paragraph (c) (ii) of the definition of "estate agent"; or
- (iii) one half of the levy referred to in regulation 3 if he is an estate agent by virtue of paragraph (cA) of the definition of "estate agent" in section 1 of this Act; and

(b) pay to the fund a contribution of—

- (i) R50 if he is an estate agent by virtue of paragraph (a) of the definition of "estate agent" or paragraph (c) (i) of the definition of "estate agent"; or
- (ii) R20 if he is an estate agent by virtue of paragraph (c) (ii) of the definition of "estate agent".

(2) Indien aansoek gedoen word op of na 1 Julie 1987 en op of na 1 Julie van elke daaropvolgende jaar, vir die restant van 1987 of die restant van elke daaropvolgende jaar, na gelang van die geval, moet sodanige eiendomsagent—

(a) aan die raad 'n heffing betaal van—

- (i) R50 indien hy 'n eiendomsagent is ingevolge paragraaf (a) van die woordskrywing van "eiendomsagent" of paragraaf (c) (i) van die woordskrywing van "eiendomsagent"; of
- (ii) R30 indien hy 'n eiendomsagent is ingevolge paragraaf (c) (ii) van die woordskrywing van "eiendomsagent"; of
- (iii) een helfte van die heffing waarna in regulasie 3 verwys word indien hy 'n eiendomsagent is ingevolge paragraaf (cA) van die omskrywing van "eiendomsagent" in artikel 1 van hierdie Wet; en

(b) 'n bydrae tot die fonds betaal van—

- (i) R30 indien hy 'n eiendomsagent is ingevolge paragraaf (a) van die woordskrywing van "eiendomsagent" of paragraaf (c) (i) van die woordskrywing van "eiendomsagent"; of
- (ii) R5 indien hy 'n eiendomsagent is ingevolge paragraaf (c) (ii) van die woordskrywing van "eiendomsagent".

7. Enige verandering in die bedrag van die heffings en bydraes betaalbaar met betrekking tot enige jaar moet in die *Staatskoerant* gepubliseer word, nie later nie as 31 Augustus van die voorafgaande jaar.

8. Indien die raad oortuig is dat die betrokke applikant nie ingevolge artikel 27 van hierdie Wet gediskwalifiseer is nie en dat die aansoek in orde is, moet die raad 'n getrouheidsfondssertifikaat in die vorm van Aanhangsel A hiervan of 'n registrasiesertifikaat in die vorm van Aanhangsel B hiervan, na gelang van die geval, aan die applikant uitreik wat geldig is tot 31 Desember van die jaar waarop die aansoek betrekking het.

9. (1) 'n Maatskappy of beslote korporasie wat as 'n eiendomsagent optree, word hierby vrygestel van die betaling van die heffing en die bydrae bedoel in regulasie 2, mits 'n getrouheidsfondssertifikaat aan elkeen van sy direkteure of lede bedoel in paragraaf (b) van die omskrywing van eiendomsagent in artikel 1 van hierdie Wet uitgereik is.

(2) Ondanks die bepalinge van subregulasie (1), moet so 'n maatskappy of beslote korporasie in sy eie naam ingevolge hierdie regulasies aansoek doen om die uitreiking aan hom van 'n getrouheidsfondssertifikaat.

(3) 'n Getrouheidsfondssertifikaat bedoel in subregulasie (2) word gratis uitgereik en moet tot bevrediging van die raad op 'n opvallende plek op die perseel van die betrokke maatskappy of beslote korporasie ten toon gestel word.

10. Die houer van 'n getrouheidsfondssertifikaat of registrasiesertifikaat moet die raad binne 14 dae verwittig van enige verandering in die inligting wat aan die raad verstrekk is tydens aansoek om die uitreiking aan hom van sodanige sertifikaat en indien die inligting wat op die sertifikaat voorkom nie meer toepaslik is nie of verander het, moet sodanige sertifikaat onverwyld aan die raad gestuur word vir paslike wysiging daarvan of vir die uitreiking van 'n nuwe sertifikaat ter vervanging daarvan.

11. Elke getrouheidsfondssertifikaat of registrasiesertifikaat wat kragtens hierdie regulasies uitgereik is, bly die eiendom van die raad.

(2) If application is made on or after 1 July 1987, and on or after 1 July of every subsequent year, for the remainder of 1987 or the remainder of every subsequent year, as the case may be, such estate agent shall—

(a) pay to the board a levy of—

- (i) R50 if he is an estate agent by virtue of paragraph (a) of the definition of "estate agent" or paragraph (c) (i) of the definition of "estate agent"; or
- (ii) R30 if he is an estate agent by virtue of paragraph (c) (ii) of the definition of "estate agent"; or
- (iii) the one half of levy referred to in regulation 3 if he is an estate agent by virtue of paragraph (cA) of the definition of "estate agent" in section 1 of this Act; and

(b) pay to the fund a contribution of—

- (i) R30 if he is an estate agent by virtue of paragraph (a) of the definition of "estate agent" or paragraph (c) (i) of the definition of "estate agent"; or
- (ii) R5 if he is an estate agent by virtue of paragraph (c) (ii) of the definition of "estate agent".

7. Any change in the amount of the levies and contributions payable in respect of any year shall be published in the *Gazette* not later than 31 August of the preceding year.

8. If the board is satisfied that the applicant concerned is not disqualified in terms of section 27 of this Act and that the application is in order, the board shall issue to the applicant a fidelity fund certificate in the form of Annexure A hereto or a registration certificate in the form of Annexure B hereto, as the case may be, which shall be valid until 31 December of the year to which the application relates.

9. (1) Any company or close corporation operating as an estate agent is hereby exempted from the payment of the levy and the contribution referred to in regulation 2, provided a fidelity fund certificate has been issued to each of its directors, or members contemplated in paragraph (b) of the definition of estate agent in section 1 of this Act.

(2) Notwithstanding the provisions of subregulation (1), such company or close corporation shall in its own name apply in terms of these regulations for the issue to it of a fidelity fund certificate.

(3) A fidelity fund certificate referred to in subregulation (2) shall be issued free of charge and shall to the satisfaction of the board be displayed in a prominent position on the premises of the company or close corporation concerned.

10. The holder of a fidelity fund certificate or a registration certificate shall inform the board within 14 days of any change in the information supplied to the board at the time of applying for the issue to him of such certificate and, if the information appearing on the certificate is no longer applicable or has changed, such certificate shall forthwith be forwarded to the board for appropriate amendment thereof or for the issue of a new certificate in substitution therefor.

11. Every fidelity fund certificate or registration certificate issued in terms of these regulations shall remain the property of the board.

12. (1) Indien 'n getrouheidsfondssertifikaat uitgereik is aan 'n onafhanklike kontrakteur of enige persoon bedoel in paragraaf (c) (ii) van die omskrywing van "eiendomsagent" in artikel 1 van hierdie Wet, en so iemand ophou om in diens te wees van of geassosieer te wees met die werk-gewer vermeld in sodanige sertifikaat, moet daardie werk-gewer daardie sertifikaat binne 14 dae nadat so iemand opgehou het om in sy diens te wees of om aldus geassosieer te wees aan die raad terugstuur, tesame met 'n brief waarin die raad verwittig word van sodanige feit en indien dié inligting bekend is, by wie die werknemer in diens staan te tree of met wie hy geassosieer staan te word.

(2) Die bepalings van subregulasie (1) is *mutatis mutandis* van toepassing op 'n registrasiesertifikaat uitgereik aan enige persoon bedoel in paragraaf (cA) van die omskrywing van "eiendomsagent" in artikel 1 van hierdie Wet.

(3) Indien die betrokke werk-gewer om die een of ander rede nie in staat is nie om die sertifikaat terug te stuur soos vereis deur subregulasie (1) of (2), na gelang van die geval, moet die werk-gewer binne 14 dae na beëindiging van diens of beëindiging van assosiasie die raad van daardie feit verwittig met verstrekking van die redes waarom hy nie in staat is om daardie sertifikaat terug te stuur nie, asook alle beskikbare inligting oor waar die betrokke werknemer of onafhanklike kontrakteur hom bevind.

13. 'n Skriftelike versoek aan die raad om die redes te verstrek waarom die raad geweier het om 'n getrouheidsfondssertifikaat of 'n registrasiesertifikaat uit te reik aan die persoon wat daardie versoek rig, moet vergesel gaan van 'n bedrag van R20.

14. Goewermentskennisgewings R. 956 van 24 Mei 1977, R. 989 van 1 Junie 1977, R. 1779 van 31 Augustus 1978, R. 605 van 23 Maart 1979, R. 2500 van 13 November 1981, R. 1787 van 20 Augustus 1982, R. 2071 van 23 September 1983 en 1935 van 30 Augustus 1985 word hierby herroep.

12. (1) If a fidelity fund certificate was issued to an independent contractor or any person referred to in paragraph (c) (ii) of the definition of "estate agent" in section 1 of this Act, and such person ceases to be employed by or associated with the employer mentioned in such certificate that employer shall, within 14 days of such person ceasing to be in his employ, or to be thus associated, return such certificate to the board together with a letter informing the board of such fact and, if such information is available, stating with whom that person is taking up employment or becoming associated.

(2) The provisions of subregulation (1) shall *mutatis mutandis* apply to a registration certificate issued to any person referred to in paragraph (cA) of the definition of "estate agent" in section 1 of this Act.

(3) If the employer concerned is unable for any reason to return the certificate as required by subregulation (1) or (2), as the case may be, the employer shall within 14 days of the termination of employment or ceasing to be associated, inform the board of that fact, stating the reasons why it is unable to return such certificate as well as furnishing all available information concerning the whereabouts of such employee or independent contractor.

13. A written request to the board to furnish the reasons for refusing to issue a fidelity fund certificate or a registration certificate to the person making such request shall be accompanied by an amount of R20.

14. Government Notices R. 956 of 24 May 1977, R. 989 of 1 June 1977, R. 1779 of 31 August 1978, R. 605 of 23 March 1979, R. 2500 of 13 November 1981, R. 1787 of 20 August 1982, R. 2071 of 23 September 1983 and 1935 of 30 August 1985 are hereby withdrawn.

AANHANGSEL/ANNEXURE A

SERTIFIKAAT/CERTIFICATE

GELDIG VANAF DATUM VAN UITREIKING TOT 31 DESEMBER/VALID FROM DATE OF ISSUE TO 31 DECEMBER

EIENDOMSAGENTE-GETROUHEIDSFONDS/ESTATE AGENTS FIDELITY FUND

Volle name/Full names.....

Naam van firma/maatskappy/beslote korporasie/Name of firm/company/close corporation.....

Adres/Address.....

Datum van uitreiking/Date of issue.....

Hierby word onderhewig aan die bepalings van Wet 112 van 1976 gesertifiseer dat die persoon wie se naam op hierdie Sertifikaat verskyn, voldoen het aan die bepalings van artikel 16 van Wet 112 van 1976 en die regulasies wat kragtens die gemelde Wet uitgevaardig is/This is to certify that subject to the provisions of Act 112 of 1976 the person whose name appears on this Certificate has complied with the provisions of section 16 of Act 112 of 1976 and the regulations promulgated in terms of the said Act.

Vir en namens die Raad vir Eiendomsagenten/For and on behalf of the Estate Agents Board:

.....Bestuurder/Manager
Raad vir Eiendomsagenten/The Estate Agents Board

Hierdie Sertifikaat is ongeldig tensy die seël van die Raad vir Eiendomsagenten daarop aangebring is/This Certificate is not valid unless it bears the seal of the Estate Agents Board.

AANHANGSEL/ANNEXURE B

SERTIFIKAAT/CERTIFICATE

GELDIG VANAF DATUM VAN UITREIKING TOT 31 DESEMBER/VALID FROM DATE OF ISSUE TO 31 DECEMBER

REGISTRASIESERTIFIKAAT UITGEREIK AAN 'N EIENDOMSAGENT NA VERWYS IN PARAGRAAF (cA) VAN DIE WOORDOMSKRYWING VAN "EIENDOMSAGENT" IN ARTIKEL 1 VAN DIE WET OP EIENDOMSAGENTE, 1976 (WET 112 VAN 1976)/REGISTRATION CERTIFICATE ISSUED TO AN ESTATE AGENT REFERRED TO IN PARAGRAPH (cA) OF THE DEFINITION OF "ESTATE AGENT" IN SECTION 1 OF THE ESTATE AGENTS ACT, 1976 (ACT 112 OF 1976)

Volle name/Full names.....

Naam van firma/maatskappy/beslote korporasie/Name of firm/company/close corporation.....

Adres/Address.....

Datum van uitreiking/Date of issue.....

Hierby word onderhewig aan die bepalings van Wet 112 van 1976 gesertifiseer dat die persoon wie se naam op hierdie Sertifikaat verskyn voldoen het aan die bepalings van artikel 16 van Wet 112 van 1976 en die regulasies wat kragtens die gemelde Wet uitgevaardig is/This is to certify that subject to the provisions of Act 112 of 1976 the person whose name appears on this Certificate has complied with the provisions of section 16 of Act 112 of 1976 and the regulations promulgated in terms of the said Act.

Vir en namens die Raad vir Eiendomsagente/For and on behalf of the Estate Agents Board:

..... Bestuurder/Manager
Raad vir Eiendomsagente/The Estate Agents Board

Hierdie Sertifikaat is ongeldig tensy die seël van die Raad vir Eiendomsagente daarop aangebring is/This Certificate is not valid unless it bears the seal of the Estate Agents Board.

No. R. 1799

29 Augustus 1986

WET OP EIENDOMSAGENTE, 1976

GEDRAGSKODE

Die Raad vir Eiendomsagente, met die goedkeuring van die Adjunk-minister van Finansies en van Handel en Nywerheid, handelende namens die Minister van Handel en Nywerheid het, kragtens artikel 8 (b) van die Wet op Eiendomsagente, 1976 (Wet 112 van 1976), die gedragskode soos in die Bylae hierby uitgevaardig.

BYLAE

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

- (a) "klant" 'n persoon wat homself kontraktueel teenoor 'n eiendomsagent verbind het met die doel dat die eiendomsagent namens hom 'n diens verrig vir 'n voordeel of teen betaling van enige vergoeding of kommissie.
- (b) "konsessie" 'n ooreenkoms, reëling of verstandhouding tussen 'n konsessiegewer en 'n konsessie-ontvangereieendomsagent waarkragtens die konsessie-ontvangereieendomsagent geregtig is of vereis word om sake te doen onder 'n handelsnaam wat besit word deur of wat met die besigheid van die konsessiegewer of enige ander persoon geassosieer word.

2. 'n Eiendomsagent moet—

- 2.1 in of voortspruitend uit die dryf van sy besigheid geen handeling verrig of versuim om enige handeling te verrig wat die goeie naam, aansien of integriteit van eiendomsagente in die algemeen skaad of kan skaad nie;
- 2.2 die belang van sy kant te alle tye na die beste van sy vermoë beskerm, met die nodige inagneming van die belange van alle ander betrokke partye;
- 2.3 sy getrouheidsfondssertifikaat te alle tye tot bevestiging van die raad in 'n prominente plek in sy besigheidsplek vertoon;
- 2.4 aan 'n koper of huurder of voornemende koper of voornemende huurder van onroerende eiendom ten opsigte waarvan 'n mandaat aan hom gegee is om dit te verkoop of te verhuur, alle feite met betrekking tot sodanige onroerende eiendom wat binne sy persoonlike kennis val en wat vir 'n voornemende koper of huurder daarvan wesenlik is of mag wees, meedeel;
- 2.5 op aanvraag en in dié mate dat hy in staat is om dit doen, sonder onnodige versuim, aan 'n kontraksparty 'n afskrif verskaf van die betrokke koop-ooreenkoms, huur-ooreenkoms, aanbod, opsie, mandaat of soortgelyke dokument met betrekking tot elke transaksie waarby hy as eiendomsagent betrokke is;
- 2.6 die Raad vir Eiendomsagente skriftelik binne 14 dae in kennis stel van enige verandering in die inligting wat aan die gemelde raad verskaf is toe hy om die uitreiking van 'n getrouheidsfondssertifikaat aansoek gedoen het en indien die inligting wat

No. R 1799

29 August 1986

ESTATE AGENTS ACT, 1976

CODE OF CONDUCT

The Estate Agents Board with the approval of the Deputy Minister of Finance and of Trade and Industry, acting on behalf of the Minister of Trade and Industry has, in terms of section 8 (b) of the Estate Agents Act, 1976 (Act 112 of 1976), framed the Code of Conduct as set out in the Schedule hereto.

