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OF  
SOUTH AFRICA



REPUBLIEK  
VAN  
SUID-AFRIKA

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No. 10765

## RECTIFICATION

Notice is hereby given that the Regulation number of *Government Gazette* 10759 of 5 June 1987 was incorrectly published. The correct number should have read: No. 4089.

## PROCLAMATIONS

by the

*State President of the Republic of South Africa*

No. R. 85, 1987

### AMENDMENT OF SCHEDULE 1 TO THE PUBLIC SERVICE ACT, 1984 (ACT 111 OF 1984)

Under the powers vested in me by section 6 (3) of the Public Service Act, 1984 (Act 111 of 1984), I hereby amend, in accordance with the recommendation of the Commission for Administration, with effect from 1 October 1986, Schedule 1 to the said Act by the deletion of the words "Department of Constitutional Development and Planning" and "Director-General: Constitutional Development and Planning" where they appear in columns I and II, respectively, and the insertion of the words "Department of Development Planning" after the words "Department of Development Aid" in column I, and the insertion of the words "Director-General: Development Planning" after the words "Director-General: Development Aid" in column II.

Given under my Hand and the Seal of the Republic of South Africa at Cape Town this Twelfth day of May, One thousand Nine hundred and Eighty-seven.

P. W. BOTHA,  
State President.

By Order of the State President-in-Cabinet:

A. L. SCHLEBUSCH,  
Minister of the Cabinet.

## REGSTELLING

Hiermee word bekendgemaak dat *Staatskoerant* 10759 van 5 Junie 1987 se Regulasienommer in die aanhef foutiewelik gepubliseer was. Die korrekte nommer moet lees: No. 4089.

## PROKLAMASIES

van die

*Staatspresident van die Republiek van Suid-Afrika*

No. R. 85, 1987

### WYSIGING VAN BYLAE 1 BY DIE STAATSDIENS- WET, 1984 (WET 111 VAN 1984)

Kragtens die bevoegdheid my verleen by artikel 6 (3) van die Staatsdienswet, 1984 (Wet 111 van 1984), wysig ek hierby, ooreenkomstig die aanbeveling van die Kommissie vir Administrasie, met ingang van 1 Oktober 1986, Bylae 1 by genoemde Wet deur die woorde "Departement van Staatkundige Ontwikkeling en Beplanning" en "Direkteur-generaal: Staatkundige Ontwikkeling en Beplanning" waar dit in kolom I en II, onderskeidelik, voorkom, te skrap, en die woorde "Departement van Ontwikkelingsbeplanning" na die woorde "Departement van Onderwys en Opleiding" in kolom I, en die woorde "Direkteur-generaal: Ontwikkelingsbeplanning" na die woorde "Direkteur-generaal: Onderwys en Opleiding" in kolom II in te voeg.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Kaapstad, op hede die Twaalfde dag van Mei Eenduisend Negehoonderd Sewe-en-tagtig.

P. W. BOTHA,  
Staatspresident.

Op las van die Staatspresident-in-Kabinet:

A. L. SCHLEBUSCH,  
Minister van die Kabinet.

## No. R. 93, 1987

## DISSOLUTION OF AND REGULATION OF MATTERS RELATING TO THE ASSETS, LIABILITIES, RIGHTS AND OBLIGATIONS OF THE CORPORATION FOR ECONOMIC DEVELOPMENT, LIMITED

Under and by virtue of the powers vested in me by section 5A (1) (b) of the Promotion of the Economic Development of National States Act, 1968 (Act 46 of 1968), I hereby declare that—

- (a) the Corporation for Economic Development, Limited shall be dissolved with effect from 1 July 1987 (the fixed date);
- (b) the assets, liabilities, rights and obligations of the Corporation for Economic Development, Limited shall pass to or be deemed to have passed to the bodies, corporations or development corporations mentioned in Schedule 1, subject to the conditions agreed upon between the bodies, corporations or development corporations and the Corporation for Economic Development, Limited, or under cessions accepted by any of the bodies, corporations or development corporations: Provided that shares held by the Corporation for Economic Development, Limited in a development corporation established in respect of a self-governing territory, shall pass to the South African Development Trust;
- (c) a reference to the Corporation for Economic Development, Limited in any agreement, legal document, licence, permit, permission, certificate or other document shall be deemed to be a reference to the body, corporation or development corporation to which the assets, liabilities, rights and obligations of the Corporation for Economic Development, Limited have passed in terms of paragraph (b);
- (d) from the fixed date the South African Development Trust Corporation Limited shall take over all the remaining assets, liabilities, rights and obligations of the Corporation for Economic Development, Limited towards debtors and creditors and all other defendants and plaintiffs and shall act as successor in title of the Corporation for Economic Development, Limited in all pending lawsuits and legal matters;
- (e) the Minister of Education and Development Aid or any other person authorised by him for that purpose may, at any time after the fixed date, sign any document or perform any other act relating to the passing of the assets, liabilities, rights or obligations referred to in paragraph (b) in the place of the Corporation for Economic Development, Limited;
- (f) upon the fixed date the Registrar of Companies shall enter the dissolution of the Corporation for Economic Development, Limited in his registers;
- (g) the Registrar of Mining Titles in charge of the Mining Titles Office in which a mining title is registered in favour of the Corporation for Economic Development, Limited shall endorse such document of title, upon submission thereof, free of charge, notwithstanding the provisions of the Mining Titles Registration Act, 1967 (Act 16 of 1967), or any other law, and such mining title shall pass to the body, corporation or development corporation concerned without payment of compensation, transfer duty, stamp duty or any other fee and without any obligation of any nature whatever being placed on that body, corporation or development corporation;

## No. R. 93, 1987

## ONTBINDING EN REËLING VAN AANGELEENTHEDE BETREFFENDE DIE BATES, LASTE, REGTE EN VERPLIGTINGE VAN DIE EKONOMIESE ONTWIKKELINGSKORPORASIE, BEPERK

Kragtens die bevoegdheid my verleen by artikel 5A (1) (b) van die Wet op die Bevordering van die Ekonomiese Ontwikkeling van Nasionale State, 1968 (Wet 46 van 1968), verklaar ek hierby dat—

- (a) die Ekonomiese Ontwikkelingskorporasie, Beperk met ingang van 1 Julie 1987 (die vasgestelde datum) ontbind word;
- (b) die bates, laste, regte en verpligtinge van die Ekonomiese Ontwikkelingskorporasie Beperk op die liggame, korporasies of ontwikkelingskorporasies in Bylae 1 vermeld, oorgaan of geag word oor te gegaan het, onderworpe aan die voorwaardes waaroor die betrokke liggaam, korporasie of ontwikkelingskorporasie met die Ekonomiese Ontwikkelingskorporasie, Beperk ooreengekom het, of kragtens sessies wat deur enige van die betrokke liggame, korporasies of ontwikkelingskorporasies aanvaar is: Met dien verstande dat aandele wat die Ekonomiese Ontwikkelingskorporasie, Beperk hou in 'n ontwikkelingskorporasie wat ingestel is ten opsigte van 'n selfregerende gebied, op die Suid-Afrikaanse Ontwikkelings-trust oorgaan;
- (c) 'n verwysing na die Ekonomiese Ontwikkelingskorporasie, Beperk in enige ooreenkoms, regsdocument, lisensie, permit, vergunning, sertifikaat of ander dokument geag word 'n verwysing te wees na die liggaam, korporasie of ontwikkelingskorporasie waarop die bates, laste, regte en verpligtinge van die Ekonomiese Ontwikkelingskorporasie, Beperk kragtens paragraaf (b) oorgaan het;
- (d) die Suid-Afrikaanse Ontwikkelings-trustkorporasie Beperk vanaf die vasgestelde datum al die oorblywende bates, laste, regte en verpligtinge van die Ekonomiese Ontwikkelingskorporasie, Beperk teenoor skuldenaars en skuldeisers en alle ander verweerders en eisers oorneem en as regsopvolger van die Ekonomiese Ontwikkelingskorporasie, Beperk sal optree in alle hangende hofgedinge en regsangeleenthede;
- (e) die Minister van Onderwys en Ontwikkelingshulp of enige ander persoon deur hom daartoe gemagtig, te eniger tyd na die vasgestelde datum, enige dokument kan onderteken of enige ander handeling kan verrig wat in verband staan met die oorgaan van die in paragraaf (b) bedoelde bates, laste, regte en verpligtinge in die plek van die Ekonomiese Ontwikkelingskorporasie, Beperk;
- (f) die Registrateur van Maatskappye die ontbinding van die Ekonomiese Ontwikkelingskorporasie, Beperk op die vasgestelde datum in sy registers sal aanteken;
- (g) die Registrateur van Mynbriewe in bevel van die Mynbriewekantoor waar 'n myntitel ten gunste van die Ekonomiese Ontwikkelingskorporasie, Beperk geregistreer is, sodanige titelbewys by voorlegging daarvan gratis sal endosseer, niesteenstaande die bepalinge van die Wet op die Registrasie van Myntitels, 1967 (Wet 16 van 1967), of van enige ander wet, en dat sodanige myntitel op die betrokke liggaam, korporasie of ontwikkelingskorporasie oorgaan sonder betaling van vergoeding, hereregte, seëlregte of enige ander fooi en sonder dat enige verpligting van welke aard ook al, geplaas word op daardie liggaam, korporasie of ontwikkelingskorporasie;

- (h) the Registrar of Deeds in charge of the Deeds Office in which a title to any such asset or right is registered shall endorse such title deed, upon submission thereof, free of charge, notwithstanding the provisions of the Deeds Registries Act, 1937 (Act 47 of 1937), or of any other law, and such asset or right shall pass to the body, corporation or development corporation concerned without payment of compensation, transfer duty, stamp duty or any other fee and without any obligation of any nature whatever being placed on that body, corporation or development corporation; and
- (i) the proclamations mentioned in Schedule 2 shall be repealed with effect from the fixed date.

Given under my Hand and the Seal of the Republic of South Africa at Cape Town this Twentieth day of May, One thousand Nine hundred and Eighty-seven.

P. W. BOTHA,  
State President.

By Order of the State President-in-Cabinet:

G. VAN N. VILJOEN,  
Minister of the Cabinet.

### SCHEDULE 1

#### BODIES, CORPORATIONS AND DEVELOPMENT CORPORATIONS REFERRED TO IN PARAGRAPH (B)

##### *Name of body, corporation or development corporation*

Bophuthatswana National Development Corporation Limited.

Ciskei Peoples Development Bank Limited.

Development Bank of Southern Africa.

KaNgwane Economic Development Corporation Limited.

KwaNdebele National Development Corporation Limited.

KwaZulu Finance and Investment Corporation Limited.

Lebowa Development Corporation Limited.

Qwaqwa Development Corporation Limited.

Shangaan/Tsonga Development Corporation Limited.

Small Business Development Corporation Limited.

South African Development Trust Corporation Limited.

Transkei Development Corporation Limited.

### SCHEDULE 2

#### PROCLAMATIONS REPEALED

| No. and year   | Title                                                                      | Extent of repeal |
|----------------|----------------------------------------------------------------------------|------------------|
| R. 133 of 1959 | Constitution of the Bantu Investment Corporation of South Africa, Limited  | The whole.       |
| R. 74 of 1961  | Bantu Investment Corporation of South Africa, Limited—Expansion of objects | The whole.       |
| R. 75 of 1961  | Bantu Investment Corporation of South Africa, Limited deemed a Black       | The whole.       |

- (h) die Registrateur van Aktes in bevel van die Akteskantoor waar 'n titel van enige bate of reg ten gunste van die Ekonomiese Ontwikkelingskorporasie, Beperk geregistreer is, sodanige titelbewys, by voorlegging daarvan, gratis sal endosseer niesteenstaande die bepalings van die Registrasie van Aktes Wet, 1937 (Wet 47 van 1937), of enige ander wet, en dat sodanige bate of reg op die betrokke liggaam, korporasie of ontwikkelingskorporasie oorgaan sonder betaling van vergoeding, hereregte, seëlregte of enige ander fooi en sonder dat enige verpligting van welke aard ook al, geplaas word op daardie liggaam, korporasie of ontwikkelingskorporasie; en
- (i) die proklamasies in Bylae 2 vermeld, met ingang van die vasgestelde datum herroep word.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Kaapstad, op hede die Twintigste dag van Mei Eenduisend Negehoenderd Sewe-en-tagtig.

P. W. BOTHA,  
Staatspresident.

Op las van die Staatspresident-in-Kabinet:

G. VAN N. VILJOEN,  
Minister van die Kabinet.

### BYLAE 1

#### LIGGAME, KORPORASIES EN ONTWIKKELINGSKORPORASIES IN PARAGRAAF (B) VERMELD

##### *Naam van liggaam, korporasie of ontwikkelingskorporasie*

Bophuthatswana Nasionale Ontwikkelingskorporasie Beperk.

Ciskei Peoples Development Bank Limited.

KaNgwane Ekonomiese Ontwikkelingskorporasie Beperk.

Kleinsake-ontwikkelingskorporasie Beperk.

KwaNdebele Nasionale Ontwikkelingskorporasie Beperk.

KwaZulu Finansie- en Beleggingskorporasie Beperk.

Lebowa-ontwikkelingskorporasie Beperk.

Ontwikkelingsbank van Suider-Afrika.

Qwaqwa-ontwikkelingskorporasie Beperk.

Shangaan/Tsonga-ontwikkelingskorporasie Beperk.

Suid-Afrikaanse Ontwikkelingskorporasie Beperk.

Transkei Development Corporation Limited.

### BYLAE 2

#### PROKLAMASIES HERROEP

| No. en jaar     | Titel                                                                        | Omvang van herroeping |
|-----------------|------------------------------------------------------------------------------|-----------------------|
| R. 133 van 1959 | Instelling van die Bantoe-beleggingskorporasie van Suid-Afrika, Beperk       | Die geheel.           |
| R. 74 van 1961  | Bantoe-beleggingskorporasie van Suid-Afrika, Beperk—Uitbreiding van oogmerke | Die geheel.           |
| R. 75 van 1961  | Bantoe-beleggingskorporasie van Suid-Afrika, Beperk as 'n Swarte beskou      | Die geheel.           |



**No. R. 94, 1987****TRANSFER OF SHARES HELD BY THE SOUTH AFRICAN DEVELOPMENT TRUST TO THE GOVERNMENTS OF SELF-GOVERNING TERRITORIES**

By virtue of the powers vested in me by section 4bis of the Development Trust and Land Act, 1936 (Act 18 of 1936), I hereby direct that—

1. from 1 July 1987 the shares that relate to the development corporations established in respect of self-governing territories and which are held by the South African Development Trust in its own right or which have been obtained or will be obtained by the South African Development Trust during the process of take-over of the assets of the Corporation for Economic Development, Limited shall, from time to time, be transferred to the governments of such self-governing territories; and
2. the transfer of the shares referred to in paragraph 1 shall take place by way of a certificate signed by the Minister of Education and Development Aid, which certificate shall be conclusive proof that the shares stated therein have been transferred to the government of the self-governing territory with effect from the date of signing of such certificate.

Given under my Hand and the Seal of the Republic of South Africa at Cape Town this Twentieth day of May, One thousand Nine hundred and Eighty-seven.

P. W. BOTHA,

State President.

By Order of the State President-in-Cabinet:

G. VAN N. VILJOEN,

Minister of the Cabinet.

**GOVERNMENT NOTICES****ADMINISTRATION: HOUSE OF REPRESENTATIVES****DEPARTMENT OF EDUCATION AND CULTURE**

No. R. 1286

12 June 1987

**COLOURED PERSONS EDUCATION ACT, 1963  
(ACT 47 OF 1963)****AMENDMENT OF REGULATIONS**

The Minister of Education and Culture has under section 34 of the Coloured Persons Education Act, 1963 (Act 47 of 1963), made the regulations contained in the Schedule hereto.

**SCHEDULE****DEFINITION**

1. In this Schedule "the Regulations" means the regulations promulgated by Government Notice R. 1898 of 21 November 1963 in *Regulation Gazette* 257 of 4 December 1963, as amended.

2. The following chapter is hereby substituted for Chapter W of the Regulations:

**"CHAPTER W****REGISTRATION OF PRIVATE SCHOOLS AND PRIVATE VOCATIONAL SCHOOLS AND GRANTS-IN-AID TO PRIVATE SCHOOLS****Definition**

W1 For the purpose of this chapter—

'private school' means a school for the provision, for reward, of education other than vocational education;

**No. R. 94, 1987****OORDRAG VAN AANDELE GEHOUD DEUR DIE SUID-AFRIKAANSE ONTWIKKELINGSTRUST AAN DIE REGERINGS VAN SELFREGERENDE GEBIEDE**

Kragtens die bevoegdheid my verleen by artikel 4bis van die Ontwikkelingstrust en Grond Wet, 1936 (Wet 18 van 1936), gelas ek hierby dat—

1. vanaf 1 Julie 1987 die aandele wat betrekking het op die ontwikkelingskorporasies wat ingestel is ten opsigte van selfregerende gebiede en wat deur die Suid-Afrikaanse Ontwikkelingstrust in eie reg gehou word of wat verkry is of verkry sal word deur die Suid-Afrikaanse Ontwikkelingstrust gedurende die proses van oornome van die bates van die Ekonomiese Ontwikkelingskorporasie, Beperk, van tyd tot tyd oorgedra word aan die regerings van sodanige selfregerende gebiede; en
2. die oordrag van die aandele bedoel in paragraaf 1 by wyse van 'n sertifikaat onderteken deur die Minister van Onderwys en Ontwikkelingshulp geskied, welke sertifikaat afdoende bewys is dat die aandele daarin vermeld oorgedra is aan die regering van die selfregerende gebied met ingang van die datum van ondertekening van sodanige sertifikaat.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Kaapstad, op hede die Twintigste dag van Mei, Eenduisend Negehonderd Sewe-en-tagtig.

P. W. BOTHA,

Staatspresident.

Op las van die Staatspresident-in-Kabinet:

G. VAN N. VILJOEN,

Minister van die Kabinet.

**GOEWERMENSKENNISGEWINGS****ADMINISTRASIE: RAAD VAN VERTEENWOORDIGERS****DEPARTEMENT VAN ONDERWYS EN KULTUUR**

No. R. 1286

12 Junie 1987

**WET OP ONDERWYS VIR KLEURLINGE, 1963  
(WET 47 VAN 1963)****WYSIGING VAN REGULASIES**

Die Minister van Onderwys en Kultuur het kragtens artikel 34 van die Wet op Onderwys vir Kleurlinge, 1963 (Wet 47 van 1963), die regulasies in die Bylae hiervan vervat, uitgevaardig.

**BYLAE****WOORDOMSKRYWING**

1. In hierdie Bylae beteken "die Regulasies" die regulasies afgekondig by Goewermenskennisgewing R. 1898 van 21 November 1963 in *Regulasiekoerant* 257 van 4 Desember 1963, soos gewysig.

2. Hoofstuk W van die Regulasies word hierby deur die volgende hoofstuk vervang:

**"HOOFSTUK W****REGISTRASIE VAN PRIVATE SKOLE EN PRIVATE BEROEPSKOLE EN HULPTOELAES AAN PRIVATE SKOLE****Woordomskeywing**

W1 By die toepassing van hierdie hoofstuk beteken—

'eienaar' die persoon of liggaam verantwoordelik vir die verskaffing van onderrig by 'n private skool of 'n private beroepsskool;



'private vocational school' means a school for the provision, for reward, of vocational education; and

'proprietor' means the person or body responsible for the provision of tuition at a private school or a private vocational school.

### Registration

W2.1 An application for registration of a private school in terms of section 6 of the Act shall—

- (a) in the case of vocational education, be made through the regional representative concerned; and
- (b) in the case of education other than vocational education, be made through the regional board of the school region concerned,

to the Director-General on an approved form and shall be accompanied by such particulars as the Director-General may require.

W2.2 The Director-General shall register a private school or a private vocational school only if the applicant for registration satisfies the Director-General to the extent required by him that the provisions of this Chapter will be complied with.

### Conditions and requirements

W3.1 A private school or a private vocational school in respect of which application for registration is made, shall comply with the following requirements:

- (a) The applicant shall satisfy the Director-General that it can reasonably be expected that the average number of pupils who will be enrolled at the private school or private vocational school in question during the first 12 months following the date on which such application was received by the Director-General will not be less than the minimum number of pupils mentioned in regulation W3.2 (a);
- (b) at the head of such school there shall be a teacher, known as the principal, who shall be responsible for the organisation and supervision of, the conduct at and the control of the school;
- (c) the school buildings and grounds shall comply with such requirements in respect of space, design and facilities as are in the opinion of the Director-General sufficient; and
- (d) the applicant shall satisfy the Director-General that the school will make a contribution to the provision of education in a specific area or for a specific purpose, especially as far as the nature of the education is concerned.

W3.2 The registration of a private school or a private vocational school shall be subject to the following conditions:

- (a) The minimum number of pupils in such school shall be 20;
- (b) the age of admission to a pre-primary class or Sub-standard A shall be the same as the age applicable in the case of State and State-aided schools;
- (c) except with the approval of the Director-General, a pupil shall—
  - (i) not be allowed to remain in a private school after the end of the calendar year in which he reaches the age of 20 years; or
  - (ii) not be admitted or readmitted to a private school after he has reached the age of 19 years;
- (d) the provisions relating to compulsory education applicable to pupils attending State and State-aided schools shall also apply to pupils attending a private school;
- (e) a handicapped child shall not be admitted to a private school without the approval of the Director-General;

'private skool' 'n skool vir die verskaffing, teen beloning, van ander onderwys as beroepsonderwys; en

'private beroepskool' 'n skool vir die verskaffing, teen beloning, van beroepsonderwys.

### Registrasie

W2.1 'n Aansoek om registrasie van 'n private skool ingevolge artikel 6 van die Wet word—

- (a) in die geval van beroepsonderwys, deur bemiddeling van die betrokke streekvertegenwoordiger; en
- (b) in die geval van ander onderwys as beroepsonderwys, deur bemiddeling van die streekraad van die betrokke skoolstreek,

by die Direkteur-generaal op 'n goedgekeurde vorm gedoen en gaan vergesel van die besonderhede wat die Direkteur-generaal mag verlang.

W2.2 Die Direkteur-generaal registreer 'n private skool of 'n private beroepskool slegs as die aansoeker om registrasie die Direkteur-generaal, in die mate deur hom vereis, daarvan oortuig dat die bepalings van hierdie Hoofstuk nagekom sal word.

### Vereistes en voorwaardes

W3.1 'n Private skool of 'n private beroepskool ten opsigte waarvan aansoek om registrasie gedoen word, moet aan die volgende vereistes voldoen:

- (a) Die aansoeker moet die Direkteur-generaal daarvan oortuig dat daar redelikerwys verwag kan word dat die gemiddelde getal leerlinge wat gedurende die eerste 12 maande na die datum waarop sodanige aansoek deur die Direkteur-generaal ontvang is, by die betrokke private skool of private beroepskool ingeskryf sal word, nie minder as die minimum getal leerlinge vermeld in regulasie W3.2 (a) sal wees nie;
- (b) aan die hoof van so 'n skool moet daar 'n onderwyser, wat bekend moet wees as die prinsipaal, staan wat vir die organisasie van die toesig oor, die gedrag by en die beheer oor die skool verantwoordelik is;
- (c) die skoolgeboue en -terrein moet aan die vereistes betreffende ruimte, ontwerp en geriewe voldoen wat na die oordeel van die Direkteur-generaal voldoende is; en
- (d) die aansoeker moet die Direkteur-generaal daarvan oortuig dat die skool 'n bydrae sal lewer tot onderwysvoorsiening in 'n bepaalde gebied of vir 'n bepaalde doel, veral wat die aard van die onderwys betref.

W3.2 Die registrasie van 'n private skool of 'n private beroepskool is onderworpe aan die volgende voorwaardes:

- (a) Die minimum getal leerlinge in so 'n skool is 20;
- (b) die ouderdom vir toelating tot 'n pre-primêre klas of tot substanderd A is dieselfde as die ouderdom wat van toepassing is in die geval van Staatskole en Staatsondersteunende skole;
- (c) behalwe met die goedkeuring van die Direkteur-generaal, mag 'n leerling—
  - (i) nie toegelaat word om in 'n private skool aan te bly na die einde van die kalenderjaar waarin hy die ouderdom van 20 jaar bereik het nie; of
  - (ii) nie tot 'n private skool toegelaat of hertoegelaat word nadat hy die ouderdom van 19 jaar bereik het nie;
- (d) die bepalings met betrekking tot skoolplig van toepassing op leerlinge wat Staatskole en Staatsondersteunende skole bywoon, is ook van toepassing op leerlinge wat 'n private skool bywoon;
- (e) 'n afwykende kind mag nie sonder die goedkeuring van die Direkteur-generaal tot 'n private skool toegelaat word nie;

- (f) the admission of pupils to such school shall be subject to items 2 and 14 of Schedule 1 to the Republic of South Africa Constitution Act, 1983 (Act 110 of 1983);
- (g) the Director-General shall determine the maximum number of pupils who may be admitted to such school, by taking into consideration the school buildings and grounds referred to in regulation W3.1 (c);
- (h) tuition shall not be offered in such school unless the proprietor is in possession of a registration certificate in respect of the school concerned;
- (i) no persons who does not meet the minimum requirements as determined by the Director-General shall after the coming into operation of this Chapter be employed as a teacher at such school: Provided that, if the Director-General is satisfied that the services of the person as a teacher are essential for the school concerned, he may approve the appointment notwithstanding the foregoing provisions of this paragraph: Provided further that the foregoing provisions of this paragraph shall not apply in respect of any person who was employed as a teacher at a private school or a private vocational school at the date of coming into operation of this Chapter, unless he ceased or ceases to be employed as a teacher at such school after that date, and thereafter wishes again to be employed as such a teacher at any private school or private vocational school;
- (j) the appointment of any teacher at such school shall be done by the proprietor, and the proprietor shall notify the Director-General of any such appointment and shall give an exposition of the qualifications and experience of the teacher concerned;
- (k) the proprietor of such school shall—
- (i) keep an enrolment register and an attendance register, as approved by the Director-General, of the pupils attending the school;
  - (ii) keep a register of the teachers employed at the school, in which their names, qualifications, remunerations and registration numbers as teachers, as and where required by law, shall be recorded;
  - (iii) permit the Director-General, or an official authorised by him, to inspect the registers at any time;
  - (iv) furnish the Director-General with any information contained in the registers that he may require;
  - (v) keep such other records as the Director-General may from time to time determine in general or in any particular case; and
  - (vi) keep the registers and records referred to in subparagraphs (i), (ii) and (v) in such a way as the Director-General may from time to time determine or require; and
- (l) the proprietor of such school shall ensure—
- (i) that the average duration of a school day at the minimum number of school days per calendar year are as approved by the Director-General; and
  - (ii) that the curriculum for pupils in the various school phases at the school shall be in accordance with the curriculum approved by the Director-General.
- (f) die toelating van leerlinge tot so 'n skool is onderworpe aan die bepalings van items 2 en 14 van Bylae 1 van die Grondwet van die Republiek van Suid-Afrika, 1983 (Wet 110 van 1983);
- (g) die Direkteur-generaal bepaal die maksimum getal leerlinge wat tot so 'n skool toegelaat mag word, met inagneming van die skoolgeboue en -terrein in regulasie W3.1 (c) bedoel;
- (h) onderwys mag nie in so 'n skool aangebied word nie, tensy die eienaar in besit is van 'n registrasiesertifikaat ten opsigte van die betrokke skool;
- (i) geen persoon wat nie aan die minimum vereistes soos deur die Direkteur-generaal bepaal, voldoen nie, mag na die inwerkingtreding van hierdie Hoofstuk as onderwyser by so 'n skool in diens geneem word nie: Met dien verstande dat, indien die Direkteur-generaal daarvan oortuig is dat die persoon se dienste as onderwyser noodsaaklik is vir die betrokke skool, hy die aanstelling nieënteenstaande voorgaande bepalings van hierdie paragraaf kan goedkeur: Met dien verstande voorts dat voorgaande bepalings van hierdie paragraaf nie geld nie ten opsigte van enige persoon wat op die datum van inwerkingtreding van hierdie Hoofstuk as onderwyser by 'n private skool of 'n private beroepsskool werksaam was, tensy hy na daardie datum opgehou het of ophou om as onderwyser by so 'n skool werksaam te wees, en daarna verlang om weer as so 'n onderwyser in diens geneem te word by 'n private skool of 'n private beroepsskool;
- (j) die aanstelling van enige onderwyser by so 'n skool word deur die eienaar gedoen, en die eienaar moet die Direkteur-generaal van so 'n aanstelling in kennis stel en 'n uiteensetting gee van die betrokke onderwyser se kwalifikasies en ondervinding;
- (k) die eienaar van so 'n skool moet—
- (i) 'n inskrywingsregister en 'n bywoningsregister, soos deur die Direkteur-generaal goedgekeur, byhou van die leerlinge wat die skool bywoon;
  - (ii) van die onderwysers in diens by die skool 'n register byhou waarin hulle name, kwalifikasies, besoldiging en registrasienommers as onderwysers, soos en waar by wet verplig, aange-teken word;
  - (iii) die Direkteur-generaal, of 'n beampte deur die Direkteur-generaal gemagtig, toelaat om die registers te eniger tyd na te gaan;
  - (iv) die Direkteur-generaal van enige inligting uit die registers voorsien wat hy verlang;
  - (v) sodanige ander rekords byhou as wat die Direkteur-generaal van tyd tot tyd in die algemeen of in 'n bepaalde geval bepaal; en
  - (vi) die registers en rekords in subparagrafe (i), (ii) en (v) bedoel, op die wyse byhou wat die Direkteur-generaal van tyd tot tyd bepaal of vereis; en
- (l) die eienaar van so 'n skool moet toesien—
- (i) dat die gemiddelde duur van 'n skooldag en die minimum getal skooldae per kalenderjaar is soos goedgekeur deur die Direkteur-generaal; en
  - (ii) dat die kurrikulum vir leerlinge in die onderskeie onderwysfases by so 'n skool in ooreenstemming is met die kurrikulum deur die Direkteur-generaal goedgekeur.



W3.3 The registration of a private school or a private vocational school shall be subject to the following further conditions, which shall be applicable in addition to the conditions mentioned in regulation W3.2:

- (a) A pupil at a private vocational school may be admitted to classes for a full-time course of training and instruction in technical, commercial or practical vocational subjects only if he has passed the examination for Standard 7 at a school recognised by the Department or has been transferred to Standard 8 according to the rules of the Department;
- (b) a pupil at a private school or a private vocational school may be admitted to the Senior Secondary Course or an equivalent course only after he has passed Standard 7 or an equivalent examination recognised by the Department or has been transferred to Standard 8 according to the rules of the Department;
- (c) a pupil who has completed a specific course shall be allowed to enter for the examination concerned under the name of the private school or private vocational school where he has completed such course, even though the principal of the private school or private vocational school concerned is of the opinion that the pupil might not pass the examination;
- (d) no advertisement shall guarantee success in an examination of a private school or a private vocational school, or be so phrased as to create a false or misleading impression of the equipment, accommodation, methods of tuition and examination results of a private school or a private vocational school;
- (e) no class fees for more than a full calendar quarter shall be made payable in advance;
- (f) a full-time pupil at a private school or a private vocational school may, in any particular year, be enrolled for the examination of one and the same examining body only: Provided that, with the prior approval of the Director-General, which he may grant in a case which is in his opinion meritorious and exceptional, such a pupil may be enrolled for the same examination for a particular year partially with the Department and partially with another examining body; and
- (g) whenever the proprietor or principal of a registered private school or private vocational school requests in writing that an inspection in terms of section 6 (2) of the Act be held, the Director-General may cause such an inspection to be held and he may cause a report thereon to be forwarded to the proprietor or principal, as the case may be.

#### REFUSAL OR CANCELLATION OF REGISTRATION OF PRIVATE SCHOOLS AND PRIVATE VOCATIONAL SCHOOLS

W4.1 (a) If a private school or a private vocational school referred to in section 6 of the Act does not meet any registration requirement or conditions specified in regulations W3.1, W3.2 or W3.3 as from the date of first publication of this Chapter, the Minister may determine a period of time within which such requirement or condition shall be complied with.

(b) If such school after expiry of a period referred to in paragraph (a) does not comply with the said requirement or condition, the Minister may refuse or, in terms of section 6 (3) of the Act, cancel the registration of such school or, if in the opinion of the Minister there is sufficient cause, determine a further period for compliance with the requirement or condition, at the expiry of which further period the Minister may refuse or withdraw the registration of the school if the requirement or condition has not been complied with.

W3.3 Die registrasie van 'n private skool of 'n private beroepsskool is onderworpe aan die volgende verdere voorwaardes, wat addisioneel tot die voorwaardes bedoel in regulasie W3.2 van toepassing is:

- (a) 'n Leerling aan 'n private beroepsskool kan tot klasse vir 'n voltydse kursus van opleiding en onderrig in tegniese, handels- of praktiese beroepsvakke toegelaat word slegs as hy in die eksamen vir standard 7 in 'n skool deur die Departement erken, geslaag het of ooreenkomstig die reëls van die Departement na standard 8 oorgeplaas is;
- (b) 'n leerling aan 'n private skool of 'n private beroepsskool kan tot die Senior Sekondêre Kursus of 'n gelykwaardige kursus toegelaat word slegs nadat hy standard 7 of 'n gelykwaardige eksamen deur die Departement erken, geslaag het of ooreenkomstig die reëls van die Departement na standard 8 oorgeplaas is;
- (c) 'n leerling wat 'n bepaalde kursus voltooi het, moet toegelaat word om, onder die naam van die private skool of die private beroepsskool waar hy sodanige kursus voltooi het, vir die betrokke eksamen in te skryf al is die prinsipaal van die betrokke private skool of private beroepsskool van mening dat die leerling moontlik nie die eksamen sal slaag nie;
- (d) geen advertensie mag sukses in 'n eksamen van 'n private skool of 'n private beroepsskool waarborg nie of mag so bewoord word nie dat 'n valse of misleidende indruk geskep word in verband met die toerusting, akkommodasie, onderrigmetodes en eksamenuitslae van 'n private skool of 'n private beroepsskool;
- (e) geen klasgelde mag vir meer as 'n volle kalenderkwartaal vooruitbetaalbaar gemaak word nie;
- (f) 'n voltydse leerling aan 'n private skool of 'n private beroepsskool mag in 'n bepaalde jaar vir die eksamen van slegs een eksaminerende liggaam ingeskryf word: Met dien verstande dat met die voorafverkreë toestemming van die Direkteur-generaal, wat hy kan verleen in 'n geval wat na sy oordeel verdienstelik en uitsonderlik is, so 'n leerling vir dieselfde eksamen in 'n jaar gedeeltelik by die Departement en gedeeltelik by 'n ander eksaminerende liggaam ingeskryf kan word; en
- (g) wanneer die eienaar of prinsipaal van 'n geregistreerde private skool of private beroepsskool skriftelik versoek dat 'n inspeksie kragtens artikel 6 (2) van die Wet uitgevoer word, kan die Direkteur-generaal so 'n inspeksie laat uitvoer en kan hy 'n verslag daaroor aan die eienaar of prinsipaal, na gelang van die geval, laat stuur.