SCHEDULE

1. In this Code of Conduct, unless the context otherwise indicates—

- (a) "client" means a person who has bound himself contractually to an estate agent for the purpose of the estate agent rendering a service on his behalf in return for any gain, or for the payment of any remuneration or commission.
- (b) "franchise" means an agreement, arrangement or understanding between a franchisor and a franchisee estate agent in terms of which the franchisee estate agent is entitled or required to operate under a trade name which is owned by or which is associated with the business of the franchisor or any other person.

2. An estate agent shall—

- 2.1 not in or pursuant to the conduct of his business do or omit to do any act which will or may damage the good name, standing or integrity of estate agents in general;
- 2.2 protect the interests of his client at all times to the best of his ability, with due regard to the interests of all other parties concerned;
- 2.3 display his fidelity fund certificate at all times in a prominent position in his place of business to the satisfaction of the board;
- 2.4 convey to a purchaser or lessee or an intending purchaser or an intending lessee of immovable property in respect of which a mandate to sell or lease has been given to him, all facts concerning such immovable property as are within his personal knowledge and which are or would be material to a prospective purchaser or lessee thereof;
- 2.5 furnish without undue delay to a contracting party upon being so requested, insofar as he is able, a copy of the relevant agreement of sale, agreement of lease, offer, option, mandate or similar document relating to every transaction with which he is concerned as an estate agent;
- 2.6 inform the Estate Agents Board in writing within 14 days of any change in the information supplied to the said board at the time when he applied for the issue to him of a fidelity fund certificate and, if the information appearing on the said certificate is

op die genoemde sertifikaat verskyn nie meer van toepassing is nie of verander het, sodanige sertifikaat onverwyld aan die gemelde raad stuur vir plaaslike wysiging of kansellering daarvan of vir die uitreiking van 'n nuwe sertifikaat in die plek daarvan;

2.7 indien hy sy besigheid op 'n konsessiegrondslag dryf, duidelik en ondubbelsinnig in al sy korrespondensie, sirkulêres, advertensies en ander geskrewe dokumente openbaar dat hy kragtens 'n konsessie handel en sy naam sowel as die naam van die konsessiegewer daarin vermeld;

2.8 indien hy sy besigheid onder 'n handelsnaam of styl anders as sy eie naam bedryf, in alle korrespondensie, sirkulêres, advertensies en ander geskrewe dokumente duidelik sy volle naam en, in die geval van 'n maatskappy of besloten korporasie, die registrasienommer daarvan asook die handelsnaam of styl aandui.

3. Geen eiendomsagent mag—

3.1 in sy hoedanigheid as eiendomsagent enige advertensie publiseer of laat publiseer wat die indruk mag skep dat dit deur 'n ander persoon as 'n eiendomsagent gepubliseer is nie;

3.2 sonder om afbreuk te doen aan die algemeenheid van die voorafgaande, by die advertering van onroerende eiendom vir verkoop of verhuur opsetlik of nalatig mislei of 'n wanvoorstelling maak in verband met enige aangeleentheid wat op sodanige onroerende eiendom betrekking het nie;

3.3 direk of indirek vir homself koop, of enige belang in enige onroerende eiendom verkry ten aansien waarvan hy 'n mandaat gegee is om dit te verkoop, sonder die volle medewete en toestemming van die verkoper nie, of sy eie onroerende eiendom of enige onroerende eiendom waarin hy enige direkte of indirekte belang het aan enige voornemende koper wat sy dienste bekom het, verkoop nie sonder dat daardie koper volledig kennis dra van sy eiendomsreg of belang in sodanige onroerende eiendom;

3.4 enige onroerende eiendom te koop of te huur aanbied, voorgee of poog om aan te bied of in verband daarmee onderhandel om 'n koper of huurder te werf of onderneem of aanbied om te werf sonder 'n voorafverkreë volmag van die eienaar of die verhuurder, na gelang van die geval, of van hul agente, welke volmag, wanneer dit 'n alleenagentskap verleen, skriftelik moet wees;

3.5 namens 'n voornemende koper of huurder aanbied om enige onroerende eiendom te koop of te huur, voorgee of poog om aan te bied, of in verband daarmee onderhandel om 'n verkoper of verhuurder te werf of onderneem of aanbied om te werf sonder die voorafverkreë volmag van sodanige voornemende koper of huurder, na gelang van die geval, of van hul agente, welke volmag wanneer dit 'n alleenagentskap verleen, skriftelik moet wees;

3.6 regstreeks of onregstreeks enige vergoeding aan enigeen betaal of aanbied om te betaal, of regstreeks of onregstreeks enige beweegmiddel aan enigeen aanbied ten einde besigheid te bekom of te poog om besigheid te bekom nie behalwe aan—

3.6.1 'n ander eiendomsagent wat in besit is van 'n geldige getrouheidsfondssertifikaat; of

3.6.2 'n prokureur bedoel in paragraaf (d) van die omskrywing van "eiendomsagent" in artikel 1 van die Wet; of

no longer applicable or has changed, forthwith forward such certificate to the siad board for appropriate amendment or for cancellation thereof or for the issue of a new certificate in substitution thereof;

2.7 if he conducts his business in terms of a franchise, disclose clearly and unambiguously in all his correspondence, circulars, advertisements and other written documentation that he operates in terms of a franchise and state thereon his name and the name of the franchisor;

2.8 if he conducts his business under a trade name or style other than his own name, clearly disclose in all correspondence, circulars, advertisements and other written documentation his full names and, in the case of a company or close corporation, the registration number thereof in addition to such trade name or style.

3. No estate agent shall—

3.1 in his capacity as an estate agent publish or cause to be published any advertisement which could create the impression that it was published by a person other than an estate agent;

3.2 without detracting from the generality of the foregoing, in advertising immovable property for sale or for letting, wilfully or negligently mislead or misrepresent in regard to any matters pertaining to such immovable property;

3.3 purchase directly or indirectly for himself, or acquire any interest in any immovable property in respect of which he has been given a mandate to sell, without the full knowledge and consent of the seller, or sell his own immovable property or any immovable property in which he has any direct or indirect interest to any prospective purchaser who has retained his services, without that purchaser having full knowledge of his ownership of, or interest in, such immovable property;

3.4 offer, purport or attempt to offer any immovable property for sale or to let or negotiate in connection therewith or canvass or undertake or offer to canvass a purchaser or lessee therefor without the prior authority of the owner or the lessor as the case may be, or of their agents, which authority, when it confers a sole agency, shall be in writing;

3.5 on behalf of a prospective purchaser or lessee offer, purport or attempt to offer to purchase or lease any immovable property or negotiate in connection therewith or canvass, or undertake or offer to canvass a seller or lessor therefor without the prior authority of such prospective purchaser or lessee, as the case may be, or their agents, which authority when it confers a sole agency, shall be in writing;

3.6 pay or offer to pay, directly or indirectly, any consideration or offer directly or indirectly any inducement to any party in order to secure or endeavour to secure business, except to—

3.6.1 another estate agent in possession of a valid fidelity fund certificate; or

3.6.2 an attorney intended in paragraph (d) of the definition of "estate agent" in section 1 of the Act; or

- 3.6.3 enige ander persoon of liggaam soos die raad van tyd tot tyd mag bepaal: Met dien verstande dat die voorafgaande nie so uitgelê word dat dit 'n eiendomsagent of sy kliënt verbied om oor die bedrag wat as kommissie aan so 'n eiendomsagent betaalbaar is, te beding nie;
- 3.7 optree of aanbied om op te tree in enige hoedanigheid in verband met 'n saak wat die onderwerp is van geregtelike of kwasi-geregtelike verrigtinge nie, hetsy op die veronderstelling dat geen vergoeding gevorder sal word tensy die verrigtinge suksesvol is nie, of dat die bedrag van die vergoeding deur hom gehef, verband sal hou met die mate van sukses behaal nie;
- 3.8 opsetlik enige vertroulike inligting gebruik, wat deur hom verkry is van enige ander eiendomsagent in verband met enige onroerende eiendom of hangende transaksie wat daarmee verband hou, tot die nadeel van sodanige ander eiendomsagent nie;
- 3.9 in verband met onroerende eiendom, soos omskryf in die Wet op Eiendomsagente, 1976 (Wet 112 van 1976), of 'n voornemende koper daarvan waarvan besonderhede van 'n ander eiendomsagent aangevra en verkry is, direk of indirek met die eienaar van daardie onroerende eiendom of daardie voornemende koper onderhandel nie, behalwe deur bemiddeling van of met die medewete en toestemming van sodanige ander eiendomsagent: Met dien verstande dat indien daardie onroerende eiendom van die mark onttrek word of die mandaat van daardie ander eiendomsagent beëindig word, alle verpligtinge van die eersgenoemde eiendomsagent teenoor die laasgenoemde beëindig word met betrekking tot daardie onroerende eiendom en koper, tensy skriftelik anders ooreengekom is tussen die betrokke eiendomsagente;
- 3.10 deur middel van 'n maatskappy, beslote korporasie of 'n derde party of deur die gebruikmaking van sodanige maatskappy, beslote korporasie of derde party as 'n front of genomineerde, enigiets doen wat nie vir hom toelaatbaar sou gewees het om te doen indien hy as 'n eiendomsagent sake sou gedoen het nie;
- 3.11 'n mandaat of instruksies vir werk aanvaar ten opsigte van onroerende eiendom nie indien sy belang daarin bots met sy verpligtinge teenoor 'n bestaande klient in verband met dieselfde onroerende eiendom, sonder om eers sodanige belang skriftelik aan sodanige klient te openbaar nie;
- 3.12 opsetlik of nalatig versuim om enige werk of pligte wat normaalweg deur 'n eiendomsagent uitgevoer word met so 'n mate van sorg en bedrewenheid uit te voer as wat na die oordeel van die raad redelikerwys verwag kan word nie;
- 3.13 bewustelik, in verband met sy bedrywighede as 'n eiendomsagent, enige valse verklaring voorberei, maak of enige ander persoon bystaan om dit voor te berei of te maak nie, hetsy mondeling of skriftelik, of 'n valse verklaring in verband daarmee teken wetende dat dit vals is, of bewustelik enige vals boeke of rekeninge of ander rekords voorberei of hou nie;
- 3.14 sonder redelike oorsaak aan enige derde party enige vertroulike inligting openbaar wat deur hom verkry is rakende sakeaangeleenthede, bedryfsgeheime of tegniese metodes of prosesse van 'n klient of werkgewer nie;
- 3.6.3 any other person or body as the board may determine from time to time: Provided that the foregoing shall not be so construed as to prohibit an estate agent or his client from negotiating the amount payable as commission to such estate agent;
- 3.7 act of offer to act in any capacity in relation to a matter which is the subject of judicial or quasi judicial proceedings either on the basis that no charge will be made unless the proceedings are successful or that the amount of the charge raised by him will be related to the degree of success attained;
- 3.8 intentionally use any confidential information obtained by him from any other estate agent concerning any immovable property or pending transaction relating thereto to the prejudice of such other estate agent;
- 3.9 in relation to immovable property, as defined in the Estate Agents Act, 1976 (Act 112 of 1976), or a prospective purchaser thereof, particulars of which or whom have been requested an obtained from another estate agent, negotiate or deal directly or indirectly with the owner of that immovable property or that prospective purchaser, save through that other estate agent or with the knowledge and consent of such estate agent: Provided that should that immovable property be withdrawn from the market or the mandate of that other estate agent be terminated, all obligations by the former estate agent towards the latter shall cease in respect of that immovable property and purchaser unless otherwise agreed in writing between the estate agents involved;
- 3.10 through the medium of a company, close corporation or third party or using such company, close corporation or third party as a front or nominee do anything which it would not be permissible for him to do if he were operating as an estate agent;
- 3.11 accept any mandate or instructions for work in respect of immovable property if his interest therein would conflict with his obligations towards an existing client in respect of the same immovable property without first disclosing such interest in writing to such client;
- 3.12 wilfully or negligently fail to perform any work or duties normally performed by an estate agent with such degree of care and skill as in the opinion of the board may reasonably be expected;
- 3.13 knowingly, in relation to his activities as an estate agent, prepare, make or assist any other person to prepare or make any false statement, whether orally or in writing or sign any false statement in relation thereto knowing it to be false, or knowingly prepare or maintain any false books of account or other records;
- 3.14 without just cause divulge to any third party any confidential information obtained by him concerning the business affairs, trade secrets or technical methods or processes of a client or employer;

3.15 indien hy in diens van 'n eiendomsagent is, hetsy as 'n werknemer of as 'n onafhanklike kontrakteur, behalwe met die skriftelike toestemming van daardie eiendomsagent, enige werk wat binne die gebied van eiendomsagentskapwerk val, onderneem vir sy eie rekening of in vennootskap of vir 'n ander eiendomsagent nie;

3.16 'n eienaar van trustfondse in die agent se besit of onder sy beheer versoek of beïnvloed om direk of indirek enige rente op geld gedeponeer of belê ingevolge artikel 32 (1) of 32 (2) (a) van die Wet aan die eiendomsagent oor te maak of te betaal nie;

3.17 voor die registrasie van oordrag van enige onroerende eiendom, ten opsigte van welke transaksie hy as eiendomsagent opgetree het, vir homself of vir sy voordeel, direk of indirek, 'n alleenagentskap of alleenreg verkry of aanvaar om die betrokke onroerende eiendom na die voormelde datum van oordrag van sodanige onroerende eiendom, te verkoop nie;

3.18 regstreeks of onregstreeks sonder goeie en genoegsame gronde op enige wyse hoegenaamd, enige party tot 'n reeds aangegane transaksie of enige potensiele party tot 'n hangende transaksie, werf, aanmoedig, oorhaal of beïnvloed om van die dienste van 'n bepaalde prokureur, transportbesorger, prokureursfirma of professionele maatskappy gebruik te maak of nie gebruik te maak nie;

3.19 direk of indirek enige vergoeding, kommissie, voordeel of wins beding, ontvang of vereis wat voortspruit uit of wat in verband staan met enige voltooië, hangende of beoogde transaksie wat aan 'n voorwaarde van enige aard onderworpe is nie, alvorens daardie voorwaarde nagekom is: Met dien verstande dat die voorgaande nie van toepassing sal wees nie ten opsigte van enige geskrewe lasgewing wat onafhanklik van die betrokke transaksie voltrek is, wat die eiendomsagent uitdruklik magtig om sy vergoeding, kommissie, voordeel of wins op enige tydstip voor die nakoming van die betrokke voorwaarde te ontvang en wat deur alle partye tot die betrokke transaksie onderteken is.

4. Elke eiendomsagent wat die alleeneienaar is van 'n eiendomsagentskap of 'n vennoot in 'n vennootskap of 'n direkteur van 'n maatskappy of 'n lid is van 'n beslote korporasie bedoel in paragraaf (b) van die omskrywing van "eiendomsagent" in artikel 1 van die Wet wat sake doen as 'n eiendomsagent, sal verantwoordelik gehou word vir enige oortreding van of versuim om te voldoen aan hierdie gedragskode deur enige ander vennoot, direkteur of lid of deur enige persoon in diens van sodanige alleeneienaar-eiendomsagentskap, vennootskap, maatskappy of beslote korporasie, hetsy as werknemer of onafhanklike kontrakteur tensy hy voor sodanige oortreding of versuim alle redelike stappe geneem het om dit te verhoed, en nie onder die omstandighede sodanige oortreding of versuim kon verhoed nie.

5. Goewermentskennisgewings R. 603 van 23 Maart 1979, R. 1122 van 6 Junie 1980, R. 2653 van 2 Desember 1983, R. 2695 van 9 Desember 1983, R. 571 van 15 Maart 1985 en R. 847 van 12 April 1985 word hierby ingetrek.

3.15 if he is in the service of an estate agent, whether as an employee or independent contractor undertake, save with the written consent of that estate agent, any work falling within the field of estate agency, for his own account or in partnership or for another estate agent;

3.16 solicit or influence an owner of trust funds in the agent's possession or under his control to make over or pay to the estate agent directly or indirectly any interest on moneys deposited or invested in terms of section 32 (1) or 32 (2) (a) of the Act;

3.17 prior to the registration of transfer of any immovable property, in respect of which transaction he acted as an estate agent, secure or accept for himself or for his benefit, directly or indirectly, a sole agency or sole mandate to sell the said immovable property after the aforesaid date of transfer of such immovable property;

3.18 without good and sufficient cause, directly or indirectly, in any manner whatsoever, solicit, encourage, persuade or influence any party or potential party to a pending or a completed transaction to utilise or refrain from utilising the services of a particular attorney, conveyancer, firm of attorneys or professional company;

3.19 stipulate for, demand or receive directly or indirectly any remuneration, commission, benefit or gain arising from or connected with any completed, pending or proposed transaction which is subject to a condition of any nature until such time as that condition has been fulfilled: Provided that the foregoing shall not apply in respect of any written mandate executed independently of the transaction in question, which expressly authorises the estate agent to receive his remuneration, commission, benefit or gain at any time prior to the fulfilment of the condition in question and which is signed by all the parties to the particular transaction.

4. Every estate agent who is the sole proprietor of an estate agency business or a partner in a partnership or a director of a company or a member of a close corporation contemplated in paragraph (b) of the definition of "estate agent" in section 1 of the Act carrying on the business of an estate agent, shall be held responsible for any contravention of or failure to comply with this code of conduct by any other partner, director, or member or by any person in the service of such sole proprietorship, partnership, company or close corporation, whether as an employee or independent contractor unless he has prior to such contravention or failure to comply taken all reasonable steps to prevent same and could not in the circumstances have prevented such contravention or failure to comply.

5. Government Notices R. 603 of 23 March 1979, R. 1122 of 6 June 1980, R. 2653 of 2 December 1983, R. 2695 of 9 December 1983, R. 571 of 15 March 1985 and R. 847 of 12 April 1985 are hereby withdrawn.

DEPARTEMENT VAN LANDBOU- EKONOMIE EN -BEMARKING

No. R. 1803

29 Augustus 1986

BEMARKINGSWET, 1968 (WET 59 VAN 1968)

SOMERGRAANSKEMA.—HEFFING EN SPESIALE
HEFFING OP MIELIES

Ek, Jacob Johannes Greyling Wentzel, Minister van Landbou-ekonomie, maak hierby ingevolge artikel 79 (a) van die Bemarkingswet, 1968 (Wet 59 van 1968), bekend dat—

- (a) die Mielieraad bedoel in artikel 6 van die Somergraanskema gepubliseer by Proklamasie R. 45 van 1979, soos gewysig, kragtens artikels 23 en 24 van genoemde Skema die heffing en spesiale heffing in die Bylae uiteengesit, opgelê het;
- (b) genoemde heffing en spesiale heffing deur my goedgekeur is en op die datum van publikasie hiervan in werking tree; en
- (c) Goewermentskennisgewing R. 1325 van 27 Junie 1986 met ingang van genoemde datum van inwerkingtreding herroep word.

J. J. G. WENTZEL,

Minister van Landbou-ekonomie.

BYLAE

Woordomskrywing

1. In hierdie Bylae het enige woord of uitdrukking waarvan 'n betekenis in die Skema geheg is, daardie betekenis en, tensy uit die samehang anders blyk, beteken—

- “die Skema” die Somergraanskema gepubliseer by Proklamasie R. 45 van 1979, soos gewysig;
- “die regulasies” die regulasies met betrekking tot die gradering en verpakking van mielies, wat kragtens artikel 89 van die Wet uitgevaardig is;
- “Gebied A” Gebied A soos in die regulasies omskryf;
- “Gebied B” Gebied B soos in die regulasies omskryf;
- “klas”, met betrekking tot mielies, 'n klas in die regulasies bedoel; en
- “mieliesaad” mieliesaad wat—
 - (a) van 'n variëteit is waarvan die benaming in die variëteitslys, wat gehou word ingevolge artikel 15 van die Plantverbeteringswet, 1976 (Wet 53 van 1976), aangeteken is;
 - (b) geproduseer is deur iemand wat ingevolge artikel 36 (1) van die Skema as 'n produsent van mieliesaad by die Raad geregistreer is; en
 - (c) bestem is vir gebruik as voortplantingsmateriaal soos omskryf in die Plantverbeteringswet, 1976 (Wet 53 van 1976).

Heffing en spesiale heffing

2. (1) 'n Heffing en 'n spesiale heffing word hierby opgelê op mielies van die klasse in kolom 1 van die tabel vermeld en op mieliesaad, wat—

- (a) binne Gebied A of Gebied B deur die produsent daarvan, hetsy as sodanig of as 'n mielieprodukt of as 'n deel van 'n mielieprodukt, verkoop word of vir 'n ander doel as vir sodanige produsent se eie gebruik of vir verbruik deur lede van sy huisgesin of om sy lewende hawe te voer, aangewend word;
- (b) buite Gebied A of Gebied B geproduseer is en binne genoemde gebiede verkoop word;

DEPARTMENT OF AGRICULTURAL ECONOMICS AND MARKETING

No. R. 1803

29 August 1986

MARKETING ACT, 1968 (ACT 59 OF 1968)

SUMMER GRAIN SCHEME.—LEVY AND SPECIAL
LEVY ON MAIZE

I, Jacob Johannes Greyling Wentzel, Minister of Agricultural Economics, hereby make known in terms of section 79 (a) of the Marketing Act, 1968 (Act 59 of 1968), that—

- (a) the Maize Board referred to in section 6 of the Summer Grain Scheme published by Proclamation R. 45 of 1979, as amended, has under sections 23 and 24 of the said Scheme imposed the levy and special levy set out in the Schedule;
- (b) the said levy and special levy have been approved by me and shall come into operation on the date of publication hereof; and
- (c) Government Notice R. 1325 of 27 June 1986 is repealed with effect from the said date of commencement.

J. J. G. WENTZEL,

Minister of Agricultural Economics.

SCHEDULE

Definitions

1. Any word or expression in this Schedule to which a meaning has been assigned in the Scheme shall have that meaning and, unless the context otherwise indicates—

- “Area A” means Area A as defined in the regulations;
- “Area B” means Area B as defined in the regulations;
- “class”, with regard to maize, means a class referred to in the regulations;
- “seed maize” means seed maize which—
 - (a) is of a variety of which the name has been entered in the varietal list, which is kept in terms of section 15 of the Plant Improvement Act, 1976 (Act 53 of 1976);
 - (b) is produced by a person who is registered by the Board in terms of section 36 (1) of the Scheme as a producer of seed maize; and
 - (c) is intended for use as propagating material as defined in the Plant Improvements Act, 1976 (Act 53 of 1976).
- “the regulations” means the regulations relating to the grading and packing of maize, which were made under section 89 of the Act; and
- “the Scheme” means the Summer Grain Scheme published by Proclamation R. 45 of 1979, as amended.

Levy and special levy

2. (1) A levy and a special levy are hereby imposed on maize of the classes specified in column 1 of the table, and on seed maize, that—

- (a) is sold within Area A or Area B by the producer thereof or is utilised by such producer for any purpose other than for his own consumption or for consumption by members of his household or for the feeding of his livestock, whether the maize is sold or utilised as such or as a maize product or as part of a maize product;
- (b) has been produced outside Area A or Area B and is sold within the said areas;

- (c) binne Gebied A of Gebied B geproduseer is en deur die produsent daarvan, hetsy as sodanig of as 'n mielieprodukt of as 'n deel van 'n mielieprodukt, buite genoemde gebiede verkoop word of vir 'n ander doel as vir sodanige produsent se eie gebruik of vir verbruik deur lede van sy huisgesin of om sy lewende hawe te voer, aangewend word;
- (d) buite Gebied A of Gebied B aan 'n persoon verkoop word wat binne genoemde gebiede met mielies of mielieprodukte as 'n besigheid handel, waar sodanige mielies deur die betrokke persoon in Gebied A of Gebied B ingebring word.

(2) Die bedrag van die heffing en spesiale heffing in subklousule (1) bedoel, is onderskeidelik soos in kolomme 2 en 3 van genoemde tabel teenoor die betrokke klas mielies, en teenoor mieliesaad vermeld.

TABEL

	Heffing per ton	Spesiale heffing per ton
1	2	3
	R	R
Witmielies	1,20	41,99
Geelmielies	1,20	45,25
Monstergraadmielies	1,20	45,25
Mieliesaad	1,20	0,11

- (c) has been produced within Area A or Area B and is sold by the producer thereof outside the said areas or is utilised by such producer for any purpose other than for his own consumption or for consumption by members of his household or for the feeding of his livestock, whether the maize is sold or utilised as such or as a maize product or as part of a maize product; and
- (d) is sold outside Area A or Area B to a person dealing in the course of trade with maize or maize products within the said Areas, where such maize is brought into Area A or Area B by the person concerned.
- (2) The amount of the levy and special levy referred to in subclause (1) shall respectively be as specified in columns 2 and 3 of the said table opposite the class of maize concerned, and opposite seed maize.

TABLE

	Levy per ton	Special levy per ton
1	2	3
	R	R
White maize	1,20	41,99
Yellow maize	1,20	45,25
Sample grade maize	1,20	45,25
Seed maize	1,20	0,11

No. R. 1804 29 Augustus 1986

BEMARKINGSWET, 1968 (WET 59 VAN 1968)

SUIWELSKEMA.—WYSIGING

Ek, Jacob Johannes Greyling Wentzel, Minister van Landbou-ekonomie, handelende kragtens artikel 14, soos toegepas by artikel 15 (3), van die Bemarkingswet, 1968 (Wet 59 van 1968)—

- (a) publiseer hierby die wysigings in die Bylae uiteengesit, van die Suiwelskema gepubliseer by Proklamasie R. 290 van 1978, soos gewysig; en
- (b) verklaar hierby dat genoemde wysigings op die datum van publikasie hiervan in werking tree.

J. J. G. WENTZEL,
Minister van Landbou-ekonomie.

BYLAE

Woordskrywing

1. In hierdie Bylae beteken "die Skema" die Suiwelskema gepubliseer by Proklamasie R. 290 van 1978, soos gewysig.

Wysiging van artikel 1

2. Artikel 1 van die Skema word hierby gewysig deur die volgende item na item (ji) van subparagraaf (iii) van paragraaf (a) van die omskrywing van "beheerde gebied" in te voeg:

"(kk) die grond bekend as gedeelte 30 van Dansekraal 1020, geleë binne die landdrosdistrik van Kliprivier en aangrensend aan die gebied onder die beheer van die Munisipaliteit van Ladysmith, Natal;"

Wysiging van artikel 22

3. Artikel 22 van die Skema word hierby gewysig—

- (a) deur subparagraaf (ii) van paragraaf (a) van subartikel (1) deur die volgende subparagraaf te vervang:
- "(ii) die produsente of vrygestelde produsente anders as deur bemiddeling van die Raad verkoop word, of deur sodanige produsente of vrygestelde produsente gebruik word by die vervaardiging van varsmelkprodukte;"

No. R. 1804

29 August 1986

MARKETING ACT, 1968 (ACT 59 OF 1968)

DAIRY SCHEME.—AMENDMENT

I, Jacob Johannes Greyling Wentzel, Minister of Agricultural Economics, acting under section 14, as applied by section 15 (3), of the Marketing Act, 1968 (Act 59 of 1968), hereby—

- (a) publish the amendments set out in the Schedule, of the Dairy Scheme published by Proclamation R. 290 of 1978, as amended; and
- (b) declare that the said amendments shall come into operation on the date of publication hereof.

J. J. G. WENTZEL,
Minister of Agricultural Economics.

SCHEDULE

Definitions

1. In this Schedule "the Scheme" means the Dairy Scheme published by Proclamation R. 290 of 1978, as amended.

Amendment of section 1

2. Section 1 of the Scheme is hereby amended by the insertion of the following item after item (ji) of subparagraph (iii) of paragraph (a) of the definition of "controlled area":

"(kk) the land known as section 30 of Danse Kraal 1020 situated within the Magisterial District of Klip River and adjacent to the area under control of the Borough of Ladysmith, Natal;"

Amendment of section 22

3. Section 22 of the Scheme is hereby amended—

- (a) by the substitution for subparagraph (ii) of paragraph (a) of subsection (1) of the following subparagraph:
- "(ii) is sold by producers or exempted producers otherwise than through the Board, or is used by such producers or exempted producers in the manufacture of fresh milk products;"

- (b) deur paragraaf (c) van subartikel (2) deur die volgende paragraaf te vervang:

“(c) in die geval van ’n spesiale heffing op varsmelk wat deur produsente anders as deur bemiddeling van die Raad in ’n gebied anders as ’n ‘beheerde gebied’ in losmaat of in kanne aan ’n persoon verkoop word wat sodanige varsmelk koop met die oog op herverkope in voorafverpakte huishoudelike groottes of in kanne of vir gebruik by die vervaardiging van varsmelkprodukte, deur die persoon wat sodanige varsmelk aankoop;”;

- (c) deur paragraaf (d) van subartikel (2) deur die volgende paragraaf te vervang:

“(d) in die geval van ’n spesiale heffing op varsmelk wat deur produsente in ’n gebied anders as ’n ‘beheerde gebied’ direk aan verbruikers (insluitende hotelle, hospitale, koshuise of soortgelyke instansies), of in voorafverpakte huishoudelike groottes met die oog op herverkope verkoop word, of deur sodanige produsente gebruik word by die vervaardiging van varsmelkprodukte, deur elke sodanige produsent;”;

- (d) deur die volgende subartikel na subartikel (5) in te voeg:

“(6) Vir die doeleindes van subartikel (2) (d) word alle varsmelk verkoop in ’n selfregerende gebied of ’n staat waarvan die grondgebied voorheen deel van die Republiek uitgemaak het, geag in ’n gebied anders as ’n ‘beheerde gebied’ verkoop te gewees het.”.

Wysiging van artikel 40

4. Artikel 40 van die Skema word hierby gewysig—

- (a) deur subartikel (2) deur die volgende subartikel te vervang:

“(2) Behoudens die bepalinge van artikel 37 (7) moet die Raad die aldus beraamde netto opbrengs van die Melkverkoopfonds onder produsente verdeel op die grondslag deur die Raad bepaal: Met dien verstande dat die Raad die bedrag aldus aan ’n produsent betaalbaar, kan verminder, vir krediet van die Melkverkoopfonds, met ’n bedrag wat hy mag bepaal ten opsigte van vervoerkoste van die betrokke hoeveelheid varsmelk deur daardie produsent voorsien.”;

- (b) deur subartikel (3) te skrap.