#### WEIERING OF INTREKKING VAN REGISTRASIE VAN PRIVATE SKOLE EN PRIVATE BEROEPSKOLE

W4.1 (a) Indien 'n private skool of 'n private beroepsskool in artikel 6 van die Wet bedoel, vanaf die datum van eerste publikasie van hierdie Hoofstuk nie aan 'n registrasievereiste of -voorwaarde bedoel in regulasies W3.1, W3.2 of W3.3 voldoen nie, kan die Minister 'n tydperk bepaal waarbinne aan sodanige vereiste of voorwaarde voldoen moet word.

(b) Indien so 'n skool na verstryking van 'n tydperk in paragraaf (a) bedoel, nie aan bedoelde vereiste of voorwaarde voldoen nie, kan die Minister die registrasie van so 'n skool weier of kragtens artikel 6 (3) van die Wet intrek of, indien daar na die oordeel van die Minister goeie redes daarvoor bestaan, 'n verdere tydperk vir voldoening aan die vereiste of voorwaarde bepaal, by verstryking van welke verdere tydperk die Minister die registrasie van die skool kan weier of intrek indien daar nog nie aan die vereiste of voorwaarde voldoen is nie.



(c) Before the Minister refuses the registration of a private school or private vocational school or cancels such registration in terms of section 6 (3) of the Act, the Director-General shall in a written notice addressed to the proprietor of the school concerned—

- (i) notify the proprietor of the proposed refusal or cancellation;
- (ii) furnish reasons for the proposed refusal or cancellation;
- (iii) set out the requirements or conditions with which the proprietor must, within a reasonable period determined by the Minister and specified in the notice, comply in order to prevent the proposed refusal or cancellation.

W4.2 If the registration of a private school or a private vocational school is refused or cancelled in terms of regulation W4.1, the proprietor may reapply for registration after having taken the necessary steps to ensure that the relevant registration requirements or conditions are complied with.

W4.3 (a) If the Minister refuses the registration of a private school or a private vocational school or cancels such registration in terms of section 6 (3) of the Act, the Director-General may order the proprietor concerned to close the school with effect from a date determined by the Director-General.

(b) Any person who is ordered to close a private school or a private vocational school in terms of paragraph (a) and who refuses or fails to comply with the provisions of the order, shall be guilty of an offence and liable on conviction to a fine not exceeding R100 or to imprisonment for a period not exceeding one month.

#### APPEALS TO THE MINISTER

W5.1 If an application for registration of a private school or a private vocational school is refused in terms of this Chapter, the applicant may lodge an appeal, with an exposition of the grounds of appeal, to the Minister in writing within a period of 30 days of receipt of the notice of refusal.

W5.2 The Minister shall, within a period of 60 days after the receipt of such appeal, notify the appellant in writing of his decision.

W5.3 The Minister may, when considering such appeal, request the appellant or the Director-General to supply him with such further information as he may require.

#### AWARD OF GRANTS-IN-AID TO PRIVATE SCHOOLS

W6.1 A registered private school may apply to be considered for one of two categories of grants-in-aid: Provided that the proprietor or a member of the governing body of such school has no financial interest in the school, and that the school or part thereof has not been established and is not maintained for private gain.

W6.2 The categories referred to in regulation W6.1 shall be either 15 per cent or 45 per cent of an amount calculated on the basis determined by the Minister after consultation with the Minister of Finance.

W6.3 A registered private school shall direct its application for a grant-in-aid to the Director-General on an application form made available by the Director-General for this purpose: Provided that—

- (a) a grant-in-aid shall be approved on an annual basis and payment shall be made retroactively each quarter;
- (b) any application for a grant-in-aid shall be submitted to the Department annually on or before 31 July;

(c) voordat die Minister die registrasie van 'n private skool of 'n private beroepsskool weier of kragtens artikel 6 (3) van die Wet intrek, moet die Direkteur-generaal in 'n skriftelike kennisgewing gerig aan die eienaar van die betrokke skool—

- (i) die eienaar in kennis stel van die voorgename weiering of intrekking;
- (ii) die redes vir die voorgename weiering of intrekking verstrek;
- (iii) die vereistes of voorwaardes vermeld waaraan die eienaar binne 'n redelike tydperk deur die Minister bepaal en in die kennisgewing vermeld, moet voldoen ten einde die voorgename weiering of intrekking af te weer.

W4.2 Indien die registrasie van 'n private skool of 'n private beroepsskool ooreenkomstig regulasie W4.1 geweier of ingetrek is, kan die eienaar opnuut om registrasie aansoek doen nadat hy die nodige stappe gedoen het om te verseker dat aan die betrokke registrasievereistes of -voorwaardes voldoen word.

W4.3 (a) Indien die Minister die registrasie van 'n private skool of 'n private beroepsskool weier of kragtens artikel 6 (3) van die Wet intrek, kan die Direkteur-generaal die betrokke eienaar gelas om die skool te sluit met ingang van 'n datum deur die Direkteur-generaal bepaal.

(b) Iemand wat kragtens paragraaf (a) gelas is om 'n private skool of 'n private beroepsskool te sluit en wat weier of versuim om aan die bepalings van die lasgewing te voldoen, is aan 'n misdryf skuldig en by skuldigbevinding strafbaar met 'n boete van hoogstens R100 of met gevangenisstraf vir 'n tydperk van hoogstens een maand.

#### APPËLLE NA DIE MINISTER

W5.1 Indien 'n aansoek om registrasie van 'n private skool of 'n private beroepsskool kragtens die bepalings van hierdie Hoofstuk geweier word, kan die aansoeker skriftelik, met 'n uiteensetting van die appèlgronde, binne 'n tydperk van 30 dae na ontvangs van die kennisgewing van weiering appèl daarteen by die Minister aanteken.

W5.2 Die Minister moet binne 'n tydperk van 60 dae na ontvangs van sodanige appèl die appellant skriftelik van sy beslissing in kennis stel.

W5.3 Die Minister kan, by die oorweging van sodanige appèl, die appellant of die Direkteur-generaal versoek om die verdere inligting wat hy vereis, aan hom te verskaf.

#### TOEKENNING VAN HULPTOELAES AAN PRIVATE SKOLE

W6.1 'n Geregistreerde private skool kan aansoek doen om vir een van twee kategorieë hulptoelae in aanmerking te kom: Met dien verstande dat die eienaar of 'n lid van die beheerliggaam van so 'n skool geen geldelike belang by die skool het nie en dat die skool, in sy geheel of gedeeltelik, nie vir private wins ingestel is en in stand gehou word nie.

W6.2 Die kategorieë in regulasie W6.1 bedoel, is of 15 persent of 45 persent van 'n bedrag bereken op die grondslag deur die Minister na oorlegpleging met die Minister van Finansies bepaal.

W6.3 'n Geregistreerde private skool moet sy aansoek om 'n hulptoelae rig aan die Direkteur-generaal op 'n aansoekvorm wat vir dié doel deur die Direkteur-generaal beskikbaar gestel word: Met dien verstande dat—

- (a) 'n hulptoelae op 'n jaarlikse grondslag goedgekeur word en die betaling daarvan kwartaaliks terugwerkend geskied;
- (b) 'n aansoek om 'n hulptoelae jaarliks voor of op 31 Julie by die Departement ingedien moet word;

- (c) if a registered private school to which a grant-in-aid has been awarded at any time during the financial year ceases to comply with any registration requirement or condition mentioned in regulations W3.1, W3.2 or W3.3, the Director-General shall give the proprietor written notice thereof, stating what requirement or condition has not been complied with and requesting the proprietor to satisfy such requirement or condition within a period determined by the Director-General and stated in the notice;
- (d) if a school referred to in paragraph (c) still does not comply with the requirement or condition in question after the expiration of the period contemplated in that paragraph, the grant-in-aid to the school shall lapse; and
- (e) a grant-in-aid shall be payable only in respect of those pupils of school age who are following the curriculum in Sub-standard A up to and including Standard 10.

W6.4 Any person who in or in connection with an application for a grant-in-aid to a registered private school willfully furnishes information or makes a statement which is false or misleading, shall be guilty of an offence and liable on conviction to a fine not exceeding R100 or to an imprisonment for a period not exceeding one month.

W6.5 A registered private school may be considered for a grant-in-aid of 45 per cent of the amount referred to in regulation W6.2 if the school concerned meets the following requirements, namely that the school—

- (a) in the opinion of the Director-General, maintains satisfactory scholastic standards;
- (b) in the opinion of the Director-General, meets the educational and culture needs of a cultural or religious group which are not adequately met by State and State-aided schools;
- (c) accommodate the pupils in the school buildings and on the school grounds in a manner which is in the opinion of the Director-General satisfactory;
- (d) as regards the medium of instruction, complies with the provisions regarding the medium of instruction applicable to State and State-aided schools;
- (e) annually submits and audited financial report on the financial affairs of the school as required by the Director-General;
- (f) pays any grant-in-aid received from the Department into a bank account which has been opened in the name of the school;
- (g) ensures that pupils at the different points of exit comply with the requirements laid down by the South African Certification Council;
- (h) complies with all such other educational requirements as may be determined by the Director-General;
- (i) determines the remuneration package of the teaching staff attached to the school in such a manner that this is, in the opinion of the Director-General, not more favourable than that of teaching staff employed in posts of the same grade and category in the Department;
- (j) determines the requirements for the appointment at the school of teachers to promotion posts in a manner that is in accordance with the requirements laid down by the Department for similar posts in State and State-aided schools; and
- (k) has submitted the constitution or articles of association which provide for corporate status and representation by the Department, should the proprietor be a body, to the Director-General for approval, and that the Director-General has approved such constitution or articles of association.

- (c) indien 'n geregistreerde private skool aan wie 'n hulptoelae toegeken is, op enige stadium in die loop van die boekjaar ophou om aan 'n registrasievereiste of -voorwaarde bedoel in regulasies W3.1, W3.2 of W3.3 te voldoen, die Direkteur-generaal die eienaar skriftelik daarvan in kennis moet stel, met vermelding van die vereiste of voorwaarde waaraan nie voldoen word nie en met die versoek aan die eienaar om sodanige vereiste of voorwaarde na te kom binne 'n tydperk deur die Direkteur-generaal bepaal en in die kennisgewing vermeld;
- (d) indien 'n in paragraaf (c) bedoelde skool na verstryking van die tydperk in daardie paragraaf bedoel, nog nie aan die betrokke vereiste of voorwaarde voldoen nie, die hulptoelae aan die skool verval; en
- (e) 'n hulptoelae betaalbaar is slegs ten opsigte van die leerlinge van skoolgaande ouderdom wat die kurrikulum in Substanderd A tot en met standerd 10 volg.

W6.4 Iemand wat in of in verband met 'n aansoek om 'n hulptoelae aan 'n geregistreerde private skool opsetlik inligting verstrek of opsetlik 'n verklaring doen wat vals of misleidend is, is aan 'n misdryf skuldig en by skuldigbevinding strafbaar met 'n boete van hoogstens R100 of met gevangenisstraf vir 'n tydperk van hoogstens een maand.

W6.5 'n Geregistreerde private skool kan in aanmerking kom vir 'n hulptoelae van 45 persent van die bedrag in regulasie W6.2 bedoel, indien die betrokke skool aan die volgende vereistes voldoen, naamlik dat die skool—

- (a) na die oordeel van die Direkteur-generaal bevredigende skolasiese standaarde handhaaf;
- (b) na die oordeel van die Direkteur-generaal voldoen aan die onderwys- en kultuurbehoefes van 'n kultuur- of geloofsgroep waarin Staatskole en Staatsondersteunde skole nie in bevredigende mate voorsien nie;
- (c) die leerlinge in die skoolgeboue en op die skoolterrein akkommodeer op 'n wyse wat na die oordeel van die Direkteur-generaal bevredigend is;
- (d) wat die medium van onderrig betref, voldoen aan die bepalings ten opsigte van die medium van onderrig wat vir Staatskole en Staatsondersteunde skole geld;
- (e) jaarliks 'n geouditeerde finansiële verslag van die geldelike sake van die skool soos deur die Direkteur-generaal verlang, indien;
- (f) enige hulptoelae wat van die Departement ontvang is, in 'n bankrekening stort wat in die naam van die skool geopen is;
- (g) toesien dat die leerlinge by die verskillende uittreepunte voldoen aan die vereistes bepaal deur die Suid-Afrikaanse Sertifiseringsraad;
- (h) voldoen aan al die ander onderwyskundige vereistes wat deur die Direkteur-generaal bepaal word;
- (i) die vergoedingspakket van die onderwyspersoneel verbonde aan die skool bepaal op so 'n wyse dat dit na die oordeel van die Direkteur-generaal nie gunstiger is nie as dié van onderwyspersoneel in diens in poste van dieselfde graad en kategorie in die Departement;
- (j) die vereistes vir die aanstelling by die skool van onderwysers in bevorderingsposte bepaal op 'n wyse wat in ooreenstemming is met die vereistes gestel deur die Departement vir soortgelyke poste by Staatskole en Staatsondersteunde skole; en
- (k) die grondwet of statute wat voorsiening maak vir regspersoonlikheid en verteenwoordiging deur die Departement, indien die eienaar 'n liggaam is, aan die Direkteur-generaal voorgelê het vir goedkeuring en dat die Direkteur-generaal dit goedgekeur het.



W6.6 A registered private school may qualify for a grant-in-aid of 15 per cent of the amount referred to in regulation W6.2 if the school concerned satisfies the following requirements, namely that the school—

- (a) in the opinion of the Director-General maintains satisfactory scholastic standards;
- (b) in the opinion of the Director-General meets the educational and cultural needs of a cultural or religious group which are not adequately met by State and State-aided schools;
- (c) accommodate the pupils in the school buildings and on the school grounds in a manner which is in the opinion of the Director-General satisfactory;
- (d) as regards the medium of instruction, complies with the provisions regarding the medium of instruction applicable to State and State-aided schools;
- (e) annually submits an audited financial report on the financial affairs of the school as required by the Director-General;
- (f) pays any grant-in-aid received from the Department into a bank account which has been opened in the name of the school; and
- (g) ensures that pupils at the different points of exit comply with the requirements laid down by the South African Certification Council.

W6.7 The number of registered private schools which may receive the categories of grants-in-aid referred to in regulation W6.2 shall be subject to the amount available for this purpose as allocated by the Treasury from time to time."

C. H. EBRAHIM,  
Minister of Education and Culture.

## DEPARTMENT OF AGRICULTURAL ECONOMICS AND MARKETING

No. R. 1268

12 June 1987

WINE AND SPIRIT CONTROL ACT, 1970  
(ACT 47 OF 1970)

### WINE AND SPIRIT CONTROL REGULATIONS.— AMENDMENT

The Minister of Agriculture, acting under sections 11 and 25 of the Wine and Spirit Control Act, 1970 (Act 47 of 1970), has made the regulations in the Schedule.

#### SCHEDULE

#### Definitions

1. In this Schedule "the Regulations" means the regulations published by Government Notice R. 1699 of 22 September 1972, as amended by the regulations published by Government Notices R. 1420 of 13 August 1976, R. 2497 of 17 December 1976, R. 1986 of 29 September 1978, R. 785 of 12 April 1979, R. 263 of 13 February 1981, R. 2743 of 18 December 1981, R. 2193 of 7 October 1983, R. 27 of 6 January 1984 and R. 2864 of 28 December 1984.

#### Amendment of regulation 10 of the Regulations

2. Regulation 10 of the Regulations is hereby amended by the substitution for subregulation (1) of the following subregulation:

"10. (1) An application by a wine-grower or co-operative society for authorisation to make a contribution towards the costs in transporting good wine, in terms of section 18A (2) (a) of the principal Act, shall be made in the form KC 21, which shall be duly completed and signed by such wine-grower or co-operative society, and by the proposed purchaser in so far as the declaration and undertaking appearing on such form relate to him, before it is submitted to the Vereniging."

W6.6 'n Geregistreeerde private skool kan in aanmerking kom vir 'n hulptoelae van 15 persent van die bedrag in regulasie W6.2 bedoel, indien die betrokke skool aan die volgende vereistes voldoen, naamlik dat die skool—

- (a) na die oordeel van die Direkteur-generaal bevredigende skolastiese standaarde handhaaf;
- (b) na die oordeel van die Direkteur-generaal voldoen aan die onderwys- en kultuurbehoefes van 'n kultuur- of geloofsgroep waarin Staatskole en Staatsondersteunde skole nie in bevredigende mate voorsien nie;
- (c) die leerlinge in die skoolgeboue en op die skoolterrein akkommodeer op 'n wyse wat na die oordeel van die Direkteur-generaal bevredigend is;
- (d) wat die medium van onderrig betref, voldoen aan die bepalings ten opsigte van die medium van onderrig wat vir Staatskole en Staatsondersteunde skole geld;
- (e) jaarliks 'n geouditeerde finansiële verslag van die geldelike sake van die skool soos deur die Direkteur-generaal verlang, indien;
- (f) enige hulptoelae wat van die Departement ontvang is, in 'n bankrekening stort wat in die naam van die skool geopen is; en
- (g) toesien dat die leerlinge by die verskillende uitreepunte voldoen aan die vereistes bepaal deur die Suid-Afrikaanse Sertifiseringsraad.

W6.7 Die getal geregistreeerde private skole wat die kategorieë hulptoelae bedoel in regulasie W6.2 kan ontvang, is onderworpe aan die beskikbare bedrag wat deur die Tesourie van tyd tot tyd vir dié doel bewillig word."

C. H. EBRAHIM,  
Minister van Onderwys en Kultuur.

## DEPARTEMENT VAN LANDBOU- EKONOMIE EN -BEMARKING

No. R. 1268

12 Junie 1987

WET OP BEHEER OOR WYN EN SPIRITUS, 1970  
(WET 47 VAN 1970)

### REGULASIES VIR DIE BEHEER VAN WYN EN SPIRITUS.—WYSIGING

Die Minister van Landbou, handelende kragtens artikels 11 en 25 van die Wet op Beheer oor Wyn en Spiritus, 1970 (Wet 47 van 1970), het die regulasies in die Bylae uitgevaardig.

#### BYLAE

#### Woordomskrywing

1. In hierdie Bylae beteken "die Regulasies" die regulasies gepubliseer by Goewermentskennisgewing R. 1699 van 22 September 1972, soos gewysig deur die regulasies gepubliseer by Goewermentskennisgewings R. 1420 van 13 Augustus 1976, R. 2497 van 17 Desember 1976, R. 1986 van 29 September 1978, R. 785 van 12 April 1979, R. 263 van 13 Februarie 1981, R. 2743 van 18 Desember 1981, R. 2193 van 7 Oktober 1983, R. 27 van 6 Januarie 1984 en R. 2864 van 28 Desember 1984.

#### Wysiging van regulasie 10 van die Regulasies

2. Regulasie 10 van die Regulasies word hierby gewysig deur subregulasie (1) deur die volgende subregulasie te vervang:

"10. (1) 'n Aansoek deur 'n wynboer of koöperatiewe vereniging vir magtiging om 'n bydrae te doen tot die koste om goeiewyn te vervoer, ingevolge artikel 18A (2) (a) van die Hoofwet, moet in die vorm KC 21 gedoen word, wat behoorlik deur sodanige wynboer of koöperatiewe vereniging, en deur die voornemende koper vir sover die verklaring en onderneming wat op sodanige vorm voorkom, op hom betrekking het, voltooi en onderteken word voordat dit aan die Vereniging voorgelê word."



**Insertion of regulation 31A of the Regulations**

3. The following regulation is hereby inserted in the Regulations after regulation 31:

"31A. Notwithstanding any provision to the contrary in these regulations, the Vereniging may require or authorise that the information and other particulars that are to be submitted on prescribed returns or forms, including officially printed forms referred to in regulation 7, be submitted in any other form."

## DEPARTMENT OF ENVIRONMENT AFFAIRS

No. R. 1247

12 June 1987

SEA FISHERIES ACT, 1973 (ACT 58 OF 1973)

**AMENDMENT OF REGULATIONS**

The Minister of Environment Affairs has in terms of section 13 of the Sea Fisheries Act, 1973 (Act 58 of 1973), amended the Regulations promulgated in terms of the said Act, as set out in the Schedule hereto.

**SCHEDULE**

Unless the context otherwise indicates, words and phrases in these Regulations shall have the meaning assigned thereto in the Sea Fisheries Act, 1973, and the Regulations promulgated in terms of the said Act, and "the Regulations" means the Regulations published under Government Notice R. 1912 of 12 October 1973, as amended by Government Notices R. 1597 of 13 September 1974, R. 300 of 14 February 1975, R. 1252 of 27 June 1975, R. 2281 of 28 November 1975, R. 2351 of 12 December 1975, R. 692 of 23 April 1976, R. 2210 of 26 November 1976, R. 2507 of 17 December 1976, R. 825 of 13 May 1977, R. 1799 of 9 September 1977, R. 2667 of 30 December 1977, R. 589 of 23 March 1978, R. 1499 of 21 July 1978, R. 1640 of 11 August 1978, R. 16 of 5 January 1979, R. 312 of 23 February 1979, R. 1283 of 15 June 1979, R. 2407 of 26 October 1979, R. 2507 of 5 December 1980, R. 1410 of 3 July 1981, R. 2483 of 13 November 1981, R. 2662 of 4 December 1981, R. 673 of 2 April 1982, R. 1630 of 30 July 1982, R. 2384 of 5 November 1982, R. 2624 of 3 December 1982, R. 15 of 5 January 1983, R. 527 of 11 March 1983, R. 1036 of 13 May 1983, R. 1447 of 1 July 1983, R. 2201 of 30 September 1983, R. 2382 of 28 October 1983, R. 2845 of 30 December 1983, R. 238 of 17 February 1984, R. 430 of 2 March 1984, R. 888 of 4 May 1984, R. 1368 of 6 July 1984, R. 1775 of 17 August 1984, R. 1949 of 31 August 1984, R. 2438 of 2 November 1984, R. 2760 of 14 December 1984, R. 2871 of 31 December 1984, R. 2064 of 13 September 1985, R. 2671 of 29 November 1985, R. 2784 of 13 December 1985, R. 404 of 7 March 1986, R. 1721 of 15 August 1986, R. 1776 of 29 August 1986, R. 2167 of 14 October 1986, R. 2656 of 12 December 1986, R. 179 of 30 January 1987, R. 380 of 27 February 1987 and R. 982 of 30 April 1987.

By the substitution for regulation 78 of the Regulations of the following regulation:

"78. No person shall, within False Bay, in the area bounded by a straight line drawn from the centre of the lighthouse at Cape Hangklip to the centre of the lighthouse at Cape Point, use any staked, set or drift net or any trawl or midwater trawl net or any purse-seine net or any Japanese or similar type of long-line or any type of rock lobster trap: Provided that the prohibition on the use of rock lobster traps within False Bay shall not be applicable to rock lobster boats which have been authorised by the Director to catch rock lobster within the area."

**Invoeging van regulasie 31A van die Regulasies**

3. Die volgende regulasie word hierby in die Regulasies na regulasie 31 ingevoeg:

"31A. Ondanks enige andersluidende bepalings in hierdie regulasies kan die Vereniging vereis of magtig dat die inligting en ander besonderhede wat op voorgeskrewe opgawes of vorms, insluitende amptelike gedrukte vorms soos bedoel in regulasie 7, verstrek moet word, in enige ander vorm verskaf word."

## DEPARTEMENT VAN OMGEWINGSAKE

No. R. 1247

12 Junie 1987

WET OP SEEVISSERYE, 1973 (WET 58 VAN 1973)

**WYSIGING VAN REGULASIES**

Die Minister van Omgewingsake het kragtens artikel 13 van die Wet op Seevisserie, 1973 (Wet 58 van 1973), die Regulasies uitgevaardig kragtens die genoemde Wet, gewysig soos in die Bylae hierby uiteengesit.

**BYLAE**

Tensy uit die saamhang anders blyk, het woorde en uitdrukkings in hierdie Regulasies dieselfde betekenis as die betekenis daaraan geheg in die Wet op Seevisserie, 1973, en die Regulasies uitgevaardig kragtens genoemde Wet, en beteken "die Regulasies", die Regulasies gepubliseer by Goewermentskennisgewing R. 1912 van 12 Oktober 1973, soos gewysig by Goewermentskennisgewing R. 1597 van 13 September 1974, R. 300 van 14 Februarie 1975, R. 1252 van 27 Junie 1975, R. 2281 van 28 November 1975, R. 2351 van 12 Desember 1975, R. 692 van 23 April 1976, R. 2210 van 26 November 1976, R. 2507 van 17 Desember 1976, R. 825 van 13 Mei 1977, R. 1799 van 9 September 1977, R. 2667 van 30 Desember 1977, R. 589 van 23 Maart 1978, R. 1499 van 21 Julie 1978, R. 1640 van 11 Augustus 1978, R. 16 van 5 Januarie 1979, R. 312 van 23 Februarie 1979, R. 1283 van 15 Junie 1979, R. 2407 van 26 Oktober 1979, R. 2507 van 5 Desember 1980, R. 1410 van 3 Julie 1981, R. 2483 van 13 November 1981, R. 2662 van 4 Desember 1981, R. 673 van 2 April 1982, R. 1630 van 30 Julie 1982, R. 2384 van 5 November 1982, R. 2624 van 3 Desember 1982, R. 15 van 5 Januarie 1983, R. 527 van 11 Maart 1983, R. 1036 van 13 Mei 1983, R. 1447 van 1 Julie 1983, R. 2201 van 30 September 1983, R. 2382 van 28 Oktober 1983, R. 2845 van 30 Desember 1983, R. 238 van 17 Februarie 1984, R. 430 van 2 Maart 1984, R. 888 van 4 Mei 1984, R. 1368 van 6 Julie 1984, R. 1775 van 17 Augustus 1984, R. 1949 van 31 Augustus 1984, R. 2438 van 2 November 1984, R. 2760 van 14 Desember 1984, R. 2871 van 31 Desember 1984, R. 2064 van 13 September 1985, R. 2671 van 29 November 1985, R. 2784 van 13 Desember 1985, R. 404 van 7 Maart 1986, R. 1721 van 15 Augustus 1986, R. 1776 van 29 Augustus 1986, R. 2167 van 14 Oktober 1986, R. 2656 van 12 Desember 1986, R. 179 van 30 Januarie 1987, R. 380 van 27 Februarie 1987 en R. 982 van 30 April 1987.

Deur regulasie 78 van die Regulasies deur die volgende regulasie te vervang:

"78. Niemand mag in Valsbaai, in die gebied begrens deur 'n reguit lyn getrek vanaf die middelpunt van die vuurtoring by Kaap Hangklip tot by die middelpunt van die vuurtoring by Kaappunt, enige stel-, span- of dryfniet of enige treil- of midwatertreilnet of enige beursseën of beursnet of enige Japannese of soortgelyke tipe langlyn of enige tipe kreeffuik gebruik nie: Met dien verstande dat die verbod op die gebruik van kreeffuik binne Valsbaai nie van toepassing sal wees op kreefbote wat deur die Direkteur gemagtig is om kreef binne die gebied te vang nie."

**DEPARTMENT OF FINANCE****No. R. 1264****12 June 1987****CUSTOMS AND EXCISE ACT, 1964****AMENDMENT OF SCHEDULE 1 (No. 1/1/1295)**

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.

**DEPARTEMENT VAN FINANSIES****No. R. 1264****12 Junie 1987****DOEANE- EN AKSYNSWET, 1964****WYSIGING VAN BYLAE 1 (No. 1/1/1295)**

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.

**SCHEDULE**

| I<br>Tariff Heading                                                                                                                                                                                                                                             | II<br>Statistical Unit | III<br>Rate of Duty                              |  | IV     |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|--------------------------------------------------|--|--------|
|                                                                                                                                                                                                                                                                 |                        | General                                          |  | M.F.N. |
| 27.10 By the substitution for subheadings Nos. 27.10.60 and 27.10.65 of the following:<br>"27.10.60 Prepared lubricating oils in containers containing less than 5 litres<br>27.10.65 Prepared lubricating oils in containers containing not less than 5 litres | litre<br><br>litre     | 15%<br><br>0,55c per litre with a maximum of 8%" |  |        |
| 74.16 By the deletion of subheading No. 74.16.20.                                                                                                                                                                                                               |                        |                                                  |  |        |

Notes.—1. The statistical unit for prepared lubricating oils of subheadings Nos. 27.10.60 and 27.10.65 is amended from "kg" to "litre".

2. The specific provision for springs of copper, identifiable for use solely or principally with motor cycles, is deleted.

**BYLAE**

| I<br>Tariefpos                                                                                                                                                                                                      | II<br>Statistiese Eenheid | III<br>Skaal van Reg                               |  | IV     |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|----------------------------------------------------|--|--------|
|                                                                                                                                                                                                                     |                           | Algemeen                                           |  | M.B.N. |
| 27.10 Deur subposte Nos. 27.10.60 en 27.10.65 deur die volgende te vervang:<br>"27.10.60 Bereide smeeroles in houers wat minder as 5 liter bevat<br>27.10.65 Bereide smeeroles in houers wat minstens 5 liter bevat | liter<br><br>liter        | 15%<br><br>0,55c per liter met 'n maksimum van 8%" |  |        |
| 74.16 Deur subpos No. 74.16.20 te skrap.                                                                                                                                                                            |                           |                                                    |  |        |

Opmerkings.—1. Die statistiese eenheid vir bereide smeeroles by subposte Nos. 27.10.60 en 27.10.65 word van "kg" na "liter" gewysig.

2. Die spesifieke voorsiening vir vere van koper, uitkenbaar as vir gebruik slegs of hoofsaaklik aan motorfiets, word geskrap.

**No. R. 1265****12 June 1987****CUSTOMS AND EXCISE ACT, 1964****AMENDMENT OF SCHEDULE 1 (No. 1/1/1296)**

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.

**No. R. 1265****12 Junie 1987****DOEANE- EN AKSYNSWET, 1964****WYSIGING VAN BYLAE 1 (No. 1/1/1296)**

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.



## SCHEDULE

| I<br>Tariff Heading                                                                                                   | II<br>Statistical Unit | III<br>Rate of Duty           |  | IV |
|-----------------------------------------------------------------------------------------------------------------------|------------------------|-------------------------------|--|----|
|                                                                                                                       |                        | General                       |  |    |
| 29.25 By the insertion after subheading No. 29.25.10 of the following:<br>"29.25.20 Alachlor                          | kg                     | 10 % or 850c per kg less 90 % |  |    |
| 38.11 By the substitution for subheading No. 38.11.60.15 of the following:<br>".15 With alachlor as active ingredient | kg                     | 10 % or 520c per kg less 90 % |  |    |

Notes.—1. Specific provision is made for alachlor and the rate of duty thereon is amended from 10 % to 10 % or 850c per kg less 90 %.

2. The rate of duty on herbicides, plant-growth regulators and anti-sprouting products, with alachlor as active ingredient, is amended from 10 % to 10 % or 520c per kg less 90 %.

3. Goods which comply with the conditions of item 460.22 may be admitted under rebate of duty under that item and for this purpose the Board of Trade and Industry has certified that the amendment of the rate of duty is as a result of an application for tariff protection not previously published in the *Government Gazette* for general information.

## BYLAE

| I<br>Tariefpos                                                                                               | II<br>Statistiese Eenheid | III<br>Skaal van Reg         |  | IV |
|--------------------------------------------------------------------------------------------------------------|---------------------------|------------------------------|--|----|
|                                                                                                              |                           | Algemeen                     |  |    |
| 29.25 Deur na subpos No. 29.25.10 die volgende in te voeg:<br>"29.25.20 Alachloor                            | kg                        | 10 % of 850c per kg min 90 % |  |    |
| 38.11 Deur subpos No. 38.11.60.15 deur die volgende te vervang:<br>".15 Met alachloor as aktiewe bestanddeel | kg                        | 10 % of 520c per kg min 90 % |  |    |

Opmerkings.—1. Spesifieke voorsiening word gemaak vir alachloor en die skaal van reg daarop word van 10 % na 10 % of 850c per kg min 90 % gewysig.

2. Die skaal van reg op plantdoders, plantgroeireguleerders en anti-ontkiemingsmiddels, met alachloor as aktiewe bestanddeel, word van 10 % na 10 % of 520c per kg min 90 % gewysig.

3. Goedere wat aan die vereistes van item 460.22 voldoen, kan by dié item met korting op reg toegelaat word en die Raad van Handel en Nywerheid het vir dié doel gesertifiseer dat die wysiging van die skaal van reg as gevolg van 'n aansoek om tariefbeskerming is wat nie vooraf vir algemene inligting in die *Staatskoerant* gepubliseer was nie.

No. R. 1266

12 June 1987

## CUSTOMS AND EXCISE ACT, 1964

## AMENDMENT OF SCHEDULE 3 (No. 3/903)

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.

No. R. 1266

12 Junie 1987

## DOEANE- EN AKSYNSWET, 1964

## WYSIGING VAN BYLAE 3 (No. 3/903)

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.