Wysiging van artikel 49

5. Artikel 49 van die Skema word hierby deur die volgende artikel vervang:

“Misdrywe en strawwe

49. Iemand wat—

- (a) versuim om ’n kragtens artikel 21 opgelegde heffing of ’n kragtens artikel 22 opgelegde spesiale heffing te betaal;
- (b) versuim om aan ’n voorskrif uitgereik kragtens artikel 29 of 38 te voldoen;
- (c) die bepalinge van artikel 33 oortree; of
- (d) die bepalinge van ’n kragtens artikel 34, 35, 36, 41, 42, 43 of 44 opgelegde verbod oortree,

is aan ’n misdryf skuldig en by skuldigbevinding strafbaar met ’n boete van hoogstens R5 000 of met gevangenisstraf vir ’n tydperk van hoogstens twee jaar, of met sowel sodanige boete as sodanige gevangenisstraf.”.

- (b) by the substitution for paragraph (c) of subsection (2) of the following paragraph:

“(c) in the case of a special levy on fresh milk sold in bulk or in cans by producers otherwise than through the Board in an area other than a ‘controlled area’ to a person who purchases such fresh milk for the purpose of resale in pre-packed consumer sizes or in cans or for use in the manufacture of fresh milk products, by the person who purchases such fresh milk;”;

- (c) by the substitution for paragraph (d) of subsection (2) of the following paragraph:

“(d) in the case of a special levy on fresh milk sold by producers in an area other than a ‘controlled area’ directly to consumers (including hotels, hospitals, hostels or similar instances), or in prepacked consumer sizes for the purpose of resale, or is used by such producers in the manufacture of fresh milk products, by each such producer;”;

- (d) by the insertion of the following subsection after subsection (5):

“(6) For the purpose of subsection 2 (d) any quantity of fresh milk sold in a self-governing territory or a state the territory of which formerly formed part of the Republic shall be deemed to have been sold in an area other than a ‘controlled area’.”.

Amendment of section 40

4. Section 40 of the Scheme is hereby amended—

- (a) by the substitution for subsection (2) of the following subsection:

“(2) Subject to the provisions of section 37 (7) the Board shall distribute the nett proceeds of the Milk Sales Fund so estimated amongst producers on such basis as determined by the Board: Provided that the Board may, for the credit of the Milk Sales Fund, reduce the amount so payable to a producer with an amount determined by him in respect of transport costs on the quantity of fresh milk concerned supplied by that producer.”;

- (b) by the deletion of subsection (3).

Amendment of section 49

5. The following section is hereby substituted for section 49 of the Scheme:

“Offences and penalties

49. Any person who—

- (a) fails to pay a levy imposed under section 21 or a special levy imposed under section 22;
- (b) fails to comply with a requirement issued under section 29 or 38;
- (c) contravenes the provisions of section 33; or
- (d) contravenes the provisions of any prohibition imposed under section 34, 35, 36, 41, 42, 43 or 44,

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding R5 000 or to imprisonment for a period not exceeding two years or to both such fine and such imprisonment.”.

DEPARTEMENT VAN MANNEKRAG**No. R. 1769****29 Augustus 1986****WET OP MANNEKRAGOPLEIDING, 1981**

MANNEKRAGOPLEIDINGSKOMITEE VIR DIE SUID-AFRIKAANSE VERVOERDIENSTE.—WYSIGING VAN LEERVOORWAARDES

Ek, Pieter Theunis Christiaan du Plessis, Minister van Mannekrag handelende kragtens artikel 13 van die Wet op Mannekragopleiding, 1981, wysig hierby Goewermentskennisgewing R. 254 van 11 Februarie 1983, soos verbeter by Goewermentskennisgewing R. 562 van 18 Maart 1983, soos gewysig by Goewermentskennisgewing R. 1611 van 3 Augustus 1984, soos gewysig by Goewermentskennisgewing R. 1096 van 6 Junie 1986, met ingang van die derde Maandag na die datum van publikasie van hierdie kennisgewing deur klousule 1 met die volgende klousule te vervang:

“1. KWALIFIKASIES OM MET VAKLEERLINGSKAP TE BEGIN

Die minimum leeftyd en opvoedkundige kwalifikasies om met vakleerlingskap te begin, is 16 jaar en Standaard VIII met Wiskunde of Standaard VIII sonder Wiskunde maar met Wiskunde as geslaagde vak op minstens die peil van die Nasionale Tegniese Sertifikaat, Deel I (N1).”

P. T. C. DU PLESSIS,
Minister van Mannekrag.

No. R. 1780**29 Augustus 1986****WET OP ARBEIDSVERHOUDINGE, 1956**

DRANK- EN SPYSENIERSBEDRYF, DURBAN.—WYSIGING VAN HOOFOOREENKOMS

Ek, Pieter Theunis Christiaan du Plessis, Minister van Mannekrag, verklaar hierby—

- (a) kragtens artikel 48 (1) (a) van die Wet op Arbeidsverhoudinge, 1956, dat die bepalings van die Ooreenkoms (hierna die Wysigingsooreenkoms genoem) wat in die Bylae hiervan verskyn en betrekking het op die Onderneming, Nywerheid, Bedryf of Beroep in die opskrif by hierdie kennisgewing vermeld, met ingang van die tweede Maandag na die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 28 Februarie 1987 eindig, bindend is vir die werkgeversorganisasie en die vakvereniging wat die Wysigingsooreenkoms aangegaan het en vir die werkgevers en werknemers wat lede van genoemde organisasie of vereniging is; en
- (b) kragtens artikel 48 (1) (b) van genoemde Wet, dat die bepalings van die Wysigingsooreenkoms, uitgesonderd dié vervat in klousule 1 (1) (a), met ingang van die tweede Maandag na die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 28 Februarie 1987 eindig, bindend is vir alle ander werkgevers en werknemers as dié genoem in paragraaf (a) van hierdie kennisgewing wat betrokke is by of in diens is in genoemde Onderneming, Nywerheid, Bedryf of Beroep in die gebiede in klousule 1 van die Wysigingsooreenkoms gespesifiseer.

P. T. C. DU PLESSIS,
Minister van Mannekrag.

DEPARTMENT OF MANPOWER**No. R. 1769****29 August 1986****MANPOWER TRAINING ACT, 1981**

MANPOWER TRAINING COMMITTEE FOR THE SOUTH AFRICAN TRANSPORT SERVICES.—AMENDMENT OF CONDITIONS OF APPRENTICESHIP

I, Pieter Theunis Christiaan du Plessis, Minister of Manpower acting in terms of section 13 of the Manpower Training Act, 1981, hereby amend Government Notice R. 254 of 11 February 1983, as corrected by Government Notice R. 562 of 18 March 1983, as amended by Government Notice R. 1611 of 3 August 1984, as amended by Government Notice R. 1096 of 6 June 1986, with effect from the third Monday after the date of publication of this notice, by the substitution of the following clause for clause 1:

“1. QUALIFICATIONS FOR COMMENCING APPRENTICESHIP

The minimum age and educational qualifications for commencing apprenticeship shall be 16 years and Standard VIII with Mathematics, or Standard VIII without Mathematics but with a pass in Mathematics at least on the National Technical Certificate, Part I (N1) level.”

P. T. C. DU PLESSIS,
Minister of Manpower.

No. R. 1780**29 August 1986****LABOUR RELATIONS ACT, 1956**

LIQUOR AND CATERING TRADE, DURBAN.—AMENDMENT OF MAIN AGREEMENT

I, Pieter Theunis Christiaan du Plessis, Minister of Manpower, hereby—

- (a) in terms of section 48 (1) (a) of the Labour Relations 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 Undertaking, Industry, Trade or Occupation referred to in the heading to this notice, shall be binding, with effect from the second Monday after the date of publication of this notice and for the period ending 28 February 1987, 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; and
- (b) in terms of section 48 (1) (b) of the said Act, declare that the provisions of the Amending Agreement, excluding those contained in clause 1 (1) (a), shall be binding, with effect from the second Monday after the date of publication of this notice and for the period ending 28 February 1987, upon all employers and employees, other than those referred to in paragraph (a) of this notice, who are engaged or employed in the said Undertaking, Industry, Trade or Occupation in the areas specified in clause 1 of the Amending Agreement.

P. T. C. DU PLESSIS,
Minister of Manpower.

BYLAE

NYWERHEIDSRAAD VIR DIE DRANK- EN SPYSENIERS-
BEDRYF, DURBAN

OOREENKOMS

ooreenkomstig die Wet op Arbeidsverhoudinge, 1956, gesluit deur en aangegaan tussen die

Hotel and Bottle Store Association of Durban and District

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

Natal Liquor and Catering Trade Employees' Union

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

wat die partye is by die Nywerheidsraad vir die Drank- en Spyseniersbedryf, Durban,

om die Ooreenkoms gepubliseer by Goewermentskennisgewing R. 539 van 23 Maart 1979, soos gewysig en hernieu by Goewermentskennisgewings R. 1598 van 1 Augustus 1980, R. 440 en R. 441 van 12 Maart 1982, R. 1430 en R. 1431 van 28 Junie 1985, R. 739 van 18 April 1986 en R. 1343 van 27 Junie 1986, te wysig.

1. TOEPASSINGSBESTEK VAN OOREENKOMS

(1) Hierdie Ooreenkoms moet nagekom word in die Drank- en Spyseniersbedryf—

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

(b) in die gebied binne 'n straal van 16,09 km vanaf die Hoofposkantoor, Durban, maar binne die landdrostrik Durban (uitgesonderd daardie gedeelte wat voor die publikasie van Goewermentskennisgewing 1401 van 16 Augustus 1968 binne die landdrostrik Umlazi geval het maar met inbegrip van daardie gedeelte wat voor die publikasie van Goewermentskennisgewing R. 501 van 8 Maart 1985 deel uitgemaak het van die landdrostrik Durban) en in daardie gedeeltes van die landdrostrikte Inanda en Pinetown wat binne 'n straal van 17,7 km vanaf die Hoofposkantoor, Durban, val.

(2) Ondanks subklousule (1) is hierdie Ooreenkoms van toepassing slegs ten opsigte van werknemers vir wie lone in hierdie Ooreenkoms voorgeskrif word.

2. KLOUSULE 4.—LONE

(1) In subklousule (1), vervang die bestaande loontabelle deur die volgende:

SCHEDULE

INDUSTRIAL COUNCIL FOR THE LIQUOR AND CATERING
TRADE, DURBAN

AGREEMENT

in accordance with the provisions of the Labour Relations Act, 1956, made and entered into by and between the

Hotel and Bottle Store Association of Durban and District

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

Natal Liquor and Catering Trade Employees' Union

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

being the parties to the Industrial Council for the Liquor and Catering Trade, Durban,

to amend the Agreement published under Government Notice R. 539 of 23 March 1979, as amended and renewed by Government Notices R. 1598 of 1 August 1980, R. 440 and R. 441 of 12 March 1982, R. 1430 and R. 1431 of 28 June 1985, R. 739 of 18 April 1986 and R. 1343 of 27 June 1986.

1. SCOPE OF APPLICATION OF AGREEMENT

(1) The terms of this Agreement shall be observed in the Liquor and Catering Trade—

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

(b) in the area within a radius of 16,09 km of the General Post Office, Durban but within the Magisterial District of Durban (excluding that portion which, prior to the publication of Government Notice 1401 of 16 August 1968, fell within the Magisterial District of Umlazi but including that portion which, prior to the publication of Government Notice R. 501 of 8 March 1985, fell within the Magisterial District of Durban), and in those portions of the Magisterial Districts of Inanda and Pinetown which fall within a radius of 17,7 km from the General Post Office, Durban.

(2) Notwithstanding the provisions of subclause (1), the terms of this Agreement shall apply only in respect of employees for whom wages are prescribed in this Agreement.

2. CLAUSE 4.—WAGES

(1) In subclause 1, substitute the following for the existing wage scales:

LOONSKAAL TOT 28 FEBRUARIE 1987

	Per maand	Per week	Per dag	Per uur	Verlof- besoldi- ging pro rata per week
Bestuurder	720,00	166,28	27,71	3,08	15,11
Assistent-bestuurder	545,00	125,86	20,96	2,33	7,70
Kroegman:					
Gekwalifiseer	545,00	125,86	20,96	2,33	8,99
Wat twee jaar of langer ononderbroke diens as kroegman by dieselfde werkgewer voltooi het—ten opsigte van pro rata-verlofbesoldiging	—	—	—	—	10,48
Ongekwalfiseer—					
eerste jaar	350,00	80,83	13,47	1,50	5,77
tweede jaar	400,00	92,38	15,39	1,71	6,59
derde jaar	475,00	109,70	18,28	2,03	7,83
Wat twee jaar of langer ononderbroke diens as ongekwalfiseerde kroegman by dieselfde werkgewer voltooi het—ten opsigte van pro rata-verlofbesoldiging	—	—	—	—	9,14
Rekenmeester	545,00	125,86	20,96	2,33	7,70
Nasienklerk:					
Gekwalifiseer	265,00	61,20	10,20	1,13	3,75
Ongekwalfiseer—					
eerste jaar	200,00	46,19	7,70	0,85	2,82
tweede jaar	225,00	51,96	8,66	0,96	3,18
Klerk:					
Gekwalifiseer	370,00	85,45	14,24	1,58	5,23
Ongekwalfiseer—					
eerste jaar	225,00	51,96	8,66	0,96	3,18
tweede jaar	275,00	63,51	10,58	1,18	3,89
derde jaar	290,00	66,97	11,16	1,24	4,10
Deurwagter	275,00	63,51	10,58	1,18	3,89
Kok:					
Gekwalifiseer	335,00	77,36	12,89	1,43	4,74
Ongekwalfiseer—					
eerste jaar	225,00	51,96	8,66	0,96	3,18
tweede jaar	250,00	57,73	9,62	1,07	3,53
derde jaar	275,00	63,51	10,58	1,18	3,89

	Per maand	Per week	Per dag	Per uur	Verlof- besoldi- ging pro rata per week
Algemenedienstewerknemer	235,00	54,27	9,04	1,00	3,32
Roosterbediener	235,00	54,27	9,04	1,00	3,32
Faktotum	295,00	68,12	11,35	1,26	4,17
Hoofkroegman	640,00	147,80	24,63	2,74	10,55
Wat twee jaar of langer ononderbroke diens as kroegman by dieselfde werkgever voltooi het—ten opsigte van pro rata-verlofbesoldiging					
Hoofkok	425,00	98,15	16,35	1,81	6,00
Hoofportier	400,00	92,37	15,39	1,71	5,65
Hoofkelner/Hoofwynkelner	360,00	83,14	13,85	1,53	5,09
Hoteltwekkeling	290,00	66,97	11,16	1,24	4,10
Huishoudster	300,00	69,28	11,54	1,28	4,24
Kombuistoessighouer	275,00	63,51	10,58	1,18	3,89
Skakelbordoperateur:					
Gekwalifiseer	290,00	66,97	11,16	1,24	4,10
Ongekwalifiseer—					
eerste ses maande	200,00	46,19	7,70	0,85	2,82
tweede ses maande	245,00	56,58	9,43	1,05	3,46
Kassier:					
Gekwalifiseer	320,00	73,90	12,31	1,36	4,52
Ongekwalifiseer—					
eerste ses maande	225,00	51,96	8,66	0,96	3,18
tweede ses maande	280,00	64,66	10,77	1,20	3,96
Motorvoertuigdrywer:					
Onbelaste massa van voertuig—					
minder as 450 kg	225,00	51,96	8,66	0,96	3,18
meer as 450 kg	235,00	54,27	9,04	1,00	3,32
Nagportier	320,00	73,90	12,31	1,36	4,52
Nagwag	225,00	51,96	8,66	0,96	3,18
Buiteverkoopsassistent:					
Gekwalifiseer	420,00	97,00	16,16	1,79	5,94
Ongekwalifiseer—					
eerste jaar	250,00	57,73	9,62	1,07	3,53
tweede jaar	300,00	69,28	11,54	1,28	4,24
derde jaar	350,00	80,83	13,47	1,50	4,95
Buiteverkoopsbestuurder	470,00	108,54	18,09	2,01	9,87
Hoteljoggie	175,00	40,41	6,73	0,75	2,47
Portier	290,00	66,97	11,16	1,24	4,10
Restourantbestuurder	545,00	125,86	20,96	2,33	11,44
Proviandkamerwerkknemer:					
Gekwalifiseer	275,00	63,51	10,58	1,18	3,89
Ongekwalifiseer—					
eerste jaar	175,00	40,41	6,73	0,75	2,47
tweede jaar	225,00	51,96	8,66	0,96	3,18
Magasynman:					
Gekwalifiseer	320,00	73,90	12,31	1,36	4,52
Ongekwalifiseer—					
eerste jaar	225,00	51,96	8,66	0,96	3,18
tweede jaar	250,00	57,73	9,62	1,07	3,53
Klerebediende	275,00	63,51	10,58	1,18	3,89
Kelner/Wynkelner:					
Gekwalifiseer	335,00	77,36	12,89	1,43	4,73
Ongekwalifiseer—					
eerste jaar	200,00	46,19	7,69	0,85	2,82
tweede jaar	225,00	51,96	8,66	0,96	3,18
derde jaar	275,00	63,51	10,58	1,18	3,89

Los werknemers se lone.—'n Los werknemer moet minstens die uurloon toepaslik vir 'n besondere soort werk betaal word: Met dien verstande dat hy vir 'n tydperk van minstens vier uur betaal word.