## SCHEDULE

| I<br>Rebate Item | II             |             |                                                                                                                                                                                                                                                                                                                                                                     | III<br>Extent of Rebate |
|------------------|----------------|-------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|
|                  | Tariff Heading | Rebate Code | Description                                                                                                                                                                                                                                                                                                                                                         |                         |
| 306.09           |                | "01.00 40   | By the substitution for rebate code 01.00 to tariff heading No. 29.25 of the following:<br>Carboxyamide-function compounds, and amide function compounds of carbonic acid (excluding diuron and alachlor), for use as active ingredients in the manufacture of pesticides<br>By the insertion after rebate code 02.00 to tariff heading No. 29.25 of the following: | Full duty               |

| I<br>Rebate<br>Item | II                |             |                                                                                                                                                                                                                                                                                                                                                 | III<br>Extent of<br>Rebate |
|---------------------|-------------------|-------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------|
|                     | Tariff<br>Heading | Rebate Code | Description                                                                                                                                                                                                                                                                                                                                     |                            |
| 306.10              |                   | "03.00 46   | Alachlor, in such quantities and at such times as the Director-General: Trade and Industry, on the recommendation of the Board of Trade and Industry, may allow by specific permit, for use as an active ingredient in the manufacture of herbicides<br>By the substitution for rebate code 03.00 to tariff heading No. 29.25 of the following: | Full duty"                 |
|                     |                   | "03.00 41   | 2-Chloro- 2',6' -diethyl -N- (chloromethyl) acetanilide, in such quantities and at such times as the Director-General: Trade and Industry, on the recommendation of the Board of Trade and Industry, may allow by specific permit, for the manufacture of alachlor                                                                              | Full duty"                 |

Notes.—1. This amendment is consequential to the amendment of subheadings Nos. 29.25 and 38.11 of Schedule No. 1.

2. The effect thereof is that alachlor for use as an active ingredient in the manufacture of herbicides, and 2-chloro-2',6' -diethyl -N- (chloromethyl) acetanilide for the manufacture of alachlor, may now only be cleared under rebate of duty, subject to a permit issued by the Director-General: Trade and Industry, on the recommendation of the Board of Trade and Industry.

## BYLAE

| I<br>Korting-<br>item | II             |             |                                                                                                                                                                                                                                                                                                                                                      | III<br>Mate van<br>Korting |
|-----------------------|----------------|-------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------|
|                       | Tarief-<br>pos | Kortingkode | Beskrywing                                                                                                                                                                                                                                                                                                                                           |                            |
| 306.09                |                | "01.00 40   | Deur die kortingkode 01.00 by tariefpos No. 29.25 deur die volgende te vervang:<br>Karboksiamiedfunksieverbindings, en amiedfunksieverbindings van koolsuur (uitgesonderd diuron en alachloor), vir gebruik as aktiewe bestanddele by die vervaardiging van plaagdoders<br>Deur na kortingkode 02.00 by tariefpos No. 29.25 die volgende in te voeg: | Volle reg"                 |
|                       |                | "03.00 46   | Alachloor, in die hoeveelhede en op die tye wat die Direkteur-generaal: Handel en Nywerheid, op aanbeveling van die Raad van Handel en Nywerheid, by bepaalde permit toelaat, vir gebruik as 'n aktiewe bestanddeel by die vervaardiging van plantdoders                                                                                             | Volle reg"                 |
| 306.10                |                | "03.00 41   | Deur kortingkode 03.00 by tariefpos No. 29.25 deur die volgende te vervang:<br>2-Chloro- 2',6' -diëtiel -N- (chlorometiel) asetanilied, in die hoeveelhede en op die tye wat die Direkteur-generaal: Handel en Nywerheid, op aanbeveling van die Raad van Handel en Nywerheid, by bepaalde permit toelaat, vir die vervaardiging van alachloor       | Volle reg"                 |

Opmerkings.—1. Hierdie wysiging spruit voort uit die wysiging van tariefposte Nos. 29.25 en 38.11 van Bylae No. 1.

2. Die uitwerking daarvan is dat alachloor vir gebruik as 'n aktiewe bestanddeel by die vervaardiging van plantdoders, en 2-chloro-2',6' -diëtiel -N- (chlorometiel) asetanilied vir die vervaardiging van alachloor, nou slegs met korting op reg geklaar kan word, onderhewig aan 'n permit uitgereik deur die Direkteur-generaal: Handel en Nywerheid, op aanbeveling van die Raad van Handel en Nywerheid.

## DEPARTMENT OF JUSTICE

No. R. 1263

12 June 1987

## NOTICE IN TERMS OF SECTION 19 (2) (b) OF THE SUPREME COURT ACT, 1959 (ACT 59 OF 1959)

Under and by virtue of the powers vested in me by section 19 (2) (b) of the Supreme Court Act, 1959, I, Henry Harris Moll, Judge President of the Transvaal Provincial Division of the Supreme Court of South Africa, hereby determine that criminal appeals from all inferior courts in the Magisterial Districts of Alberton, Boksburg, Krugersdorp, Randfontein, Roodepoort and Westonaria shall be heard and determined by the Witwatersrand Local Division of the Supreme Court of South Africa and that the proceedings of all such courts shall be reviewed by the said Division, with effect from 3 August 1987.

H. H. MOLL,  
Judge President.

## DEPARTEMENT VAN JUSTISIE

No. R. 1263

12 Junie 1987

## KENNISGEWING KRAGTENS ARTIKEL 19 (2) (b) VAN DIE WET OP DIE HOOGGEREGSHOF, 1959 (WET 59 VAN 1959)

Kragtens die bevoegdheid my verleen by artikel 19 (2) (b) van die Wet op die Hooggeregshof, 1959, bepaal ek, Henry Harris Moll, Regter-president van die Transvaalse Provinsiale Afdeling van die Hooggeregshof van Suid-Afrika, hierby dat strafappelle van die landdrosdistrikte Alberton, Boksburg, Krugersdorp, Randfontein, Roodepoort en Westonaria met ingang van 3 Augustus 1987 deur die Witwatersrandse Plaaslike Afdeling van die Hooggeregshof van Suid-Afrika verhoor en beslis word en dat die verrigtinge van alle sodanige howe deur genoemde Afdeling hersien word.

H. H. MOLL,  
Regter-president.

## DEPARTMENT OF MANPOWER

No. R. 1248

12 June 1987

## WAGE ACT, 1957

AMENDMENT OF WAGE DETERMINATION 416.—  
CERAMICS INDUSTRY, CERTAIN AREAS

I, Pieter Theunis Christiaan du Plessis, Minister of Manpower, hereby, in terms of section 15 (6) of the Wage Act, 1957, amend Wage Determination 416, Ceramics Industry, Certain Areas, published under Government Notice R. 1783 of 28 August 1981, as amended by Government Notices R. 224 of 12 February 1982 and R. 63 of 13 January 1984, in accordance with the Schedule hereto and fix the third Monday after the date of publication of this notice as the date from which the said amendment shall be binding.

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

## SCHEDULE

## "1. AREA AND SCOPE OF THE DETERMINATION

(1) This determination shall apply to every employer, other than a small employer as defined in subclause (3), after he has been engaged for 12 months in the aggregate in the Industry, as defined in subclause (2), and to all his employees, other than managers as defined in subclause (4), in the following areas:

*Transvaal.*—The Magisterial Districts of Alberton, Benoni, Boksburg, Brakpan, Germiston, Highveld Ridge, Johannesburg, Kempton Park, Krugersdorp, Nigel, Pretoria, Randburg, Randfontein, Roodepoort, Springs, Vanderbijlpark, Vereeniging, Westonaria, Witbank and Wonderboom;

*Cape Province.*—The Magisterial Districts of Albany, Bellville, East London, Goodwood, Kuils River, Malmesbury, Moorreesburg, Simon's Town, Stellenbosch, The Cape and Wynberg.

(2) 'Ceramics Industry' or 'Industry' means the industry in which employers and employees are associated for—

- (a) the manufacture of any one or more of the following articles, namely electrical porcelain insulators or fittings, crockery, pottery, ovenware, white or coloured glaze sanitary ware, laboratory equipment, bathroom fittings, wall tiles or floor tiles (other than quarry tiles) which in the process of being manufactured are hardened by burning in a kiln or by any other heat process and which are made from clay or of which clay or any other heat-resisting or insulating mineral, ore or material or a combination of clay and any such other mineral, ore or material forms the principal component;
- (b) the extraction, mining, winning or preparation of the clay or heat-resisting or insulating mineral, ore or material used in the manufacture of any of the articles referred to in paragraph (a) if carried on by employers who are engaged in such manufacture;

and includes all operations incidental to or consequent on any of the aforesaid activities.

(3) 'Small employer' means—

- (a) an employer who on the date of publication of this notice was conducting one business in this industry only, which was situated within any of the areas within which this determination is binding, and who was employing less than 20 employees in or in connection with such business, for so long as he continues thus to employ less than 20 employees at all times; or
- (b) an employer who enters the Industry after the date of publication of this notice, who conducts one business in this industry only, which is situated within any of the areas within which this determination is binding, and who at all times employs less than 20 employees in or in connection with such business.

(4) 'Manager' means an employee who is charged by his employer with the overall supervision over, responsibility for and direction of the activities of an establishment or part thereof and the employees engaged therein, but does not include an employee in the same establishment who relieves or acts for the manager during the latter's absence.

## DEPARTEMENT VAN MANNEKRAG

No. R. 1248

12 Junie 1987

## LOONWET, 1957

WYSIGING VAN LOONVASSTELLING 416.—  
KERAMIEKNYWERHEID, SEKERE GEBIEDE

Ek, Pieter Theunis Christiaan du Plessis, Minister van Mannekrag, wysig hierby kragtens artikel 15 (6) van die Loonwet, 1957, Loonvasstelling 416, Keramieknwyerheid, Sekere Gebiede, gepubliseer by Goewermentskennisgewing R. 1783 van 28 Augustus 1981, soos gewysig by Goewermentskennisgewings R. 224 van 12 Februarie 1982 en R. 63 van 13 Januarie 1984, ooreenkomstig die Bylae hiervan en bepaal die derde Maandag na die datum van publikasie van hierdie kennisgewing as die datum waarop genoemde wysiging bindend word.

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

## BYLAE

## "1. GEBIED EN OMVANG VAN DIE VASSTELLING

(1) Hierdie vasstelling is van toepassing op elke werkgever, uitgesonderd 'n klein werkgever soos in subklousule (3) omskryf, nadat hy altesaam 12 maande lank by die Nywerheid, soos in subklousule (2) omskryf, betrokke was, en op al die werknemers, uitgesonderd bestuurders soos in subklousule (4) omskryf, in die volgende gebiede:

*Transvaal.*—Die landdrosdistrikte Alberton, Benoni, Boksburg, Brakpan, Germiston, Hoëveldrif, Johannesburg, Kempton Park, Krugersdorp, Nigel, Pretoria, Randburg, Randfontein, Roodepoort, Springs, Vanderbijlpark, Vereeniging, Westonaria, Witbank en Wonderboom;

*Kaapprovinsie.*—Die landdrosdistrikte Albanie, Bellville, Die Kaap, Goodwood, Kuilsrivier, Malmesbury, Moorreesburg, Oos-Londen, Simonstad, Stellenbosch en Wynberg.

(2) 'Keramieknwyerheid' of 'Nywerheid' beteken die nywerheid waarin werkgevers en werknemers met mekaar geassosieer is vir—

- (a) die vervaardiging van een of meer van die volgende artikels, naamlik elektriese isolators of toebehore van porselein, erdegoed, pottebakkersware, oondware, sanitêre ware met wit of gekleurde glasuur, laboratoriumuitrusting, badkamertoebehore, muur- of vloerteëls (uitgesonderd steengroefteëls) wat in die vervaardigingsproses verhard word deur dit in 'n oond te bak of enige ander verhittingsproses te laat ondergaan en wat vervaardig is uit klei of waarvan klei of enige ander hittevaste of isolerende mineraal, erts of materiaal of 'n verbinding van klei en sodanige ander mineraal, erts of materiaal die hoofbestanddeel uitmaak;
- (b) die ekstrahering, ontginning, winning of bereiding van die klei of hittevaste of isolerende mineraal, erts of materiaal wat gebruik word by die vervaardiging van enige van die artikels in paragraaf (a) genoem, indien uitgeoefen deur werkgevers wat by sodanige vervaardiging betrokke is;

en omvat alle werksaamhede wat met enigeen van voornoemde bedrywighede in verband staan of daaruit voortspruit.

(3) 'Klein werkgever' beteken—

- (a) 'n werkgever wat op die datum van publikasie van hierdie kennisgewing een besigheid in slegs hierdie nywerheid bedryf het, wat geleë was in enige van die gebiede waarin hierdie vasstelling van toepassing is en wat minder as 20 werknemers in of in verband met sodanige besigheid in diens gehad het, vir solank as wat hy voortgaan om te alle tye minder as 20 werknemers aldus in diens te hê;
- (b) 'n werkgever wat na die datum van publikasie van hierdie kennisgewing tot die Nywerheid toetree, wat een besigheid in slegs hierdie nywerheid bedryf, wat geleë is in enige van die gebiede waarin hierdie vasstelling van toepassing is, en wat te alle tye minder as 20 werknemers in of in verband met sodanige besigheid in diens het.

(4) 'Bestuurder' beteken 'n werknemer wat deur sy werkgever belas is met die algehele toesig oor, verantwoordelikheid vir en bestuur van die werksaamhede van 'n bedryfsinrigting of gedeelte daarvan en die werknemers wat daarin werk, maar sluit nie 'n werknemer in dieselfde bedryfsinrigting in wat 'n bestuurder aflos of tydens sy afwesigheid namens hom optree nie.



## 2. DEFINITIONS

Unless the context otherwise indicates, any expression which is used in this determination and which is defined in the Wage Act, 1957, has the same meaning as in that Act and for the purposes of this determination an employee shall be deemed to be in that class in which he is wholly or mainly engaged; further, unless inconsistent with the context—

(1) 'artisan' means an employee who has completed or is deemed to have completed a contract of apprenticeship in a trade designated or deemed to have been designated in terms of the Manpower Training Act, 1981, or who holds a certificate issued or deemed to have been issued to him by the Registrar of Manpower Training that confers artisan status on him in terms of that Act, and any other employee engaged in work normally performed by an artisan except where specifically otherwise provided in this determination; (3)

(2) 'assistant foreman' means an employee who assists a foreman and who in so doing may perform any of the duties of a foreman and who may act for him during his absence; (4)

(3) 'boiler attendant' means an employee who, under supervision, maintains the water level and steam pressure in a boiler and who may make, maintain and draw the fire in such boiler; (23)

(4) 'casual employee' means an employee who is employed by the same employer on not more than three days in any week; (33)

(5) 'ceramic colour' means colouring matter which develops its final colour or texture during a subsequent firing process; (24)

(6) 'ceramic colour or glaze mixer' means an employee who is engaged in and responsible for the preparation of ceramic colour or glaze mixes according to given formulas; (25)

(7) 'Ceramics Industry'—*vide* clause 1 (3); (26)

(8) 'chargehand' means an employee who, under the supervision of a foreman, assistant foreman or supervisor, is in charge of a group of Grade I or Grade II employees and who may be in charge of Grade III employees and general workers; (46)

(9) 'chauffeur' means an employee, other than a driver or a travelling representative's assistant, who is engaged in driving a motor vehicle which is intended for the conveyance of his employer, clients or visitors and which may also be used for the conveyance of documents or parcels; (9)

(10) 'clerk' means an employee who is engaged in writing, typing, filing or in any other form of clerical work and includes a cashier, despatch clerk, storeman, telephone switchboard operator or any office machine operator but does not include a factory clerk or any other class of employee elsewhere defined in this clause notwithstanding the fact that clerical work may form part of such employee's duties; (27)

(11) 'commission work' means any system under which an employee's remuneration is calculated on the value or number of orders submitted by him and accepted by his employer; (28)

(12) 'continuous activity' means an activity declared as such under section 33 (1) (a) of the Basic Conditions of Employment Act, 1983 (Act 3 of 1983); (1)

(13) 'day' means the period of 24 hours from midnight to midnight: Provided that in the case of a shift worker, a security guard, a watchman or an employee employed in a continuous activity it means a period of 24 hours reckoned from the time such employee commences work; (10)

(14) 'despatch clerk' means an employee who is responsible for the despatch or the packing of goods for transport or delivery and who may supervise the assembling, checking, mass-measuring, packing, marking, addressing or despatching of goods or packages; (63)

(15) 'dolly' means a trailer on which a semi-trailer rests and which converts the latter into a trailer; (11)

(16) 'driver' means an employee, other than a chauffeur or a travelling representative's assistant, who is engaged in driving a motor vehicle, and for the purposes of this definition the expression 'driving a motor vehicle' includes all periods of driving, any time spent by the driver on work connected with the vehicle or the load and all periods during which he is obliged to remain at his post in readiness to drive; (12)

(17) 'emergency work' means—

(a) any work which, owing to unforeseen circumstances such as fire, storm, accident, epidemic, act of violence, sabotage, industrial unrest, theft, breakdown of plant or machinery or breakdown or threatened breakdown of buildings, must be done without delay;

(b) any work in connection with the overhauling or repairing of plant or machinery which cannot be performed during ordinary working hours;