WAGE SCALE UNTIL 28 FEBRUARY 1987

	Per month	Per week	Per day	Per hour	Leave pay pro rata per week
Manager	720,00	166,28	27,71	3,08	15,11
Assistant manager	545,00	125,86	20,96	2,33	7,70
Barman:					
Qualified	545,00	125,86	20,96	2,33	8,99
Who has completed as a barman two or more years' continuous employment with the same employer—in respect of pro rata leave pay	—	—	—	—	10,48
Unqualified—					
first year	350,00	80,83	13,47	1,50	5,77
second year	400,00	92,38	15,39	1,71	6,59
third year	475,00	109,70	18,28	2,03	7,83
Who has completed as an unqualified barman two or more years' continuous employment with the same employer—in respect of pro rata leave pay	—	—	—	—	9,14
Accountant	545,00	125,86	20,96	2,33	7,70
Checking clerk:					
Qualified	265,00	61,20	10,20	1,13	3,75

	Per month	Per week	Per day	Per hour	Leave pay pro rata per week
Unqualified—					
first year	200,00	46,19	7,70	0,85	2,82
second year	225,00	51,96	8,66	0,96	3,18
Clerical employee:					
Qualified	370,00	85,45	14,24	1,58	5,23
Unqualified—					
first year	225,00	51,96	8,66	0,96	3,18
second year	275,00	63,51	10,58	1,18	3,89
third year	290,00	66,97	11,16	1,24	4,10
Commissionnaire	275,00	63,51	10,58	1,18	3,89
Cook:					
Qualified	335,00	77,36	12,89	1,43	4,74
Unqualified—					
first year	225,00	51,96	8,66	0,96	3,18
second year	250,00	57,73	9,62	1,07	3,53
third year	275,00	63,51	10,58	1,18	3,89
General service employee	235,00	54,27	9,04	1,00	3,32
Griller	235,00	54,27	9,04	1,00	3,32
Handyman	295,00	68,12	11,35	1,26	4,17
Head barman	640,00	147,80	24,63	2,74	10,55
Who has completed as a barman two or more years' continuous employment with the same employer—in respect of pro rata leave pay	—	—	—	—	12,31
Head cook	425,00	98,15	16,35	1,81	6,00
Head porter	400,00	92,37	15,39	1,71	5,65
Head waiter/Head wine steward	360,00	83,14	13,85	1,53	5,09
Hotel trainee	290,00	66,97	11,16	1,24	4,10
Housekeeper	300,00	69,28	11,54	1,28	4,24
Kitchen supervisor	275,00	63,51	10,58	1,18	3,89
Switchboard operator:					
Qualified	290,00	66,97	11,16	1,24	4,10
Unqualified—					
first six months	200,00	46,19	7,70	0,85	2,82
second six months	245,00	56,58	9,43	1,05	3,46
Cashier:					
Qualified	320,00	73,90	12,31	1,36	4,52
Unqualified—					
first six months	225,00	51,96	8,66	0,96	3,18
second six months	280,00	64,66	10,77	1,20	3,96
Motor vehicle driver:					
Unladen vehicle mass—					
under 450 kg	225,00	51,96	8,66	0,96	3,18
over 450 kg	235,00	54,27	9,04	1,00	3,32
Night porter	320,00	73,90	12,31	1,36	4,52
Night-watchman	225,00	51,96	8,66	0,96	3,18
Off-sales attendant:					
Qualified	420,00	97,00	16,16	1,79	5,94
Unqualified—					
first year	250,00	57,73	9,62	1,07	3,53
second year	300,00	69,28	11,54	1,28	4,24
third year	350,00	80,83	13,47	1,50	4,95
Off-sales manager	470,00	108,54	18,09	2,01	9,87
Page	175,00	40,41	6,73	0,75	2,47
Porter	290,00	66,97	11,16	1,24	4,10
Restaurant manager	545,00	125,86	20,96	2,33	11,44
Still-room employee:					
Qualified	275,00	63,51	10,58	1,18	3,89
Unqualified—					
first year	175,00	40,41	6,73	0,75	2,47
second year	225,00	51,96	8,66	0,96	3,18
Storeman:					
Qualified	320,00	73,90	12,31	1,36	4,52
Unqualified—					
first year	225,00	51,96	8,66	0,96	3,18
second year	250,00	57,73	9,62	1,07	3,53
Valet	275,00	63,51	10,58	1,18	3,89
Waiter/Wine steward:					
Qualified	335,00	77,36	12,89	1,43	4,73
Unqualified—					
first year	200,00	46,19	7,69	0,85	2,82
second year	225,00	51,96	8,66	0,96	3,18
third year	275,00	63,51	10,58	1,18	3,89
<i>Casual employee rates.</i> —Casual employees shall be paid not less than the hourly rate applicable to that particular class of work: Provided that he shall be paid for a period of not less than four hours.					

(2) In subklousule (5), onder die opskrif "Differensiële loon", voeg die volgende nuwe paragraaf (d) in:

"(d) Elke werknemer moet op die eerste betaaldag waarop enige verhoging in lone ingevolge hierdie ooreenkoms of enige wysiging daarvan in 1987 in werking tree, bykomend by sodanige verhoogde loon, 'n ex gratia-bedrag betaal word wat gelyk is aan tweemaal die bedrag van sodanige verhoging, bereken op 'n maandelikse basis."

3. KLOUSULE 15.—VRYSTELLING

Voeg die volgende nuwe subklousule (5) in:

"(5) Indien die Raad nie ooreenkomstig klousule 15 tot 'n meerderheidsbesluit oor 'n aansoeker kan geraak nie, moet 'n arbiter ooreenkomstig die Wet op Arbeidsverhoudinge, 1956, aangestel word."

Namens die partye, op hede die 7de dag van Mei 1986 te Durban onderteken.

R. L. GOODERSON,
Voorsitter van die Raad.

R. KISTEN,
Ondervoorsitter van die Raad.

A. G. LACK,
Sekretaris van die Raad.

No. R. 1800 **29 Augustus 1986**

WET OP MASJINERIE EN BEROEPSVEILIGHEID, 1983

AANWYSING VAN HOOFINSPEKTEUR

Die Minister van Mannekrag maak hierby bekend dat hy Imanuel Müller, Hoofdirekteur Beroepsveiligheid in die Departement van Mannekrag, ingevolge artikel 19 (1) van die Wet op Masjinerie en Beroepsveiligheid, 1983 (Wet 6 van 1983), as Hoofinspekteur vir die doeleindes van daardie Wet aangewys het.

P. T. C. DU PLESSIS,
Minister van Mannekrag.

No. R. 1805 **29 Augustus 1986**

WET OP ARBEIDSVERHOUDINGE, 1956

NYWERHEIDSRAAD VIR DIE HAARKAPPERSBEDRYF, KAAPSE SKIEREILAND.—HERNUWING VAN OOREENKOMS

Ek, Mattheus Willem Johannes le Roux, Direkteur: Mannekrag, behoorlik daartoe gemagtig deur die Minister van Mannekrag, verklaar hierby, kragtens artikel 48 (4) (a) (ii) van die Wet op Arbeidsverhoudinge, 1956, dat die bepalings van Goewermentskennisgewings R. 1902 van 2 September 1983 en R. 300 van 15 Februarie 1985 van krag is vanaf die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 31 Oktober 1986 eindig.

M. W. J. LE ROUX,
Direkteur: Mannekrag.

No. R. 1806 **29 Augustus 1986**

WET OP ARBEIDSVERHOUDINGE, 1956

NYWERHEIDSRAAD VIR DIE HAARKAPPERSBEDRYF (PRETORIA).—WYSIGING VAN OOREENKOMS

Ek, Pieter Theunis Christiaan du Plessis, Minister van Mannekrag, verklaar hierby—

(a) kragtens artikel 48 (1) (a) van die Wet op Arbeidsverhoudinge, 1956, dat die bepalings van die Ooreenkoms (hierna die Wysigingsooreenkoms genoem) wat in die Bylae hiervan verskyn en betrekking het op die

(2) In subclause (5) under the heading "Differential Wage", insert the following new paragraph (d):

"(d) Every employee shall on the first payday on which any increase in wages becomes binding in 1987 in terms of this agreement or any amendment thereof in addition to such increased wage, be paid an ex gratia amount equal to twice the amount of such increase calculated on a monthly basis."

3. CLAUSE 15.—EXEMPTION

Insert the following new subclause (5):

"(5) If the council is unable to reach a majority decision on an applicant in terms of clause 15, an arbitrator shall be appointed in terms of the Labour Relations Act, 1956."

Signed at Durban, on behalf of the parties, this 7th day of May 1986.

R. L. GOODERSON,
Chairman of the Council.

R. KISTEN,
Vice-Chairman of the Council.

A. G. LACK,
Secretary of the Council.

No. R. 1800 **29 August 1986**

MACHINERY AND OCCUPATIONAL SAFETY ACT, 1983

DESIGNATION OF CHIEF INSPECTOR

The Minister of Manpower hereby makes known that he has, in terms of section 19 (1) of the Occupational Safety Act, 1983 (Act 6 of 1983), designated Imanuel Müller, Chief Director, Occupational Safety in the Department of Manpower, as Chief Inspector for the purposes of that Act.

P. T. C. DU PLESSIS,
Minister of Manpower.

No. R. 1805 **29 August 1986**

LABOUR RELATIONS ACT, 1956

INDUSTRIAL COUNCIL FOR THE HAIRDRESSING TRADE, CAPE PENINSULA.—RENEWAL OF AGREEMENT

I, Mattheus Willem Johannes le Roux, Director: Manpower, duly authorised thereto by the Minister of Manpower, hereby, in terms of section 48 (4) (a) (ii) of the Labour Relations Act, 1956, declare the provisions of Government Notices R. 1902 of 2 September 1983 and R. 300 of 15 February 1985 to be effective from the date of publication of this notice and for the period ending 31 October 1986.

M. W. J. LE ROUX,
Director: Manpower.

No. R. 1806 **29 August 1986**

LABOUR RELATIONS ACT, 1956

INDUSTRIAL COUNCIL FOR THE HAIRDRESSING TRADE (PRETORIA).—AMENDMENT OF AGREEMENT

I, Pieter Theunis Christiaan du Plessis, Minister of Manpower, hereby—

(a) in terms of section 48 (1) (a) of the Labour Relations Act, 1956, declare that the provisions of the Agreement (hereinafter referred to as the Amending Agreement) which appears in the Schedule hereto and

Onderneming, Nywerheid, Bedryf of Beroep in die opskrif by hierdie kennisgewing vermeld, met ingang van die tweede Maandag na die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 30 Junie 1987 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; en

- (b) kragtens artikel 48 (1) (b) van genoemde Wet, dat die bepalings van die Wysigingsooreenkoms, uitgesonderd dié vervat in klousule 1 (1) (a) met ingang van die tweede Maandag na die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 30 Junie 1987 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 Onderneming, Nywerheid, Bedryf of Beroep in die gebiede in klousule 1 van die Wysigingsooreenkoms gespesifiseer.

P. T. C. DU PLESSIS,
Minister van Mannekrag.

BYLAE

NYWERHEIDSRAAD VIR DIE HAARKAPPERSBEDRYF (PRETORIA)

OOREENKOMS

ooreenkomstig die Wet op Arbeidsverhoudinge, 1956, gesluit deur en aangegaan tussen die

S.A. Hairdressers' and Cosmetologists' Association (Northern Transvaal Division)

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

S.A. Hairdressers Employees' Industrial Union

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

wat die partye is by die Nywerheidsraad vir die Haarkappersbedryf (Pretoria),

om die Ooreenkoms, gepubliseer by Goewermentskennisgewing R. 1476 van 8 Julie 1983, soos gewysig en verleng by Goewermentskennisgewings R. 1751 van 17 Augustus 1984 en R. 1348 van 27 Junie 1986, te wysig.

1. TOEPASSINGSBESTEK VAN OOREENKOMS

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

- (a) deur alle werknemers wat lede van die werkgewersorganisasie is en deur alle werknemers wat lede van die vakvereniging is;
- (b) in die landdrostdistrikte Pretoria (met inbegrip van daardie gedeeltes van die landdrostdistrikte Warmbad, Kempton Park, Cullinan en Randburg wat voor die publikasie van Goewermentskennisgewings 1410 van 23 Junie 1950, 551 van 29 Maart 1956, 970 van 30 Mei 1968, 1618 van 2 Oktober 1970 en 2152 van 22 November 1974 binne die landdrostdistrik Pretoria geval het) en Wonderboom.

2. KLOUSULE 3.—WOORDOMSKRYWING

In die omskrywing van "sjampoeis", voeg by "die aanwending van tint en die aanwending van 'n bleikmiddel op streepbleikmusse";.

3. KLOUSULE 4.—LONE

In subklousule (1), vervang die bestaande loontabelle deur die volgende:

(a) Gekwalifiseerde haarkappers:

Eerste jaar na kwalifisering

Tweede jaar na kwalifisering

Daarna

(b) Sjampoeïste:

Eerste jaar ondervinding

daarna

wat tint en bleikmiddel op streepbleikmusse aanwend

(c) Manikuriste, skoonheidskundiges en ontvangsdames

which relates to the Undertaking, Industry, Trade or Occupation referred to in the heading to this notice, shall be binding, with effect from the second Monday after the date of publication of this notice and for the period ending 30 June 1987, 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; and

- (b) in terms of section 48 (1) (b) of the said Act, declare that the provisions of the Amending Agreement, excluding those contained in clause 1 (1) (a) shall be binding, with effect from the second Monday after the date of publication of this notice and for the period ending 30 June 1987, upon all employers and employees, other than those referred to in paragraph (a) of this notice, who are engaged or employed in the said Undertaking, Industry, Trade or Occupation in the areas specified in clause 1 of the Amending Agreement.