## 2. WOORDOMSKRYWING

Tensy die sinsverband anders aandui, het elke uitdrukking wat in hierdie vasstelling gebesig en in die Loonwet, 1957, omskryf word, dieselfde betekenis as in daardie wet, en by die toepassing van hierdie vasstelling word 'n werknemer geag in die klas te wees waarin hy uitsluitlik of hoofsaaklik werksaam is; en voorts, tensy onbestaanbaar met die sinsverband, beteken—

(1) 'aaneenlopende bedrywigheid' 'n bedrywigheid wat kragtens artikel 33 (1) (a) van die Wet op Basiese Diensvoorwaardes, 1983 (Wet 3 van 1983), as sodanig verklaar is; (12)

(2) 'algemene werker' 'n werknemer wat een of meer van die volgende werksaamhede verrig:

(a) Persele, installasie, masjinerie, gereedskap, gerei, uitrusting, filterpersdoeke of ander artikels skoonmaak, was of ontsmet of oppervlakke skoonmaak of afskraap voordat dit gevef word;

(b) klip of ander grondstowwe stamp of afslaan of gebakte kleiprodukte opbreek;

(c) klei, grond, gruis, steenkool of ander materiaal uitgraaf, met 'n skopgraaf bewerk, pik of losmaak of baksteen- of betonwerk breek;

(d) oonde leegmaak;

(e) met die hand boor;

(f) materiaal in 'n masjien voer of dit daarvan verwyder;

(g) stortgeute, bakke, hysbakke of vultregters vul of leegmaak;

(h) houters vul, verpak, toedraai, verseël of vasbind;

(i) tuinwerk;

(j) pad- of spoorwegoorgange bewaak;

(k) artikels ophang, dra, verskuif, hanteer of opstapel;

(l) persele afwit;

(m) trokke of voertuie laai of aflaa;

(n) vure maak of in stand hou, maar nie in lokomotiewe of oonde nie, of afval of as verwyder;

(o) kartonhouers, dose of palette van voorafvervaardigde materiaal maak;

(p) tee of dergelyke drank berei of aan werknemers, sy werkgewer of besoekers bedien;

(q) massameting volgens 'n gestelde massameter of meet volgens 'n gestelde maat;

(r) sakke heelmaak, skoonmaak of uitskud;

(s) voertuie, uitgesonderd motorvoertuie, olie of smeer;

(t) vensters of deure oop- of toemaak;

(u) 'n adresseermasjien bedien deur voorafuitgesoekte sjablone te gebruik;

(v) 'n hystoestel of gryper met die hand bedien;

(w) bry onder toesig giet;

(x) klei ru fatsoeneer voordat dit gevorm word;

(y) 'n handvoertuig stoot of trek;

(z) sanitêre emmers verwyder, leegmaak of vervang;

(aa) oonduitrusting uitsoek of sorteer;

(ab) met die hand klaar gemaakte karton- of veselborddose of soortgelyke houters aanmeekaarsit of sodanige dose of houters uitmeekaar haal om weer gebruik te kan word;

(ac) met die hand kleistowwe skep of omkeer;

(ad) ongebakke produkte opstapel om droog te word;

(ae) sjabloneer- of merkwark (maar nie adresseerwerk nie) verrig of gedrukte of reeds geadresseerde etikette aanbring aan produkte of dose, sakke, karton- of ander houters;

(af) uniforms, oorpakke en ander beskermende kleredrag was en stryk; (25)

(3) 'ambagsman' 'n werknemer wat 'n kontrak van vakleerlingskap voltooi het of geag word te voltooi het in 'n ambag wat aangewys is of geag word aangewys te wees ingevolge die Wet op Mannekragopleiding, 1981, of wat die houer is van 'n sertifikaat aan hom uitgereik of geag word uitgereik te wees deur die Registrateur van Mannekragopleiding wat ambagsmanstatus aan hom verleen ingevolge daardie wet en alle ander werknemers wat werk doen wat gewoonlik deur 'n ambagsman verrig word, behalwe waar spesifiek anders in hierdie vasstelling bepaal word; (1)

- (c) any work in connection with the loading or unloading of—
- (i) ships;
  - (ii) trucks or vehicles of the South African Transport Services;
  - (iii) vehicles used by a cartage contractor in the fulfilment of his contract as such with the South African Transport Services; (44)
- (18) 'experience' means, in relation to—
- (a) a clerk or a factory clerk, the total period or periods of employment which an employee has had as a clerk or a factory clerk, as the case may be, in any industry or trade or in the service of a local authority or the State;
  - (b) any other employee, the total period or periods of employment which an employee has had in his class in the Industry; (47)
- (19) 'extra heavy motor vehicle (articulated)' means a motor vehicle (articulated) the gross combination mass of which exceeds 16 000 kg but not 25 000 kg; (15)
- (20) 'extra heavy motor vehicle (rigid)' means a motor vehicle (rigid) the gross vehicle mass of which exceeds 16 000 kg but not 25 000 kg; (16)
- (21) 'factory clerk' means an employee who, under the supervision of a foreman, an assistant foreman or a qualified clerk, is engaged in any one or more of the following duties:
- (a) checking attendance records or recording particulars of employees at work or absent or the time spent by employees on other tasks;
  - (b) checking or recording particulars of materials received or issued, or keeping stock records;
  - (c) copying factory documents by hand;
  - (d) filing, sorting or otherwise attending to factory documents;
  - (e) interpreting or translating languages spoken by Black or Asian employees;
  - (f) issuing permits, certificates of service or time cards;
  - (g) keeping stock cards;
  - (h) making out consignment delivery notes or packaging slips;
  - (i) operating an adding machine in the course of his duties as a factory clerk;
  - (j) preparing wage or time cards for subsequent use by a clerk;
  - (k) receiving or issuing goods or equipment in a tool-room and recording particulars of such receipts or issues;
  - (l) recording batch numbers, contents or reference number of cartons, containers or packages;
  - (m) recording particulars of annual or sick leave;
  - (n) recording the engagement, discharge or resignation of employees, including the making of any necessary entries in the employees' personal files or documents or preparing certificates of service;
  - (o) scheduling production figures;
  - (p) stamping or writing tickets or labels;
  - (q) supervising the off-loading of goods; (17)
  - (r) taking telephone orders from clients or making out invoices;
- (22) 'first-aid assistant' means an employee who assists a first-aid attendant in the performance of his duties and who may act for the latter during his absence and who holds a current certificate of competency in first-aid issued by—
- (a) the South African Red Cross Society;
  - (b) the St John Ambulance Association; or
  - (c) die Suid-Afrikaanse Noodhulppliga; (13)
- (23) 'first-aid attendant' means an employee who holds a current certificate competency in first-aid issued by—
- (a) the South African Red Cross Society;
  - (b) the St John Ambulance Association; or
  - (c) die Suid-Afrikaanse Noodhulppliga;
- who is in charge of a first-aid room or sick bay and who may administer treatment to patients as prescribed and directed by a medical practitioner and who keeps records; (14)
- (24) 'foreman' means an employee who is in charge of the employees in an establishment or a department of an establishment, who exercises control over such employees and who is responsible to the manager for the efficient performance by them of their duties; (64)

(4) 'assistent-voorman' 'n werknemer wat 'n voorman behulpsaam is en wat sodoende enige van die pligte van 'n voorman kan verrig en wat gedurende laasgenoemde se afwesigheid namens hom kan waarneem; (2)

(5) 'bediener van 'n mobiele hystoestel' 'n werknemer wat werk met 'n kragaangedrewe mobiele hystoestel wat by die laai, aflaai, versit of opstapel van goedere gebruik word; (45)

(6) 'bode' 'n werknemer wat briewe, boodskappe of goedere te voet of deur middel van 'n trapfiets, driewieler of handvoertuig afhaal of aflewer of deur middel van 'n twee- of driewielmotorfiets, bromponie of outofiets met 'n enjinkapasiteit van hoogstens 100 cm<sup>3</sup> en wat skryfwerk in verband met sodanige afhaling of aflewering kan verrig en wat met 'n kantoor-kramasjien of 'n afrolmasjien kan werk; (42)

(7) 'bruto kombinasie-massa' met betrekking tot 'n motorvoertuig (gelede), die maksimum massa van enige kombinasie van voertuie, met inbegrip van die trekvoertuig, en vrag soos deur die vervaardiger daarvan gespesifiseer of, in die afwesigheid van sodanige spesifikasie, soos deur die registrasie-owerheid bepaal; (29)

(8) 'bruto voertuig-massa' met betrekking tot 'n motorvoertuig (nie-gelede), die maksimum massa van sodanige voertuig en sy vrag, soos deur die vervaardiger gespesifiseer of, in die afwesigheid van sodanige spesifikasie, soos deur die registrasie-owerheid bepaal; (30)

(9) 'chauffeur' 'n werknemer, uitgesonderd 'n drywer of reisende verteenwoordiger se assistent, wat 'n motorvoertuig dryf wat vir die vervoer van sy werkgewer, klante of besoekers bedoel is en waarmee ook dokumente of pakkette vervoer kan word; (9)

(10) 'dag' die tydperk van 24 uur van middernag tot middernag: Met dien verstande dat, in die geval van 'n skofwerker, sekuriteitswag, 'n wag of 'n werknemer wat in 'n aaneenlopende bedrywigheid werksaam is, dit beteken 'n tydperk van 24 uur gereken vanaf die tydstop waarop so 'n werknemer begin werk; (13)

(11) 'drastel' 'n sleepwa waarop 'n leunwa rus en wat laasgenoemde in 'n sleepwa omskep; (15)

(12) 'drywer' 'n werknemer, uitgesonderd 'n chauffeur of 'n reisende verteenwoordiger se assistent, wat 'n motorvoertuig dryf, en by die toepassing van hierdie woordomskriving omvat die uitdrukking 'n motorvoertuig dryf' al die tyd wat hy dryf en al die tyd wat hy bestee aan werk in verband met die voertuig of die vrag en alle tydperke wat sodanige werknemer verplig is om op sy pos te bly gereed om te dryf; (16)

(13) 'eerstehulp-assistent' 'n werknemer wat 'n eerstehulpbediener by die uitvoering van sy pligte behulpsaam is, wat in laasgenoemde se afwesigheid namens hom kan waarneem en wat in besit is van 'n geldige bekwaamheidsertifikaat in eerstehulp wat uitgereik is deur—

- (a) die Suid-Afrikaanse Rooikruisvereniging;
- (b) die St John Ambulance Association; of
- (c) die Suid-Afrikaanse Noodhulppliga; (22)

(14) 'eerstehulpbediener' 'n werknemer wat in besit is van 'n geldige bekwaamheidsertifikaat in eerstehulp, wat uitgereik is deur—

- (a) die Suid-Afrikaanse Rooikruisvereniging;
- (b) die St John Ambulance Association; of
- (c) die Suid-Afrikaanse Noodhulppliga;

wat in beheer van 'n eerstehulpkamer of siekeboeg is, wat pasiënte volgens die voorskrifte en bevel van 'n mediese praktisyn kan behandel en wat rekords hou; (23)

(15) 'ekstra swaar motorvoertuig (gelede)' 'n motorvoertuig (gelede) waarvan die bruto kombinasie-massa meer as 16 000 kg maar hoogstens 25 000 kg is; (19)

(16) 'ekstra swaar motorvoertuig (nie-gelede)' 'n motorvoertuig (nie-gelede) waarvan die bruto voertuig-massa meer as 16 000 kg maar hoogstens 25 000 kg is; (20)

(17) 'fabrieksklerk' 'n werknemer wat onder die toesig van 'n voorman, 'n assistent-voorman of 'n gekwalifiseerde klerk, een of meer van die volgende pligte uitvoer:

- (a) Presensieregisters nagaan of besonderhede opteken van werknemers wat werk of afwesig is of van die tyd wat werknemers aan ander take bestee;
- (b) besonderhede van goedere wat ontvang of uitgereik is, nagaan of opteken, of voorraadregister hou;
- (c) fabrieksdokumente met die hand kopieer;
- (d) fabrieksdokumente liasseer, sorteer of andersins versorg;
- (e) tolk of vertaal van tale gebesig deur Swart- of Asiëwerknemers;
- (f) vrag- of afleweringsbriewe of verpakkingstrokies uitskryf;



(25) 'general worker' means an employee who is engaged in any one or more of the following duties:

- (a) Cleaning, washing or disinfecting premises or plant, machinery, tools, utensils, equipment, filter press cloths or other articles, or cleaning or scraping surfaces preparatory to painting;
- (b) cobbing stone or other raw materials or breaking up burnt clay products;
- (c) digging, shovelling, picking or loosening clay, soil, gravel, coal or other material; breaking brickwork or concrete;
- (d) emptying kilns;
- (e) drilling by hand;
- (f) feeding into or taking off from a machine;
- (g) filling or emptying chutes, bins, skips or hoppers;
- (h) filling, packing, wrapping, sealing or strapping containers;
- (i) gardening;
- (j) guarding road or rail crossings;
- (k) lifting, carrying, moving, handling or stacking articles;
- (l) limewashing premises;
- (m) loading or unloading trucks or vehicles;
- (n) making or maintaining fires (other than in locomotives or kilns) or removing refuse or ashes;
- (o) making or repairing cartons, boxes or pallets from ready-prepared materials;
- (p) making tea or similar beverages or serving tea or similar beverages to employees, his employer or visitors;
- (q) mass-measuring to a set mass meter or measuring to a set measure;
- (r) mending, cleaning or shaking out bags;
- (s) oiling or greasing vehicles other than motor vehicles;
- (t) opening or closing windows or doors;
- (u) operating an addressograph machine using preselected stencils;
- (v) operating a hoist or grab by hand;
- (w) pouring slip under supervision;
- (x) preparing clay to a rough shape preparatory to moulding;
- (y) pushing or pulling any vehicle, other than by power-driven device;
- (z) removing, emptying or replacing sanitary pails;
- (aa) selecting or sorting kiln furniture;
- (ab) setting up by hand ready-made cardboard or fibre board boxes or similar containers or dismantling such boxes or containers for reuse;
- (ac) stencilling or marking (but not addressing) or affixing printed or ready-addressed labels to products or to boxes, bags, cartons or other containers;
- (ad) washing and ironing uniforms, overalls or other protective clothing;

(26) 'Grade I employee' means an employee who is engaged in any one or more of the following activities or who serves in any one or more of the following capacities:

- (a) Ceramic colour or glaze mixing;
- (b) making master moulds;
- (c) mass-measuring or proportioning quantities of materials (other than by mass meter);
- (d) painting of designs, lines or bands on articles by hand with ceramic colour;
- (e) performing the duties of a messenger; (68)

(27) 'Grade II employee' means an employee who is engaged in any one or more of the following activities or who serves in any one or more of the following capacities:

- (a) Applying glaze to articles by means of dipping, brushing or spraying, other than by automatic machine;
- (b) casting articles, draining off surplus slip or removing articles from moulds of a mass greater than 30 kg;
- (c) checking or examining finished articles or articles in the bisque stage for defects;
- (d) checking the mass or thickness of glaze on tiles;
- (e) classifying or sorting finished products and recording quantities of such products;

- (g) lotnommers, die inhoud of verwysingsnommers van kartonne, houers of pakette opteken;
- (h) 'n optelmasjien in die loop van sy pligte as fabrieksklerk bedien;
- (i) loon- of tydkaarte voorberei vir latere gebruik deur 'n klerk;
- (j) goedere of uitrusting in 'n gereedskapkamer ontvang of uitreik en besonderhede van sodanige ontvangste of uitreikings opteken;
- (k) permitte, dienssertifikate of tydkaarte uitreik;
- (l) besonderhede van jaarlikse of siekteverlof opteken;
- (m) die indiënsneming, ontslag of bedanking van werknemers opteken, insluitende enige nodige inskrywings in die werknemers se persoonlike lêers of dokumente maak of dienssertifikate voorberei;
- (n) telefoniese bestellings van klante ontvang of fakture uitmaak;
- (o) lyste van produksiesyfers maak;
- (p) kaartjies of etikette stempel of uitskryf;
- (q) voorraadkaarte bywerk;
- (r) toesig hou oor die aflaai van goedere; (21)

(18) 'faktotum' 'n werknemer, uitgesonderd 'n vakleerling, kwekeling of ambagsmanhulp, wat kleinere herstelwerk of verstellings doen aan masjinerie of uitrusting, uitgesonderd masjinerie of uitrusting wat regstreeks by die vervaardigingsproses van 'n bedryfsinrigting gebruik word, en wat ook kleiner herstelwerk of opknappings aan geboue kan doen maar wat geen werk verrig wat gewoonlik deur 'n ambagsman gedoen word nie; (31)

(19) 'gekwalfiseerd' met betrekking tot 'n werknemer, dat die ondervinding van 'n werknemer in sy klas hom geregtig maak op die hoogste loontarief wat vir daardie klas voorgeskryf is, omgekeerde beteken 'ongekwalfiseerd' dat sy ondervinding in sy klas hom nie op sodanige hoogste loontarief geregtig maak nie; (55)

(20) 'gewone werkure' die werkure soos by klousule 5 (1) voorgeskryf of, indien volgens ooreenkoms tussen 'n werkgever en sy werknemer laasgenoemde korter ure werk, daardie korter ure; (51)

(21) 'handfatsoeneerder' 'n werknemer wat 'n artikel met die hand op 'n pottebakkersmodel of pottebakkerskyf fatsoeneer sonder om van 'n gietvorm of vaste profiel gebruik te maak; (61)