P. T. C. DU PLESSIS,
Minister of Manpower.

SCHEDULE

INDUSTRIAL COUNCIL FOR THE HAIRDRESSING TRADE (PRETORIA)

AGREEMENT

in accordance with the provisions of the Labour Relations Act, 1956, made and entered into by and between the

S.A. Hairdressers' and Cosmetologists' Association (Northern Transvaal Division)

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

S.A. Hairdressers Employees' Industrial Union

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

being the parties to the Industrial Council for the Hairdressing Trade (Pretoria),

to amend the Agreement published under Government Notice R. 1476 of 8 July 1983, as amended and extended by Government Notices R. 1751 of 17 August 1984 and R. 1348 of 27 June 1986.

1. SCOPE OF APPLICATION OF AGREEMENT

(1) The terms of this Agreement shall be observed in the Hairdressing Trade—

- (a) by all employers who are members of the employers' organisation and by all employees who are members of the trade union;
- (b) in the Magisterial Districts of Pretoria (including those portions of the Magisterial Districts of Warmbaths, Kempton Park, Cullinan and Randburg which, prior to the publication of Government Notices 1410 of 23 June 1950, 551 of 29 March 1956, 970 of 30 May 1968, 1618 of 2 October 1970 and 2152 of 22 November 1974, fell within the Magisterial District of Pretoria) and Wonderboom.

2. CLAUSE 3.—DEFINITIONS

In the definition of "shampooist", add "applying tints and applying bleach on highlights caps";.

3. CLAUSE 4.—WAGES

In subclause (1), substitute the following for the existing wage scales:

*"18 maande nadat Ooreenkoms
in werking tree*

R

R

(a) Gekwalifiseerde haarkappers:				
Eerste jaar na kwalifisering	96,92 per week of 420,00 per maand	108,57 per week of 470,50 per maand		
Tweede jaar na kwalifisering	115,40 per week of 500,00 per maand	129,23 per week of 560,00 per maand		
Daarna	138,48 per week of 600,00 per maand	155,76 per week of 675,00 per maand		
(b) Sjampoeïste:				
Eerste jaar ondervinding	48,46 per week of 210,00 per maand	54,51 per week of 236,25 per maand		
daarna	57,70 per week of 250,00 per maand	64,90 per week of 281,15 per maand		
wat tint en bleikmiddel op streepbleikmusse aanwend	76,15 per week of 330,00 per maand	85,67 per week of 371,25 per maand		
(c) Manikuriste, skoonheidskundiges en ontvangsdames	96,92 per week of 420,00 per maand	109,03 per week of 472,50 per maand		

*"18 maande nadat Ooreenkoms
in werking tree"*

	R	R
(d) Algemene werkers	48,46 per week of 210,00 per maand	54,51 per week of 236,25 per maand
(e) Los werknemers	Vyf persent van die voorgeskrewe loon per dag	Vyf persent van die voorgeskrewe loon per dag
(f) Deeltydse werknemers	Twee derdes van die voorgeskrewe loon	Twee derdes van die voorgeskrewe loon

*"18 months after coming into
operation of Agreement"*

	R	R
(a) Qualified hairdressers:		
First year after qualifying	96,92 per week or 420,00 per month	108,57 per week or 470,50 per month
Second year after qualifying	115,40 per week or 500,00 per month	129,23 per week or 560,00 per month
Thereafter	138,48 per week or 600,00 per month	155,76 per week or 675,00 per month
(b) Shampooists:		
First year of experience	48,46 per week or 210,00 per month	54,51 per week or 236,25 per month
Thereafter	57,70 per week or 250,00 per month	64,90 per week or 281,25 per month
Who apply tints and bleach on highlights caps	76,15 per week or 330,00 per month	85,67 per week or 371,25 per month
(c) Manicurists, beauticians and receptionists	96,92 per week or 420,00 per month	109,03 per week or 472,50 per month
(d) General workers	48,46 per week or 210,00 per month	54,51 per week or 236,25 per month
(e) Casual employees	Five per cent of the prescribed wage per day	Five per cent of the prescribed wage per day
(f) Part-time employees	Two thirds of the prescribed wage	Two thirds of the prescribed wage

4. KLOUSULE 14.—UITGAWES VAN DIE RAAD

(1) Vermeerder alle syfers en bedrae met 50 persent, d.w.s.—

(a) in subklousule (1):

R2,80 word R4,20;
R0,66 word R0,99;
R1,40 word R2,10;

(b) in subklousule (2) (a):

R7,00 word R10,50;

(c) in subklousule (2) (b):

R7,00 word R10,50.

(2) Aan die einde van subklousule (1) voeg die woorde "asook vakleerlinge" in.

5. KLOUSULE 15.—VERTONING VAN OOREENKOMS

(1) Vervang die bestaande opskrif van hierdie klousule deur die woorde: "VERTONING VAN OOREENKOMS EN BOETES".

(2) Nommer die bestaande paragraaf om te lui "(1)" en voeg die volgende nuwe subklousule (2) in:

"(2) Indien 'n bedrag wat betaalbaar word ingevolge 'n klousule of ander bepaling van hierdie Ooreenkoms, nie op die 15de dag van die maand waarvoor die bedrag betaalbaar is, ten volle deur die Raad ontvang is nie, moet die werkgewer 'n boete betaal, bereken teen 'n koers van 10 persent van die bedrag wat onbetaald bly."

Vir en namens die partye op hede die 6de dag van Mei 1986 te Pretoria onderteken.

Y. VAN SCHALKWYK,
Voorsitter van die Raad.

D. CARR,
Ondervoorsitter van die Raad.

J. P. FORBES,
Sekretaris van die Raad.

4. CLAUSE 14.—EXPENSES OF THE COUNCIL

(1) Increase all figures and amounts by 50 per cent i.e.—

(a) in subclause (1):

R2,80 becomes R4,20;
R0,66 becomes R0,99;
R1,40 becomes R2,10;

(b) in subclause (2) (a):

R7,00 becomes R10,50;

(c) in subclause (2) (b):

R7,00 becomes R10,50.

(2) At the end of subclause (1), add the words "and apprentices".

5. CLAUSE 15.—EXHIBITION OF AGREEMENT

(1) Substitute the words "EXHIBITION OF AGREEMENT AND PENALTIES" for the existing heading of this clause.

(2) Number the existing paragraph to read "(1)" and insert the following subclause (2):

"(2) If any amount which falls due in terms of any clause or any other provision of this Agreement is not received in full by the Council by the 15th day of the month following the month for which the amount is payable, the employer shall be liable to pay a penalty calculated at the rate of 10 per cent of the amount which remains unpaid."

Signed at Pretoria, for and on behalf of the parties, this 6th day of May 1986.

Y. VAN SCHALKWYK,
Chairman of the Council.

D. CARR,
Vice-Chairman of the Council.

J. P. FORBES,
Secretary of the Council.

No. R. 1807

29 Augustus 1986

WET OP ARBEIDSVERHOUDINGE, 1956**NYWERHEIDSRAAD VIR DIE HOEDENYWERHEID
(TRANSVAAL).—WYSIGING VAN OOREENKOMS**

Ek, Pieter Theunis Christiaan du Plessis, Minister van Mannekrag, verklaar hierby—

(a) kragtens artikel 48 (1) (a) van die Wet op Arbeidsverhoudinge, 1956, dat die bepalings van die Ooreenkoms (hierna die Wysigingsooreenkoms genoem) wat

No. R. 1807

29 August 1986

LABOUR RELATIONS ACT, 1956**INDUSTRIAL COUNCIL FOR THE MILLINERY
INDUSTRY (TRANSVAAL).—AMENDMENT OF
AGREEMENT**

I, Pieter Theunis Christiaan du Plessis, Minister of Manpower, hereby—

(a) in terms of section 48 (1) (a) of the Labour Relations Act, 1956, declare that the provisions of the Agreement (hereinafter referred to as the Amending

in die Bylae hiervan verskyn en betrekking het op die Onderneming, Nywerheid, Bedryf of Beroep in die opskrif by hierdie kennisgewing vermeld, met ingang van die tweede Maandag na die datum van publikasie van hierdie Kennisgewing en vir die tydperk wat op 30 April 1988 eindig, bindend is vir die werkgewers-organisasie en die vakvereniging wat die Wysigings-ooreenkoms aangegaan het en vir die werkgewers en werknemers wat lede van genoemde organisasie of vereniging is; en

- (b) kragtens artikel 48 (1) (b) van genoemde Wet, dat die bepalings van die Wysigingsooreenkoms, uitgesonderd dié vervat in klousules 1 (1) (b) en 3 met ingang van die tweede Maandag na die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 30 April 1988 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 Onderneming, Nywerheid, Bedryf of Beroep in die gebiede in klousule 1 van die Wysigingsooreenkoms gespesifiseer.

P. T. C. DU PLESSIS,
Minister van Mannekrag.

BYLAE

NYWERHEIDSRAAD VIR DIE HOEDENYWERHEID (TRANSVAAL)

OOREENKOMS

ooreenkomstig die Wet op Arbeidsverhoudinge, 1956, gesluit deur en aangegaan tussen die

Transvaal Headwear Manufacturers' Association

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

National Union of Garment Workers (S.A.)

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

wat die partye is by die Nywerheidsraad vir die Hoedenywerheid (Transvaal),

om die Ooreenkoms van die Raad, gepubliseer by Goewermentskennisgewing R. 2477 van 19 November 1982, soos gewysig en hernieu by Goewermentskennisgewings R. 1897 en R. 1898 van 31 Augustus 1984 en R. 1359 van 4 Julie 1986 te wysig.

KLOUSULE 1. TOEPASSINGSBESTEK VAN OOREENKOMS

(1) Hierdie Ooreenkoms moet nagekom word—

- (a) in die provinsie Transvaal;
(b) deur alle werkgewers wat lede van die werkgewersorganisasie is en by die Hoedenywerheid betrokke is en deur alle werknemers wat lede van die vakvereniging is en in genoemde Nywerheid werksaam is.

(2) Ondanks subklousule (1), is hierdie Ooreenkoms slegs van toepassing op en ten opsigte van werknemers vir wie lone in klousule 4 voorgeskryf word.

2. KLOUSULE 9.—WERKURE TEEN GEWONE BESOLDIGING

Vervang (1) (a) deur die volgende:

"(1) (a) Langer as 41½ uur, uitgesonderd etenspouses, in 'n bepaalde week;"

3. KLOUSULE 16.—DIENSBEÏNDIGING

Voeg die volgende nuwe subklousule (9) in na subklousule (8) (b):

"(9) *Afdanking*.—Voordat 'n werkgewer van sy personeel van watter rede ookal afdank, moet hy die vakvereniging drie weke vooraf daarvan kennis gee."

4. KLOUSULE 28.—VOORSORGFONDS

In subklousule (7) (a), vervang "30c" deur "50c".

Namens die partye op hede die 30ste dag van April 1986 te Johannesburg onderteken.

S. I. JAFFE,
Voorsitter.

A. MARGOLIS,
Lid van die Raad.

P. STEIN,
Sekretaris.

Agreement) which appears in the Schedule hereto and which relates to the Undertaking, Industry, Trade or Occupation referred to in the heading to this notice, shall be binding, with effect from the second Monday after the date of publication of this notice and for the period ending 30 April 1988, 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; and

- (b) in terms of section 48 (1) (b) of the said Act, declare that the provisions of the Amending Agreement, excluding those contained in clauses 1 (1) (b) and 3 shall be binding, with effects from the second Monday after the date of publication of this notice and for the period ending 30 April 1988, upon all employers and employees, other than those referred to in paragraph (a) of this notice, who are engaged or employed in the said Undertaking, Industry, Trade or Occupation in the areas specified in clause 1 of the Amending Agreement.

P. T. C. DU PLESSIS,
Minister of Manpower.

SCHEDULE

INDUSTRIAL COUNCIL FOR THE MILLINERY INDUSTRY (TRANSVAAL)

AGREEMENT

in accordance with the provisions of the Labour Relations Act, 1956, made and entered into by and between the

Transvaal Headwear Manufacturers' Association

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

National Union Garment Workers (S.A.)

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

being the parties to the Industrial Council for the Millinery Industry (Transvaal),

to amend the Agreement of the Council published under Government Notice R. 2477 of 19 November 1982, as amended and renewed by Government Notices R. 1897 and R. 1898 of 31 August 1984 and R. 1359 of 4 July 1986.

1. CLAUSE 1. SCOPE OF APPLICATION OF AGREEMENT

(1) The terms of this Agreement shall be observed—

- (a) in the Province of the Transvaal;
(b) by all employers who are members of the employers' organisation and are engaged in the Millinery Industry and by all employees who are members of the trade union and are employed in the said Industry.

(2) Notwithstanding the provisions of subclause (1), the terms of this Agreement shall only apply to and in respect of employees for whom wages are prescribed in clause 4.

2. CLAUSE 9.—HOURS OF WORK AT ORDINARY RATES OF PAY

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

"(1) (a) to work for more than 41½ hours, excluding lunch intervals, in any one week."

3. CLAUSE 16.—TERMINATION OF EMPLOYMENT

Insert the following new subclause (9) after subclause (8) (b):

"(9) *Retrenchment*.—Before an employer retrenches any staff for any reason, the trade union shall be notified three weeks prior to such retrenchments taking place."

4. CLAUSE 28.—PROVIDENT FUND

In subclause (7) (a), substitute "50c" for "30c".

Signed at Johannesburg, on behalf of the parties, this 30th day of April 1986.

S. I. JAFFE,
Chairman.

A. MARGOLIS,
Member of the Council.

P. STEIN,
Secretary of the Council.

No. R. 1808

29 Augustus 1986

WET OP ARBEIDSVERHOUDINGE, 1956

SUIKERVERVAARDIGINGS- EN RAFFINEERNY-
WERHEID.—HERNUWING VAN OOREENKOMS

Ek, Pieter Theunis Christiaan du Plessis, Minister van Mannekrag, verklaar hierby, kragtens artikel 48 (4) (a) (ii) van die Wet op Arbeidsverhoudinge, 1956, dat die bepalings van Goewermentskennisgewing R. 2204 van 5 Oktober 1984 en R. 1821 van 23 Augustus 1985, van krag is vanaf die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 31 Maart 1987 eindig.

P. T. C. DU PLESSIS,
Minister van Mannekrag.

No. R. 1809

29 Augustus 1986

WET OP ARBEIDSVERHOUDINGE, 1956

SUIKERVERVAARDIGINGS- EN RAFFINEERNY-
WERHEID.—WYSIGING VAN OOREENKOMS

Ek, Pieter Theunis Christiaan du Plessis, Minister van Mannekrag, verklaar hierby—

- (a) kragtens artikel 48 (1) (a) van die Wet op Arbeidsverhoudinge, 1956, dat die bepalings van die Ooreenkoms (hierna die Wysigingsooreenkoms genoem) wat in die Bylae hiervan verskyn en betrekking het op die Onderneming, Nywerheid, Bedryf of Beroep in die opskrif by hierdie kennisgewing vermeld, met ingang van die tweede Maandag na die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 31 Maart 1987 eindig, bindend is vir die werkgewersorganisasie en die vakverenigings wat die Wysigingsooreenkoms aangegaan het en vir die werkgewers en werknemers wat lede van genoemde organisasie of verenigings is; en
- (b) kragtens artikel 48 (1) (b) van genoemde Wet, dat die bepalings van die Wysigingsooreenkoms, uitgesonderd dié vervat in klousule 1 (1) (a), met ingang van die tweede Maandag na die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 31 Maart 1987 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 Onderneming, Nywerheid, Bedryf of Beroep in die gebiede in klousule 1 van die Wysigingsooreenkoms gespesifiseer.