(22) 'interne motorvoertuig' enige kragaangetrewe voertuig wat vir die vervoer van grondstowwe en/of goedere slegs binne 'n bedryfsinrigting gebruik word, met 'n storter en voorlaaier, maar nie 'n mobiele hystoestel of 'n vrachtwagen nie; (34)

(23) 'ketelbediener' 'n werknemer wat onder algemene toesig die waterpeil en stoomdruk in 'n stoomketel in stand hou en wat die vuur in sodanige stoomketel kan maak, stook of uithaal; (3)

(24) 'keramiekkleurstof' kleurstof wat sy finale kleur of tekstuur gedurende 'n latere bakproses ontwikkel; (5)

(25) 'keramiekkleurstof- en glasuurmenger' 'n werknemer wat betrokke is by en verantwoordelik is vir die bereiding van keramiekkleurstof- en glasuurmengsels volgens bepaalde formules; (6)

(26) 'Keramieknywerheid'—kyk klousule 1 (2); (7)

(27) 'klerk' 'n werknemer wat skryf-, tik-, liasseer- of enige ander soort klerklike werk verrig en dit omvat 'n kassier, versendingsklerk, magasynsman, telefoonskakelbordoperateur of enige kantoomasjienope-rateur maar nie 'n fabrieksklerk of enige ander klas werknemer wat elders in hierdie klousule omskryf word nie, al maak klerklike werk ook deel uit van sodanige werknemer se werk; (10)

(28) 'kommissiewerk' 'n stelsel waarvolgens 'n werknemer se besoldiging bereken word volgens die waarde van of die getal bestellings wat hy aan sy werkgever voorlê en wat sy werkgever aanvaar; (11)

(29) 'korttyd' 'n tydelike vermindering van die getal gewone werkure weens 'n handelslapte in die nywerheid, 'n tekort aan grondstowwe, 'n onklaarraking van masjinerie of installasie, of weens die feit dat die geboue onbruikbaar is of dreig om dit te word; (59)

(30) 'leunwa' 'n sleepwa wat geen vooras het nie en so ontwerp of ingerig is om op 'n voorspanmotor te rus en deur hom getrek word; (57)

(31) 'ligte motorvoertuig' 'n motorvoertuig waarvan die bruto voertuig-massa of bruto kombinasie-massa hoogstens 3 500 kg is; (37)

(32) 'loon' die bedrag geld wat ingevolge klousule 3 (1) aan 'n werknemer betaalbaar is ten opsigte van sy gewone werkure: Met dien verstande dat as 'n werkgever 'n werknemer ten opsigte van sodanige gewone werkure gereeld 'n hoër bedrag betaal as dié by klousule 3 (1) voorgeskryf, dit sodanige hoër bedrag beteken; maar dit mag nie so uitgelê word dat dit besoldiging bedoel of omvat wat 'n werknemer wat in diens is op 'n grondslag waarvoor daar in klousule 9 voorsiening gemaak word, ontvang bo en behalwe die bedrag wat hy sou ontvang het as hy nie op sodanige grondslag in diens was nie; en 'gewone loon' of 'weekloon' het 'n ooreenstemmende betekenis; (68)



- (f) mass-measuring by machine or polishing burnt products by means of grinding, buffing or cutting;
- (g) affixing handles on articles, other than by automatic machine;
- (h) affixing metal components to electrical porcelain articles;
- (i) glaze mottling by hand using a brush or sponge;
- (j) issuing or receiving tools or equipment in a tool-room by means other than keeping written records;
- (k) making complete crates by machine;
- (l) making cups or saucers or other hollow ware or flatware, other than by automatic machine;
- (m) operating a foot-driven or power-driven machine for making crucibles, flower pots or similar hollow articles, other than by automatic machine;
- (n) operating a tile-making press;
- (o) recording quantities of rejects in the production stages;
- (p) silk-screening;
- (q) turning articles on a lathe; (68)
- (28) 'Grade III employee' means an employee who is engaged in any one or more of the following activities or who serves in any one or more of the following capacities:
- (a) Assembling or making kiln furniture;
- (b) backstamping or numbering finished products or applying numbers or emblems to finished products by printing, rubber stamping or other means;
- (c) assisting an artisan in the use of his tools other than by the independent use of such tools;
- (d) casting articles, draining off surplus slip or removing articles from moulds of a mass less than 30 kg;
- (e) casting production moulds in pre-prepared casings, under supervision;
- (f) changing, removing or replacing wheels, tyres or tubes of motor vehicles, wheelbarrows or other vehicles or inflating or repairing tubes;
- (g) checking or examining articles in the green stage;
- (h) collecting or delivering letters, messages or goods outside an establishment, on foot or by means of a bicycle, tricycle or hand-propelled vehicle;
- (i) cutting plastic clay columns by machine;
- (j) firing an intermittent or continuous type kiln, without automatic stoker, a gas producing plant, stationary boiler or steam locomotive;
- (k) affixing metal components to articles, other than electrical porcelain articles;
- (l) handle-sticking by automatic machine;
- (m) making cups or saucers or other hollow ware or flatware by automatic machine;
- (n) making handles;
- (o) operating a filter press;
- (p) oiling or greasing motor vehicles or, under supervision, oiling or greasing machinery;
- (q) operating a mixing machine;
- (r) operating a power-driven crushing machine;
- (s) operating a power-driven extrusion machine;
- (t) operating a press, other than a tile press;
- (u) operating an automatic glazing machine;
- (v) packing or setting articles in a kiln or on kiln cars for firing;
- (w) packing finished goods for delivery or despatch;
- (x) painting or decorating articles, other than with ceramic colour;
- (y) picking up tiles and placing them on bats preparatory to placing on racks;
- (z) repairing damaged tiles or sanitary ware;
- (aa) sorting green products preparatory to packing or setting in a kiln or on kiln cars;
- (bb) transferring screen printing or applying badges or transfers to articles;
- (cc) trimming or fettling green products, other than on a lathe; (69)
- (29) 'gross combination mass', in relation to a motor vehicle (articulated), means the maximum mass of the combination of such vehicle and its load as specified by the manufacturer or, in the absence of such specification, as determined by the registration authority; (7)
- (33) 'los werknemer' 'n werknemer wat hoogstens drie dae per week by dieselfde werkgever in diens is; (4)
- (34) 'magasynman' 'n werknemer wat beheer het oor voorrade, inkomende goedere of afgewerkte of gedeeltelik afgewerkte produkte en wat daarvoor verantwoordelik is om goedere in 'n magasyn, pakhuis of oop voorraadwerf te ontvang, op te berg, te verpak of uit te pak of om goedere uit 'n magasyn, pakhuis of oop voorraadwerf aan die verbruiksafdeling in 'n bedryfsinrigting of vir versending te lewer; (60)
- (35) 'masjienfaktotum' 'n werknemer, uitgesonderd 'n vakleerling, kwekeling of ambagsmanshulp, wat kleinere herstelwerk of verstellings doen aan masjinerie of toerusting wat regstreeks by die vervaardigingsproses gebruik word, maar wat geen werk verrig wat gewoonlik deur 'n ambagsman gedoen word nie; (39)
- (36) 'medium motorvoertuig (gelede)' 'n motorvoertuig (gelede) waarvan die bruto kombinasie-massa meer as 3 500 kg maar hoogstens 9 000 kg is; (40)
- (37) 'medium motorvoertuig (nie-gelede)' 'n motorvoertuig (nie-gelede) waarvan die bruto voertuig-massa meer as 3 500 kg maar hoogstens 9 000 kg is; (41)
- (38) 'mengmasjienbediener' 'n werknemer wat die toevloei van water na die klei in 'n mengmasjien reguleer en wat die masjien aan die gang kan sit of kan stopsit; (44)
- (39) 'militêre diens' 'n tydperk van diens of opleiding kragtens die Verdedigingswet, 1957 (Wet 44 van 1957); (43)
- (40) 'modelleerder' 'n werknemer wat modelle maak volgens ontwerpe, tekeninge of spesifikasies; (46)
- (41) 'motorvoertuig' 'n selfaangedrewe voertuig met 'n enjinkapasiteit van meer as 100 cm<sup>3</sup> wat gebruik word vir die vervoer van goedere, uitgesonderd 'n reisende verteenwoordiger se monsters, en dit omvat 'n voorspanmotor, trekker, 'n motorfiets of 'n outofiets, maar nie ook 'n mobiele hystoel nie; (47)
- (42) 'motorvoertuig (gelede)' 'n kombinasie van voertuie bestaande uit 'n motorvoertuig en 'n leunwa of 'n sleepwa; (48)
- (43) 'motorvoertuig (nie-gelede)' 'n motorvoertuig uitgesonderd 'n motorvoertuig (gelede); (49)
- (44) 'noodwerk'—
- (a) enige werk wat weens onvoorsiene omstandighede soos 'n brand, diefstal, 'n epidemie, 'n gewelddaad, nywerheidsnorus, 'n ongeluk, onklaarraking van installasie of masjinerie, sabotasie, 'n storm of weens die feit dat die geboue onbruikbaar is of dreig om dit te word, sonder versuim gedoen moet word;
- (b) enige werk in verband met die opknapping of herstel van installasie of masjinerie wat nie gedurende gewone werkure verrig kan word nie;
- (c) enige werk in verband met die laai of aflaai van—
- (i) skepe;
- (ii) spoorwaens of voertuie van die Suid-Afrikaanse Vervoerdienste;
- (iii) voertuie wat deur 'n vervoerkontraakteur gebruik word in die nakoming van sy kontrak as sodanig met die Suid-Afrikaanse Vervoerdienste; (17)
- (45) 'n kragaangedrewe masjien bedien' om in beheer van 'n kragaangedrewe masjien te wees en die toevoer van materiaal na sodanige masjien te reguleer of om die werk wat die masjien doen, noukeurig te ondersoek of na te gaan en omvat dit ook minder belangrike verstellings aan die masjien en die aan- of stopsit van die masjien waar sodanige werk gedoen word deur die werknemer wat in beheer van die masjien is; (50)
- (46) 'onderbaas' 'n werknemer wat onder die toesig van 'n voorman, assistent-voorman of toesighouer, aan die hoof staan van 'n groep werknemers graad I of werknemers graad II en wat daarbenewens toesig oor werknemers graad III of algemene werkers kan hou; (8)
- (47) 'ondervinding', met betrekking tot—
- (a) 'n klerk of 'n fabrieksklerk, die totale tydperk of tydperke wat 'n werknemer as 'n klerk of 'n fabrieksklerk, na gelang van die geval, in enige bedryf of nywerheid of in die diens van 'n plaaslike owerheid of die Staat werksaam was;
- (b) enige ander werknemer, die totale tydperk of tydperke wat 'n werknemer in sy klas in die Nywerheid was; (18)
- (48) 'oortyd' daardie gedeelte van enige tydperk wat 'n werknemer in 'n week of op 'n dag werk, wat langer is as sy weeklikse of daaglikse gewone werkure, na gelang van die geval, maar dit omvat nie 'n tydperk waarin 'n werknemer op 'n Sondag of op 'n openbare vakansiedag, soos omskryf, werk nie; (52)

(30) 'gross vehicle mass', in relation to a motor vehicle (rigid), means the maximum mass of such vehicle and its load as specified by the manufacturer or, in the absence of such specification, as determined by the registering authority; (8)

(31) 'handyman' means an employee, other than an apprentice, an artisan's aide or a trainee, who is engaged in making minor repairs or adjustments to machinery or equipment, other than machinery or equipment directly used in the manufacturing process of an establishment, and who may effect minor repairs or renovations to buildings but who does not perform work normally done by an artisan; (18)

(32) 'heavy motor vehicle (articulated)' means a motor vehicle (articulated) the gross combination mass of which exceeds 9 000 kg but not 16 000 kg; (58)

(33) 'heavy motor vehicle (rigid)' means a motor vehicle (rigid) the gross vehicle mass of which exceeds 9 000 kg but not 16 000 kg; (59)

(34) 'internal motor vehicle' means any power-driven vehicle used for conveying raw materials and/or goods exclusively within an establishment and includes a dumper and a front-end loader but does not include a mobile hoist or a forklift truck; (22)

(35) 'law' includes the common law; (71)

(36) 'leading hand' means an employee who, under the supervision of a foreman, an assistant foreman or a chargehand, is in charge of a group of Grade III employees or general workers; (56)

(37) 'light motor vehicle' means a motor vehicle the gross vehicle mass or gross combination mass of which does not exceed 3 500 kg; (31)

(38) 'local authority' means any borough council, city council, municipal council, village management board, divisional council or any similar institution or body contemplated in section 84 (1) (f) of the Provincial Government Act, 1961, or in any other Parliamentary legislation; (50)

(39) 'machine handyman' means an employee, other than an apprentice, an artisan's aide or a trainee, who is engaged in making minor repairs or adjustments to machinery or equipment used directly in the manufacturing process but who does not perform work normally done by an artisan; (35)

(40) 'medium motor vehicle (articulated)' means a motor vehicle (articulated) the gross combination mass of which exceeds 3 500 kg but not 9 000 kg; (36)

(41) 'medium motor vehicle (rigid)' means a motor vehicle (rigid) the gross vehicle mass of which exceeds 3 500 kg but not 9 000 kg; (37)

(42) 'messenger' means an employee who is engaged in collecting or delivering letters, messages or goods on foot or by means of a bicycle, tricycle or manually propelled vehicle or by means of a two or three-wheeled motor cycle, motor scooter or autocycle with an engine capacity of not more than 100 cm<sup>3</sup> and who may perform any writing in connection with such collecting or delivery and who may operate an office stapling or duplicating machine; (6)

(43) 'military service' means any period of service or training in terms of the Defence Act, 1957 (Act 44 of 1957); (39)

(44) 'mixing machine attendant' means an employee who is engaged in regulating the flow of water to the clay in a mixing machine and who may start or stop the machine; (38)

(45) 'mobile hoist operator' means an employee who is engaged in operating a power-driven mobile hoist for the loading, unloading, moving or stacking of goods; (5)

(46) 'modeller' means an employee who is engaged in making models from designs, drawings or specifications; (40)

(47) 'motor vehicle' means a self-propelled vehicle with an engine capacity exceeding 100 cm<sup>3</sup>, used for conveying goods, other than a travelling representative's samples, and includes a truck-tractor, tractor, a motor cycle of an autocycle but does not include a mobile hoist; (41)

(48) 'motor vehicle (articulated)' means a combination of vehicles consisting of a motor vehicle and a semi-trailer or trailer; (42)

(49) 'motor vehicle (rigid)' means a motor vehicle other than a motor vehicle (articulated); (43)

(50) 'operating a power-driven machine' means being in control of a power-driven machine and regulating the flow of material to such machine or scrutinising or checking the work done by the machine and includes minor running adjustments to the machine and the starting or stopping of the machine where such work is done by the employee in control of the machine; (45)

(51) 'ordinary hours of work' means the hours of work prescribed in clause 5 (1) or, if by agreement between an employer and his employee the latter works a lesser number of hours, such shorter hours; (20)

(49) 'openbare vakansiedag' Nuwejaarsdag (of die eersvolgende Maandag wanneer Nuwejaarsdag op 'n Sondag val), Goeie Vrydag, Hemelvaartdag, Republiekdag, Geloftedag en Kersdag; (54)

(50) 'plaaslike owerheid' 'n munisipale raad, stadsraad, afdelingsraad, dorpsbestuursraad of 'n soortgelyke instelling of liggaam beoog in artikel 84 (1) (f) van die Wet op Provinsiale Bestuur, 1961, of in enige ander parlementêre wetgewing; (38)

(51) 'reisende verteenwoordiger' 'n werknemer wat as 'n reisende verteenwoordiger van 'n bedryfsinrigting namens so 'n inrigting bestellings vra, werf of soek; (64)

(52) 'reisende verteenwoordiger se assistent' 'n werknemer wat 'n reisende verteenwoordiger vergesel en hom met die inpak, uitpak of vertoon van sy monsters help en wat dié motorvoertuig wat die reisende verteenwoordiger in die uitvoering van sy werk gebruik, mag dryf; (65)

(53) 'sekuriteitswag' 'n werknemer wat een of meer van die volgende werksaamhede verrig:

(a) Goedere, voertuie of persone deursoek;

(b) oor wagte toesig hou of hulle beheer;

(c) die gang van persone of voertuie deur kontrolepunte of hekke kontroleer of daarvoor verslag doen,

en van wie ook vereis kan word om enige van of al die pligte wat vir 'n wag voorgeskryf is, uit te voer; (56)

(54) 'skofwerker' 'n werknemer wat skofwerk verrig in 'n bedryfsinrigting waarin twee of drie agtereenvolgende skofte per dag op hoogstens ses dae per week gewerk word; (58)

(55) 'sleepwa' 'n voertuig wat nie selfaangedrewe is nie en wat ontwerp of ingerig is om deur 'n motorvoertuig getrek te word, en dit sluit 'n drastel in; (63)

(56) 'spanleier' 'n werknemer wat, onder die toesig van 'n voorman, assistent-voorman of onderbaas, aan die hoof staan van 'n groep werknemers graad III of algemene werkers; (36)