P. T. C. DU PLESSIS,
Minister van Mannekrag.

BYLAE

NYWERHEIDSRAAD VIR DIE SUIKERVERVAARDIGINGS- EN
RAFFINEERNYWERHEID

OOREENKOMS

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

The Sugar Manufacturing and Refining Employers' Association

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

The Amalgamated Engineering Union
The Natal Sugar Industry Employees' Union
The South African Electrical Workers' Association
The Sugar Industry Employees' Association
S.A. Boilermakers', Iron and Steel Workers', Shipbuilders' and Welders' Society
Natal Sugar and Refining and Allied Industries Employees' Union, en
Sweet, Food and Allied Workers' Union

No. R. 1808

29 August 1986

LABOUR RELATIONS ACT, 1956

SUGAR MANUFACTURING AND REFINING INDUS-
TRY.—RENEWAL OF AGREEMENT

I, Pieter Theunis Christiaan du Plessis, Minister of Manpower, hereby, in terms of section 48 (4) (a) (ii) of the Labour Relations Act, 1956, declare the provisions of Government Notices R. 2204 of 5 October 1984 and R. 1821 of 23 August 1985, to be effective from the date of publication of this notice and for the period ending 31 March 1987.

P. T. C. DU PLESSIS,
Minister of Manpower.

No. R. 1809

29 August 1986

LABOUR RELATIONS ACT, 1956

SUGAR MANUFACTURING AND REFINING INDUS-
TRY.—AMENDMENT OF AGREEMENT

I, Pieter Theunis Christiaan du Plessis, Minister of Manpower, hereby—

- (a) in terms of section 48 (1) (a) of the Labour Relations 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 Undertaking, Industry, Trade or Occupation referred to in the heading to this notice, shall be binding, with effect from the second Monday after the date of publication of this notice and for the period ending 31 March 1987, upon the employers' organisation and the trade unions which entered into the Amending Agreement and upon the employers and employees who are members of the said organisation or unions; and
- (b) in terms of section 48 (1) (b) of the said Act, declare that the provisions of the Amending Agreement, excluding those contained in clause 1 (1) (a), shall be binding, with effect from the second Monday after the date of publication of this notice and for the period ending 31 March 1987, upon all employers and employees, other than those referred to in paragraph (a) of this notice, who are engaged or employed in the said Undertaking, Industry, Trade or Occupation in the areas specified in clause 1 of the Amending Agreement.

P. T. C. DU PLESSIS,
Minister of Manpower.

SCHEDULE

INDUSTRIAL COUNCIL FOR THE SUGAR MANUFACTURING
AND REFINING INDUSTRY

AGREEMENT

in accordance with the provisions of the Labour Relations Act, 1956, made and entered into by and between

The Sugar Manufacturing and Refining Employers' Association

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

The Amalgamated Engineering Union
The Natal Sugar Industry Employees' Union
The South African Electrical Workers' Association
The Sugar Industry Employees' Association
S.A. Boilermakers', Iron and Steel Workers', Shipbuilders' and Welders' Society
Natal Sugar and Refining and Allied Industries Employees' Union, and
Sweet Food and Allied Workers Union

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

wat die party is by die Nywerheidsraad vir die Suikervervaardigings- en Raffineermywerheid,

om die Ooreenkoms gepubliseer by Goewermmentskennisgewing R. 2204 van 5 Oktober 1984 soos gewysig by Goewermmentskennisgewing R. 1821 van 23 Augustus 1985 verder te wysig.

1. TOEPASSINGSBESTEK VAN OOREENKOMS

(1) Hierdie Ooreenkoms moet in die Suikervervaardigings- en Raffineermywerheid nagekom word—

- deur alle werkgewers wat lede van die werkgewersorganisasie is en deur alle werknemers wat lede van die vakverenigings is;
- in die landdrostdistrikte Durban (uitgesonderd daardie gedeelte wat voor die publikasie van Goewermmentskennisgewing 1401 van 16 Augustus 1968 binne die landdrostdistrik Umlazi geval het), Hlabisa, Inanda, Lower Tugela, Lower Umfolozi, Mtunzini, Pinetown, Port Shepstone en Umzinto, in die landdrostdistrik Eshowe soos omskryf, voor die heromskrywing van sy plaaslike grense by Goewermmentskennisgewing 1356 van 6 September 1963, en in die landdrostdistrik Piet Retief.

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

- van toepassing slegs op werknemers vir wie lone in hierdie Ooreenkoms voorgeskryf word;
- van toepassing op vakleerlinge vir sover dit nie strydig is met die Wet op Mannekragopleiding, 1981, of met voorwaardes daarkragtens voorgeskryf of kennisgewing daarkragtens bestel nie;
- nie van toepassing op voltydse studente en skoliere wat gedurende vakansietye binne die Nywerheid werk gekry het nie.

2. KLOUSULE 4—WERKOMSKRYWING EN GRADE

Seksie 1—Ingenieurskategorieë.

In subseksie 1.1.4. onder (Ou werkbenamings gedek):

Voeg by "Meulroller boogswaier" en onder omskrywing voeg by "gebruik van 'n voorafgestelde boogswaier om rollertande grof te maak."

In subseksie 1.1.5. onder (Ou werkbenamings gedek):

Skraap "Meulroller-boogswaier" en onder omskrywing skraap, 'n voorafgestelde boogswaier gebruik om rollertande grof te maak."

3. KLOUSULE 6.—BESOLDIGING

Vervang subklousules (a) (b) en (c) deur die volgende:

"(a) By die Amatikulu, Darnall, Entumeni, Felixton, Gledhow, Glen-dale, Illovo, Maidstone, Mount Edgecombe en Umfolozi-meulens;

- alle werknemers met uitsondering van werknemers vir die vervoer en oorlaai van suikerriet:

Graad	Sent per uur
A1	166,5
A2	181,5
A3	198,5
B1	221,0
B2	246,5
B3	276,5
B4	313,0
B5	379,5
C1	426,0
C2	488,5
C3	559,0

- werknemers vir die vervoer en oorlaai van suikerriet:

Graad	Sent per uur
A1	180
A2	213
A3	253
B1	306
B2	347
B3	398
B4	455
B5	560

- alle werknemers by die Pongola, Sezela en Umzimkulu-meulens:

Graad	Sent per uur
A1	148,0
A2	162,6
A3	179,5
B1	198,5
B2	221,5
B3	248,0
B4	282,0
B5	345,5
C1	426,0
C2	488,5
C3	559,0

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

being the parties to the Industrial Council for the Sugar Manufacturing and Refining Industry,

to further amend the Agreement published under Government Notice R. 2204 of 5 October 1984 as amended by Government Notice R. 1821 of 23 August 1985.

1. SCOPE OF APPLICATION OF AGREEMENT

(1) The terms of this Agreement shall be observed in the Sugar Manufacturing and Refining Industry—

- by all employers who are members of the employers' organisation and by all employees who are members of the trade unions;
- in the Magisterial Districts of Durban (excluding that portion which, prior to the publication of Government Notice 1401 of 16 August 1968, fell within the Magisterial District of Umlazi), Hlabisa, Inanda, Lower Tugela, Lower Umfolozi, Mtunzini, Pinetown, Port Shepstone and Umzinto, in the Magisterial District of Eshowe as defined, prior to the redefinition of its local limits under Government Notice 1356 of 6 September 1963 and in the Magisterial District of Piet Retief.

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

- only apply in respect of employees for whom wages are prescribed in this Agreement;
- apply to apprentices in so far as they are not inconsistent with the provisions of the Manpower Training Act, 1981, or any conditions prescribed or any notice served in terms thereof;
- not apply to full-time students and scholars who have obtained employment within the Industry during vacation periods.

2. CLAUSE 4.—JOB DEFINITIONS AND GRADES

Section 1—Engineering Categories:

In subsection 1.1.4 under (Old jobs covered):

Add "Mill roller arc welder" and under Definition add "using pre-set welding machine to roughen mill rollers."

In subsection 1.1.5 under (Old jobs covered):

Delete "Mill roller arc welder" and under Definition delete "using pre-set arc welding machine to roughen roller teeth."

3. CLAUSE 6.—REMUNERATION

Substitute the following for subclauses (a) (b) and (c).

"(a) At the Amatikulu, Darnall, Entumeni, Felixton, Gledhow, Glen-dale, Illovo, Maidstone, Mount Edgecombe and Umfolozi Mills:

- all employees other than Cane Transport and Transshipping employees:

Grade	Cents per hour
A1	166,5
A2	181,5
A3	198,5
B1	221,0
B2	246,5
B3	276,5
B4	313,0
B5	379,5
C1	426,0
C2	488,5
C3	559,0

- Cane Transport and Transshipping employees:

Grade	Rand per month
A1	180
A2	213
A3	253
B1	306
B2	347
B3	398
B4	455
B5	560

- At the Pongola, Sezela and Umzimkulu Mills: All employees:

Grade	Cents per hour
A1	148,0
A2	162,6
A3	179,5
B1	198,5
B2	221,5
B3	248,0
B4	282,0
B5	345,5
C1	426,0
C2	488,5
C3	559,0

Benewens die loonskale in (b) hierbo vermeld, moet aan alle A- en B-graadwerknemers 'n voedingstoelae van R75 per maand betaal word.

Aan alle A- en B-graadwerknemers aan wie kiere deur die Maatskappy uitgereik word, moet 'n toelae van R1,50 per maand betaal word as bydrae tot die instandhoudingskoste van die oorpakke.

Aan alle getroude A- en B-graadwerknemers ten opsigte van wie die werkgewer nie in staat is om huisvesting op die werkgewer se perseel aan te bied nie, moet 'n uitwoontoeleae van R50 per maand betaal word. Met dien verstande dat die betrokke werknemer bewys kan lewer van besetting van sodanige woonperseel binne 'n redelike pendelafstand van sy werksplek, en welke personeel deur sy werkgewer goedgekeur is.

(c) By die Hulett-raffinadery:

Alle werknemers:

Graad	Sent per uur
A1	212,0
A2	228,5
A3	250,0
B1	272,5
B2	297,5
B3	324,0
B4	354,5
B5	433,0
C1	510,0
C2	583,0
C3	666,5"

KLOUSULE 8.—SKOFTOELAE

Vervang die 7½ persent deur 8 persent.

5. KLOUSULE 18.—BETALING VIR OORTYD

Vervang die voorbehoudsbepaling by klausule 18 (1) (b) (ii) deur die volgende:

"Met dien verstande dat aan 'n werknemer wat nie skofwerk verrig nie, en van wie vereis word of wat toegelaat word om oortyd te werk tussen middernag en die gewone aanvangstyd van sy volgende skof, dubbel sy uurloon vir die totale tydperk wat hy aldus gewerk het, betaal moet word. Benewens moet aan hom, vir elke uur of gedeelte van 'n uur wat hy aldus gewerk het, een diensvrye uur met volle besoldiging toegestaan word vanaf die aanvang van sy volgende gewone werkdag, mits sodanige diensvrye uur nie verby die einde van sy volgende gewone werkdag strek nie.

Nieteenstaande die bepalinge van hierdie klausule, wanneer 'n werknemer voor middernag uitgeroep is en van hom verwag word of hy toegelaat word om aaneenlopend oortyd aan 'n versaking te werk, sal hy teen dubbel sy uurloon vir alle ure wat hy na middernag aan die versaking gewerk het, betaal word."

6. KLOUSULE 22.—JAARLIKSE VERLOF

Vervang subklausule (1) deur die volgende:

"(1) (a) Onderhewig aan subklausule (1) (b), sal elke werknemer, uitgesonderd 'n loswerknemer, verlof opgaar ten opsigte van elke voltooiide diensjaar teen die volgende tarief:

- (i) 15 werkdag verlot met besoldiging in die geval van 'n werknemer wat vyf dae per week werk;
- (ii) 18 werkdag verlot met besoldiging in die geval van 'n werknemer wat ses dae per week werk.

Wanneer sodanige verlof geneem word, moet dit vier volle naweke insluit en ononderbroke wees, tensy andersins onderling ooreengekom word tussen die werkgewer en die werknemer, en moet onderworpe wees aan subklausule 4.

(b) Werknemers wat twee jaar ononderbroke diens by dieselfde werkgewer voltooi het, sal daarna verlof opgaar ten opsigte van elke daaropvolgende voltooiide diensjaar by daardie werkgewer teen die volgende tarief:

- (i) 20 werkdag verlot met besoldiging in die geval van 'n werknemer wat vyf dae per week werk;
- (ii) 24 werkdag verlot met besoldiging in die geval van 'n werknemer wat ses dae per week werk.

Wanneer sodanige verlof geneem word, moet dit vyf volle naweke insluit en ononderbroke wees, tensy andersins onderling ooreengekom tussen die werkgewer en die werknemer, en moet onderworpe wees aan subklausule (4)."

7. KLOUSULE 26.—SIKTEVERLOF

Vervang subklausules (5) (a) en (5) (b) deur die volgende:

"(5) (a) Die reg op siekteverlof loop soos volg op:

- (1) In die geval van 'n werknemer wat nie meer as vyf dae per week werk nie, teen 'n koers van een werkdag ten opsigte van elke voltooiide maand van diens tot 'n maksimum beregtiging op 36 werkdag siekteverlof, en

In addition to the rates in (b) above, all A & B grade employees are to be paid a feeding allowance of R75 per month.

All A & B grade employees in receipt of Company issued clothing are to be paid an allowance of R1,50 per month towards the costs of maintaining overalls.

All married A & B grade employees in respect of whom the employer is unable to offer accommodation on the employer's premises, shall be paid a living-out allowance of R50 per month: Provided that the employee concerned shall furnish proof of occupation of residential premises within a reasonable commuting distance of his place of work, and which premises shall have been approved by the employer.

(c) At the Hulett Refinery:

All employees:

Grade	Cents per hour
A1	212,0
A2	228,5
A3	250,0
B1	272,5
B2	297,5
B3	324,0
B4	354,5
B5	433,0
C1	510,0
C2	583,0
C3	666,5"

4. CLAUSE 8.—SHIFT ALLOWANCE

Substitute 8 per cent for 7½ per cent.

5. CLAUSE 18.—PAYMENT FOR OVERTIME

Substitute the following for the proviso to Clause 18 (1) (b) (ii):

"Provided that any employee not on shift work who is required or permitted to work overtime between midnight and the usual starting time of his next work period, shall be paid at double his hourly wage for the period so worked. In addition, he shall be granted one hour time off on full pay from the commencement of his next usual work period for each hour or part of an hour so worked, provided that such time off does not extend beyond the end of his next usual work period.

Notwithstanding the provisions of this clause, where an employee is called out before midnight and is required or permitted to work continuous overtime on a breakdown, he shall be paid at double his hourly wage for all hours worked after midnight while he is engaged on the breakdown."

6. CLAUSE 22.—ANNUAL LEAVE

Substitute the following for subclause (1):

"(1) (a) Subject to subclause (1) (b), employees, other than casual employees, shall accrue leave in respect of each completed year of employment at the following rate:

- (i) 15 working days' paid leave of absence in the case of an employee who works a five-day week;
- (ii) 18 working days' paid leave of absence in the case of an employee who works a six-day week.

When such leave of absence is taken, it shall include four clear week-ends and be for an unbroken period unless otherwise mutually agreed upon between the employer and the employee and subject to subclause 4.

(b) Employees who have completed two years continuous service with the same employer, shall thereafter accrue leave in respect of each subsequent completed year of employment with that employer at the following rate:

- (i) 20 working days' paid leave of absence in the case of an employee who works a five-day week;
- (ii) 24 working days' paid leave of absence in the case of an employee who works a six-day week.

When such leave of absence is taken, it shall include five clear week-ends and be for an unbroken period unless otherwise mutually agreed upon between the employer and the employee and subject to subclause (4)."

7. CLAUSE 26.—SICK LEAVE

Substitute the following for subclauses (5) (a) and (5) (b):

"5. (a) Sick leave entitlement shall accrue as follows:

- (1) In the case of an employee who works no more than five days a week, at the rate of one working day in respect of each completed month of employment to a maximum entitlement of 36 work-days sick leave, and

- (2) in die geval van enige ander werknemer, teen 'n koers van een werkdag ten opsigte van elke voltooide vier weke van diens tot 'n maksimum beregtiging op 42 werkdag siekteverlof."

Subklousule 5 (c) moet as 5 (b) hernommer word.

Vervang subklousule (6) (i) en (6) (ii) deur die volgende:

- "(6) (1) Op die datum waarop hierdie Ooreenkoms in werking tree, moet 'n werkgewer elke werknemer krediteer met die siekteverlof wat hom toekom ooreenkomstig die bepalinge van klousule 26 van die vorige Ooreenkoms."

Hierdie Ooreenkoms geteken te Durban op 5 Mei 1986.

T. G. MANN,
Voorsitter.

A. BRITZ,
Ondervoorsitter.

E. M. TOUGH,
Sekretaris.

No. R. 1810

29 Augustus 1986

WET OP ARBEIDSVERHOUDINGE, 1956

NYWERHEIDSRAAD VIR DIE BREINYWERHEID (TRANVAAL).—HERNUWING VAN OOREENKOMS

Ek, Mattheus Willem Johannes le Roux, Direkteur: Mannekrag, behoorlik daartoe gemagtig deur die Minister van Mannekrag, verklaar hierby, kragtens artikel 48 (4) (a) (ii) van die Wet op Arbeidsverhoudinge, 1956, dat die bepalinge van Goewermentskennisgewings R. 544 van 18 Maart 1983, R. 271 van 8 Februarie 1985 en R. 504 van 21 Maart 1986 van krag is vanaf die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 30 September 1986 eindig.

M. W. J. LE ROUX,
Direkteur: Mannekrag.

DEPARTEMENT VAN OPENBARE WERKE EN GRONDSAKE

No. R. 1775

29 Augustus 1986

REGISTRASIE VAN AKTES WET, 1937

VERBETERINGSKENNISGEWING.—DIE TEKS VAN GOEWERMENTSKENNISGEWING R. 1653 WAT IN STAATSKOERANT 10378 VAN 8 AUGUSTUS 1986 VERSKYN HET WORD HIERBY VERBETER SOOS UITEENGESIT IN DIE BYLAE HIERVAN

BYLAE

1. In die Engelse teks word die woorde "identity document" in die laaste twee reëls van regulasie 2 vervang met die woorde "identity number".

2. Die woord "Identiteitsdokument" in die tweede laaste reël van regulasie 2 word vervang deur die woord "identiteitsnommer".

3. In die Engelse teks word regulasie 4 vervang deur die volgende regulasie:

"4. Regulation 45 of the Regulations is hereby amended by the substitution for subregulation (2A) of the following subregulation:

(2A) Where a procedure has been adopted in a Deeds Registry of filing of record in the form of a micro-film reproduction of any type of deed or document it shall notwithstanding anything to the contrary in the Regulations not be necessary to lodge a duplicate copy of such deed or document for filing of record in that Deeds Registry, and upon registration such deed or document shall be deemed to be

- (2) In the case of every other employee, at the rate of one working day in respect of each completed four weeks of employment to a maximum entitlement of 42 work-days sick leave."

Subclause (5) (c) to be renumbered (5) (b).

Substitute the following for subclause (6) (i) and (6) (ii):

- "(6) (1) On the date of commencement of this Agreement an employer shall credit each employee with their sick leave entitlement accrued under the provisions of Clause 26 in the previous Agreement."

This Agreement signed at Durban on 5 May 1986.

T. G. MANN,
Chairman.

A. BRITZ,
Vice-Chairman.

E. M. TOUGH,
Secretary.

No. R. 1810

29 August 1986

LABOUR RELATIONS ACT, 1956

INDUSTRIAL COUNCIL FOR THE KNITTING INDUSTRY (TRANVAAL).—RENEWAL OF AGREEMENT

I, Mattheus Willem Johannes le Roux, Director: Manpower, duly authorised thereto by the Minister of Manpower, hereby, in terms of section 48 (4) (a) (ii) of the Labour Relations Act, 1956, declare the provisions of Government Notices R. 544 of 18 March 1983, R. 271 of 8 February 1985 and R. 504 of 21 March 1986 to be effective from the date of publication of this notice and for the period ending 30 September 1986.

M. W. J. LE ROUX,
Director: Manpower.

DEPARTMENT OF PUBLIC WORKS AND LAND AFFAIRS

No. R. 1775

29 August 1986

DEEDS REGISTRIES ACT, 1937

CORRECTION NOTICE.—THE TEXT OF GOVERNMENT NOTICE R. 1653 WHICH APPEARED IN THE GOVERNMENT GAZETTE 10378 OF 8 AUGUST 1986 IS HEREBY CORRECTED AS SET OUT IN THE SCHEDULE HERETO

SCHEDULE

1. In the Afrikaans text the word "identiteitsnommer" is substituted for the word "identiteitsdokument" in the second last line of regulation 2.

2. The words "identity number" are substituted for the words "identity document" in the last two lines of regulation 2.

3. The following regulation is substituted for regulation 4:

"4. Regulation 45 of the Regulations is hereby amended by the substitution for subregulation (2A) of the following subregulation:

(2A) Where a procedure has been adopted in a Deeds Registry of filing of record in the form of a micro-film reproduction of any type of deed or document it shall notwithstanding anything to the contrary in the Regulations not be necessary to lodge a duplicate copy of such deed or document for filing of record in that Deeds Registry, and upon registration such deed or document shall be deemed to be

the copy filed of record in that Deeds Registry until such time as the microfilm reproduction of the deed or document is filed of record in lieu thereof: Provided that the aforesaid procedure shall not be applied in a Deeds Registry until the Chief Registrar of Deeds has instructed the Registrar of that office to do so."

4. In die Engelse teks word die woord "endorsement" in die twaalfde reël van die Algemene Opmerkings by regulasie 5 vervang met die woord "endorsements".

5. In die Engelse teks word 'n komma ingevoeg na die syfer "31" in die sewende reël van paragraaf 1 van Afdeling I van regulasie 5.

6. In die Engelse teks word die woord "Amendmend" in die tweede reël van paragraaf 3 van Afdeling IV van regulasie 5 vervang met die woord "Amendment".

7. In die Engelse teks word die woord "and" in die laaste reël van paragraaf 3 van Afdeling VI van regulasie 5 vervang met die woord "an".

8. In die Engelse teks word die woord "endoresement" in die tweede reël van paragraaf 2 van Afdeling XI van regulasie 5 vervang met die woord "endorsement".

9. In die Engelse teks word die woord "of" aan die einde van die tweede reël van paragraaf 4 (a) van Afdeling XI van regulasie 5 vervang met die woord "or".

10. In die Engelse teks word die woord "proccuring" in die eerste reël van paragraaf 5 (1) van Afdeling XI van regulasie 5 vervang met die woord "procuring".

11. In die Engelse teks word die woord "in" ingevoeg na die woord "for" in die laaste reël van paragraaf 8 van Afdeling XI van regulasie 5.

12. In die Engelse teks word die syfer "335" in kolom D van Bylae I van regulasie 5 vervang met die syfer "355".

the copy filed of record in that Deeds Registry until such time as the microfilm reproduction of the deed or document is filed of record in lieu thereof: Provided that the aforesaid procedure shall not be applied in a Deeds Registry until the Chief Registrar of Deeds has instructed the Registrar of that office to do so."

4. The word "endorsements" is substituted for the word "endorsement" in the twelfth line of the General Notes under regulation 5.

5. A comma is inserted after the figure "31" in the seventh line of paragraph 1 of Section I of regulation 5.

6. The word "Amendment" is substituted for the word "Amendmend" in the second line of paragraph 3 of Section IV of regulation 5.

7. The word "an" is substituted for the word "and" in the second line of paragraph 3 of Section VI of regulation 5.

8. The word "endorsement" is substituted for the word "endoresement" in the second line of paragraph 2 of Section XI of regulation 5.

9. The word "or" is substituted for the word "of" at the end of the second line of paragraph 4 (a) of Section XI of regulation 5.

10. The word "procuring" is substituted for the word "proccuring" in the first line of paragraph 5 (1) of Section XI of regulation 5.

11. The word "for" is inserted after the word "in" in the last line of paragraph 8 of Section XI of regulation 5.

12. The figure "355" is substituted for the figure "335" in Column D of Schedule I of regulation 5.

THE ONDERSTEPSPOORT JOURNAL OF VETERINARY RESEARCH

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Hierdie publikasie is 'n voortsetting van die "Reports of the Government Veterinary Bacteriologist of the Transvaal" wat terugdateer tot 1903 en waarvan 18 verskyn het tot 1932. Dit is gevolg deur 52 volumes van die "Onderstepoort Journal". Tans bestaan elke volume uit vier nommers wat teen R5 per kopie of R20 per jaar plus AVB binnelands en R6,25 per kopie of R25 per jaar buitelands van bogenoemde adres posvry verkrygbaar is (lugposbestellings: R10 per kopie of R40 per jaar).

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The Onderstepoort Journal of Veterinary Research is printed by the Government Printer, Pretoria, and is obtainable from the Director, Division of Agricultural information, Private Bag X144, Pretoria, 0001, to whom all communications should be addressed.

This publication is a continuation of the Reports of the Government Veterinary Bacteriologist of the Transvaal which date back to 1903 and of which 18 have appeared up to 1932. These were followed by 52 volumes of the Onderstepoort Journal. At present each volume comprises four numbers which are obtainable from the above address at R5 per copy or R20 per annum plus GST local or other countries R6,25 per copy or R25 per annum (air mail: R10 per copy or R40 per annum).

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1. Hiermee word bekendgemaak dat die omruil van tale in die *Staatskoerant* jaarliks sal geskied, beginnende vanaf 1 Oktober tot 30 September, elke jaar.
2. Vir die tydperk 1 Oktober 1985 tot 30 September 1986 word Afrikaans EERSTE geplaas.
3. Hierdie reëling word in ooreenstemming gebring met dié van die Parlement waarby koerante met Wette ens. die taalvolgorde deurgaans behou vir die duur van die sitting.
4. ***Dit word dus van u, as adverteerder, verwag om u kopie met bogenoemde reëling te laat strook om onnodige omskakeling en stylredigering in ooreenstemming te bring.***

—oOo—

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1. Notice is hereby given that the interchange of languages in the *Government Gazette* will be done annually, starting on 1 October until 30 September, every year.
2. For the period 1 October 1985 to 30 September 1986, Afrikaans is to be placed FIRST, changing annually hereafter.
3. This arrangement is to bring the *Government Gazettes* in conformity with Gazettes containing Acts of Parliament etc. where the language sequence remains constant throughout the sitting of Parliament.
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Finansies, Departement van		
<i>Goewermenskennisgewings</i>		
R. 1770 Doeane- en Aksynswet (91/1964): Wysiging van Bylae 1 (1/1/1245)	1	10403
R. 1771 do.: Wysiging van Bylae 3 (No. 3/876)	2	10403
R. 1794 Doeane- en Aksynswet (91/1964): Wysiging van reëls (No. DAR/53)	2	10403
R. 1795 do.: Wysiging van regulasies (No. MR/69)	2	10403
R. 1796 Wet op Streeksdiensterade (109/1985): Berekening en betaling van streeksdiensteheffing en streeksvestigingheffing	3	10403
Handel en Nywerheid, Departement van		
<i>Goewermenskennisgewings</i>		
R. 1798 Wet op Eiendomsagente (112/1976): Uitreiking van getrouheidsfonds- en registrasiesertifikate	14	10403
R. 1799 do.: Gedragkode	18	10403
Landbou- ekonomie en -bemarking, Departement van		
<i>Goewermenskennisgewings</i>		
R. 1803 Bemarkingswet (59/1968): Somergraanskema: Heffing en spesiale heffing op mielies	22	10403
R. 1804 do.: Suiwelskema: Wysiging	23	10403
Mannekrag, Departement van		
<i>Goewermenskennisgewings</i>		
R. 1769 Wet op Mannekragopleiding (56/1981): Mannekragopleidingskomitee vir die Suid-Afrikaanse Vervoerdienste: Wysiging van Leervoordes	25	10403
R. 1780 Wet op Arbeidsverhoudinge (28/1956): Drank- en Spyseniersbedryf, Durban: Wysiging van Hoofoorreenskoms	25	10403
R. 1800 Wet op Masjinerie en Beroepsveiligheid (6/1983): Aanwysiging van Hoofinspekteur	29	10403
R. 1805 Wet op Arbeidsverhoudinge (28/1956): Nywerheidsraad vir die Haarkappersbedryf, Kaapse Skiereiland: Hernuwing van Ooreenkoms	29	10403
R. 1806 do.: Nywerheidsraad vir die Haarkappersbedryf (Pretoria): Wysiging van Ooreenkoms	29	10403
R. 1807 do.: Nywerheidsraad vir die Hoedenywerheid (Transvaal): Wysiging van Ooreenkoms	31	10403
R. 1808 do.: Suikervervaardigings- en Raffineernywerheid: Hernuwing van Ooreenkoms	33	10403
R. 1809 do.: do.: Wysiging van Ooreenkoms	33	10403
R. 1810 do.: Nywerheidsraad vir die Breinywerheid (Transvaal): Hernuwing van Ooreenkoms	36	10403
Openbare Werke en Grondsake, Departement van		
<i>Goewermenskennisgewing</i>		
R. 1775 Registrasie van Aktes Wet (47/1937): Verbeteringskennisgewing	36	10403

CONTENTS

No.	Page No.	Gazette No.
GOVERNMENT NOTICES		
Agricultural Economics and Marketing, Department of		
<i>Government Notices</i>		
R. 1803 Marketing Act (59/1968): Summer Grain Scheme: Levy and special levy on maize	22	10403
R. 1804 do.: Dairy Scheme: Amendment	23	10403
Finance, Department of		
<i>Government Notices</i>		
R. 1770 Customs and Excise Act (91/1964): Amendment of Schedule 1 (No. 1/1/1245)	1	10403
R. 1771 do.: Amendment of Schedule 3 (No. 3/876)	2	10403
R. 1794 Customs and Excise Act (91/1964): Amendment of rules (No. DAR/53)	2	10403
R. 1795 do.: Amendment of regulations (No. MR/69)	2	10403
R. 1796 Regional Services Councils Act (109/1985): Calculation and payment of regional services levy and regional establishment levy	3	10403
Manpower, Department of		
<i>Government Notices</i>		
R. 1769 Manpower Training Act (56/1981): Manpower Training Committee for the South African Transport Services: Amendment of Conditions of Apprenticeship	25	10403
R. 1780 Labour Relations Act (28/1956): Liquor and Catering Trade, Durban: Amendment of Main Agreement	25	10403
R. 1800 Machinery and Occupational Safety Act (6/1983): Designation of Chief Inspector	29	10403
R. 1805 Labour Relations Act (28/1956): Industrial Council for the Hairdressing Trade, Cape Peninsula: Renewal of Agreement	29	10403
R. 1806 do.: Industrial Council for the Hairdressing Trade (Pretoria): Amendment of Agreement	29	10403
R. 1807 do.: Industrial Council for the Millinery Industry (Transvaal): Amendment of Agreement	31	10403
R. 1808 do.: Sugar Manufacturing and Refining Industry: Renewal of Agreement	33	10403
R. 1809 do.: do.: Amendment of Agreement	33	10403
R. 1810 do.: Industrial Council for the Knitting Industry (Transvaal): Renewal of Agreement	36	10403
Public Works and Land Affairs, Department of		
<i>Government Notice</i>		
R. 1775 Deeds Registries Act (47/1937): Correction notice	36	10403
Trade and Industry, Department of		
<i>Government Notices</i>		
R. 1798 Estate Agents Act (112/1976): Issue of fidelity fund and registration certificates	14	10403
R. 1799 do.: Code of Conduct	18	10403