(57) 'stukwerk' 'n stelsel waarvolgens 'n werknemer se besoldiging gegrond word op die hoeveelheid werk wat verrig is; (53)

(58) 'swaar motorvoertuig (gelede)' 'n motorvoertuig (gelede) waarvan die bruto kombinasie-massa meer as 9 000 kg maar hoogstens 16 000 kg is; (32)

(59) 'swaar motorvoertuig (nie-gelede)' 'n motorvoertuig (nie-gelede) waarvan die bruto voertuigmassa meer as 9 000 kg maar hoogstens 16 000 kg is; (33)

(60) 'toesighouer' 'n werknemer uitgesonderd 'n voorman of 'n assistent-voorman, wat toesig hou oor 'n groep werknemers in 'n bedryfsinrigting en wat daarvoor verantwoordelik is dat hulle hul pligte doeltreffend vervul; (61)

(61) 'trekker' 'n motorvoertuig ontwerp of ingerig hoofsaaklik om ander voertuie mee te trek en nie om 'n vrag daarop te dra nie; (62)

(62) 'ultra swaar motorvoertuig' 'n motorvoertuig waarvan die bruto voertuigmassa of die bruto kombinasie-massa 25 000 kg oorskry; (67)

(63) 'versendingsklerk' 'n werknemer wat verantwoordelik is vir die versending of verpakking van goedere vir vervoer of aflewering en wat toesig mag hou oor die byeenbring, nagaan, massameting, verpakking, merk, adresseer of versending van goedere of pakkette; (14)

(64) 'voorman' 'n werknemer wat aan die hoof staan van die werknemers in 'n bedryfsinrigting, of 'n afdeling van 'n bedryfsinrigting, wat beheer oor sodanige werknemers uitoefen en wat daarvoor verantwoordelik is aan die bestuurder dat hulle hul pligte doeltreffend verrig; (24)

(65) 'voorspanmotor' 'n motorvoertuig ontwerp of ingerig om ander voertuie mee te trek en om nie 'n ander vrag as dié wat in die vorm van 'n leunwa of ballas daarop rus, te dra nie; (66)

(66) 'wag' 'n werknemer, uitgesonderd 'n sekuriteitswag, wat een of meer van die volgende pligte uitvoer:

(a) Persele, geboue, strukture of ander vaste of roerende eiendom bewaak, beskerm of patroleer;

(b) honde hanteer of beheer in die uitvoering van een of meer van die pligte in (a) bedoel; (69)

(67) 'week' met betrekking tot 'n werknemer, die tydperk van sewe dae waarbinne die werkweek van sodanige werknemer gewoonlik val; (70)

(68) 'werknemer, graad I' 'n werknemer wat een of meer van die volgende werksaamhede verrig of in een of meer van die volgende hoedanighede diens doen:

(a) Keramiekkleurstof- of glasuurmenging;

(b) moedervorms maak;



(52) 'overtime' means that portion of any period worked by an employee in any week or on any day which is longer than his weekly or daily ordinary hours of work, as the case may be, but does not include any period during which an employee works on a Sunday or on a public holiday as defined; (48)

(53) 'piece-work' means any system under which an employee's remuneration is based on the quantity or work done; (57)

(54) 'public holiday' means New Year's Day (or the succeeding Monday whenever New Year's Day falls on a Sunday), Good Friday, Ascension Day, Republic Day, the Day of the Vow or Christmas Day; (49)

(55) 'qualified,' in relation to an employee, means that the experience of an employee of his class entitles him to the highest wage rate prescribed for that class and, conversely, 'unqualified' means that his experience in his class does not entitle him to such highest rate; (19)

(56) 'security guard' means an employee who is engaged in any one or more of the following duties:

- (a) Searching goods, vehicles or persons;
- (b) supervising or controlling watchmen;
- (c) controlling or reporting on the movement of persons or vehicles through check-points or gates,

and who may also be required to perform any or all of the duties prescribed for a watchman; (53)

(57) 'semi-trailer' means a trailer without a front axle that is designed or adapted to rest on and be drawn by a truck-tractor; (30)

(58) 'shift worker' means an employee who is engaged on shift work in an establishment in which two or three consecutive shifts per day are worked on not more than six days per week; (54)

(59) 'short-time' means a temporary reduction in the number of ordinary hours of work owing to slackness of trade, shortage of raw materials, a breakdown of plant or machinery or a breakdown or threatened breakdown of buildings; (29)

(60) 'storeman' means an employee who is in charge of stocks of incoming goods or finished or partly finished products and who is responsible for receiving, storing, packing or unpacking goods in a store, warehouse or open stock yard or delivering goods from a store, warehouse or open stock yard to the consuming department in an establishment or for despatch; (34)

(61) 'supervisor' means an employee, other than a foreman or an assistant foreman, who supervises a group of employees in an establishment and who is responsible for the efficient performance by them of their duties; (60)

(62) 'thrower' means an employee who is engaged in shaping an article by hand on a potter's model or jigger without the aid of a mould of fixed profile; (21)

(63) 'tractor' means a motor vehicle designed or adapted mainly to draw other vehicles and not to carry any load; (61)

(64) 'trailer' means a vehicle which is not self-propelled but which is designed or adapted to be drawn by a motor vehicle, and includes a dolly; (55)

(65) 'travelling representative' means an employee who, as a travelling representative of an establishment, invites, canvasses or solicits orders on behalf of such establishment; (51)

(66) 'travelling representative's assistant' means an employee who accompanies a travelling representative and assists him in packing, unpacking or displaying his samples and who may drive the motor vehicle used by the travelling representative in the performance of his duties; (52)

(c) hoeveelhede van materiaalmengsels massameet of eweredig maak, op 'n ander manier as met 'n massameter;

(d) ontwerp, lyne of strepe per hand met keramiekkleur op artikels aanbring;

(e) die pligte van 'n bode nakom; (26)

(69) 'werknemer, graad II' 'n werknemer wat een of meer van die volgende werksaamhede verrig of in een of meer van die volgende hoedanighede diens doen:

(a) Glasuur aan artikels aanbring deur sodanige artikels in te dompel, te bestryk of te bespuit op 'n ander manier as met 'n outomatiese masjien;

(b) artikels giet, surplusbry aftap of artikels uit vorms swaarder as 30 kg verwyder;

(c) klaargemaakte artikels of artikels in die ongeglasuorde stadium nagaan of ondersoek ten einde te bepaal of daar defekte is;

(d) die gewig of dikte van glasuur op teëls nagaan;

(e) klaargemaakte produkte klassifiseer of sorteer en wat hoeveelhede van sodanige produkte kan aanteken;

(f) gebakte produkte met 'n masjien die massa bepaal of poleer deur dit te slyp, fyn te skuur of te sny;

(g) handvatsels aan artikels aanbring op 'n ander manier as met 'n outomatiese masjien;

(h) metaaldele aan elektriese porseleinartikels aanbring;

(i) glasuurspikkeling met die hand doen deur 'n kwas of spons te gebruik;

(j) gereedskap of uitrusting in 'n gereedskapskamer uitreik of ontvang op 'n ander manier as om boek daarvan te hou;

(k) volledige kratte met 'n masjien vervaardig;

(l) koppies of pierings of ander holware of platware op 'n ander manier vervaardig as met 'n outomatiese masjien;

(m) 'n voet- of kragaangedrewe masjien bedien vir die vervaardiging van smeltkroese, blompotte of dergelike hol artikels op 'n ander manier as met 'n outomatiese masjien;

(n) 'n pers vir die vervaardiging van teëls bedien;

(o) hoeveelhede verwerpstukke in die produksiestadiums aanteken;

(p) syskermwerker;

(q) artikels op 'n draaibank draai; (27)

(70) 'werknemer, graad III' 'n werknemer wat een of meer van die volgende werksaamhede verrig of in een of meer van die volgende hoedanighede diens doen:

(a) Oonduitrusting inmeekaarsit of vervaardig;

(b) 'n stempel agter op klaarvervaardigde produkte afdruk of sodanige produkte van 'n nommer voorsien of embleme daarop aanbring deur dit daarop te druk, met 'n rubberstempel af te stempel of op 'n ander manier aan te bring;

(c) 'n ambagsman help met die gebruik van sy gereedskap sonder om sodanige gereedskap selfstandig te gebruik;

(d) artikels giet, surplusbry aftap of artikels uit vorms ligter as 30 kg verwyder;

(e) produksievorms onder toesig giet in omhulsels wat vooraf gereedgemaak is;

(f) wiele, buitebande of binnebande van motorvoertuie, kruiwaens of ander voertuie omruil, afhaal of vervang of binnebande oppomp of herstel;

(g) artikels in die ongebakke stadium nagaan of ondersoek;

(h) briewe, boodskappe of goedere buite 'n bedryfsinrigting te voet of deur middel van 'n fiets, driewiel- of handvoertuig afhaal of aflewer;

(i) plastiekkleipilare met 'n masjien sny;

(j) stook van 'n oond met onderbroke of onafgebroke werking, sonder outomatiese stookapparaat, 'n gasvervaardigingsinstallasie, 'n vaste stoomketel of stoomlokomotief;

(k) metaaldele aan artikels, uitgesonderd elektriese porseleinartikels, aanbring;

(l) handvatsels met 'n outomatiese masjien aanbring;

(m) koppies of pierings of ander holware of platware met 'n outomatiese masjien vervaardig;

(n) handvatsels vervaardig;

(o) 'n filterpers bedien;



(67) 'truck-tractor' means a motor vehicle designed or adapted to draw other vehicles and not to carry any load other than that imposed by a semi-trailer or ballast (65);

(68) 'ultra heavy motor vehicle' means a motor vehicle, the gross vehicle mass or gross combination mass of which exceeds 25 000 kg; (62)

(69) 'wage' means the amount of money payable to an employee in terms of clause 3 (1) in respect of his ordinary hours of work: Provided that if an employer regularly pays an employee in respect of such ordinary hours of work an amount higher than that prescribed in clause 3 (1), it means such higher amount, but this proviso shall not be so construed as to refer to or include any remuneration which an employee who is employed on any basis provided for in clause 9 receives over and above the amount which he would have received had he not been employed on such a basis; and 'ordinary wage' or 'weekly wage' has a corresponding meaning; (32)

(70) 'watchman' means an employee other than a security guard, who is engaged in any one or more of the following duties:

(a) Guarding, protecting or patrolling premises, buildings, structures or fixed or movable property;

(b) handling or controlling dogs in the performance of any or all of the duties referred to in (a); (66)

(71) 'week' in relation to an employee, means the period of seven days within which the working week of that employee ordinarily falls. (67)

### 3. REMUNERATION

(1) *Minimum wages.*—(a) The minimum wages which an employer shall pay his employees shall be as specified in paragraphs (b) and (c):

Provided that if the employer has been engaged in the Industry in any area covered by this determination for a period of more than 12 months but less than 24 months in the aggregate, such wage may be reduced by not more than 10 per cent until he has been engaged for a period of 24 months in the aggregate, whereupon the minimum wages specified in paragraphs (b) and (c) shall become payable and be paid.

(b) *Employees, other than casual employees:*

(p) motorvoertuie olie of smeer of masjinerie onder toesig olie of smeer;

(q) mengmasjienbediener;

(r) 'n kragaangedrewe breekmasjien bedien;

(s) 'n kragaangedrewe uitpersmasjien bedien;

(t) 'n pers, uitgesonderd 'n teëlpers, bedien;

(u) 'n outomatiese glasuurmasjien bedien;

(v) artikels in 'n oond of op oondwaens pak of plaas om gebak te word;

(w) klaargemaakte goedere vir aflewering of versending verpak;

(x) artikels verf of versier, maar nie met keramiekkleurstof nie;

(y) teëls optel en dit op spane plaas voordat dit op rakke gepak word;

(z) beskadigde teëls of sanitêre ware herstel;

(aa) ongebakke produkte sorteer voordat dit in 'n oond of op oondwaens gepak of geplaas word;

(bb) skermdrukwerk op artikels oorbring of wapens of oordruksels daarop aanbring;

(cc) ongebakke produkte afwerk of poets, maar nie op 'n draaibank nie; (28)

(71) 'wet' ook die gemene reg. (35)

### 3. BESOLDIGING

(1) *Minimum lone.*—(a) Die minimum lone wat 'n werkgewer sy werknemers moet betaal, is dié soos in paragrawe (b) en (c) uiteengesit: Met dien verstande dat indien die werkgewer in enige van die gebiede waarin hierdie vasstelling van toepassing is in die Nywerheid betrokke is vir 'n tydperk van langer as 12 maande maar minder as altesaam 24 maande, sodanige lone met hoogstens 10 persent verminder mag word totdat hy aldus vir 'n tydperk van altesaam 24 maande betrokke is, waarna die minimum lone soos in paragrawe (b) en (c) bepaal word, betaalbaar word en betaal moet word.

(b) *Werknemers, uitgesonderd los werknemers:*

|                                                 | In the Magisterial District of Albany |                      | In the Magisterial Districts of East London, Highveld Ridge, Kuils River, Malmesbury, Moorreesburg, Stellenbosch and Witbank and that portion of the Magisterial District of Wonderboom which falls within a radius of eight kilometres from the post office at Rosslyn |                      | In all other areas   |                      |
|-------------------------------------------------|---------------------------------------|----------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|----------------------|----------------------|
|                                                 | (a)<br>Per week<br>R                  | (b)<br>Per week<br>R | (a)<br>Per week<br>R                                                                                                                                                                                                                                                    | (b)<br>Per week<br>R | (a)<br>Per week<br>R | (b)<br>Per week<br>R |
| Artisan.....                                    | 113,50                                | 117,50               | 153,00                                                                                                                                                                                                                                                                  | 158,50               | 168,00               | 174,00               |
| Assistant foreman.....                          | 97,50                                 | 101,50               | 130,00                                                                                                                                                                                                                                                                  | 135,50               | 142,50               | 148,50               |
| Boiler attendant.....                           | 46,50                                 | 50,50                | 63,50                                                                                                                                                                                                                                                                   | 69,00                | 69,50                | 75,50                |
| Chargehand.....                                 | 53,50                                 | 57,50                | 72,50                                                                                                                                                                                                                                                                   | 78,00                | 79,50                | 85,50                |
| Chauffeur.....                                  | 50,00                                 | 54,00                | 68,00                                                                                                                                                                                                                                                                   | 73,50                | 74,50                | 80,50                |
| Clerk—                                          |                                       |                      |                                                                                                                                                                                                                                                                         |                      |                      |                      |
| during the first year of experience.....        | 53,50                                 | 57,50                | 72,50                                                                                                                                                                                                                                                                   | 78,00                | 79,50                | 85,50                |
| during the second year of experience.....       | 65,50                                 | 69,50                | 88,50                                                                                                                                                                                                                                                                   | 94,00                | 97,00                | 103,00               |
| during the third year of experience.....        | 77,00                                 | 81,00                | 104,50                                                                                                                                                                                                                                                                  | 110,00               | 115,00               | 121,00               |
| thereafter.....                                 | 89,00                                 | 93,00                | 120,50                                                                                                                                                                                                                                                                  | 126,00               | 132,50               | 138,50               |
| Driver of—                                      |                                       |                      |                                                                                                                                                                                                                                                                         |                      |                      |                      |
| a light motor vehicle.....                      | 50,00                                 | 54,00                | 68,00                                                                                                                                                                                                                                                                   | 73,50                | 74,50                | 80,50                |
| a medium motor vehicle (articulated).....       | 65,00                                 | 69,00                | 88,00                                                                                                                                                                                                                                                                   | 93,50                | 95,00                | 101,00               |
| a medium motor vehicle (rigid).....             | 62,00                                 | 66,00                | 84,00                                                                                                                                                                                                                                                                   | 89,50                | 92,00                | 98,00                |
| a heavy motor vehicle (articulated).....        | 75,00                                 | 79,00                | 102,00                                                                                                                                                                                                                                                                  | 107,50               | 112,00               | 118,00               |
| a heavy motor vehicle (rigid).....              | 72,00                                 | 76,00                | 98,00                                                                                                                                                                                                                                                                   | 103,50               | 107,50               | 113,50               |
| an extra heavy motor vehicle (articulated)..... | 82,50                                 | 86,00                | 111,00                                                                                                                                                                                                                                                                  | 116,50               | 123,00               | 129,00               |
| an extra heavy motor vehicle (rigid).....       | 79,00                                 | 83,00                | 107,00                                                                                                                                                                                                                                                                  | 112,50               | 117,50               | 123,50               |
| an ultra heavy motor vehicle.....               | 86,00                                 | 90,00                | 116,50                                                                                                                                                                                                                                                                  | 122,00               | 128,00               | 134,00               |
| Driver of an internal motor vehicle.....        | 55,00                                 | 59,00                | 75,00                                                                                                                                                                                                                                                                   | 80,50                | 82,00                | 88,00                |
| Factory clerk—                                  |                                       |                      |                                                                                                                                                                                                                                                                         |                      |                      |                      |
| during the first six months of experience.....  | 46,50                                 | 50,50                | 63,50                                                                                                                                                                                                                                                                   | 69,00                | 69,00                | 75,50                |
| during the second six months of experience..... | 49,00                                 | 53,00                | 67,00                                                                                                                                                                                                                                                                   | 72,50                | 72,50                | 78,50                |
| thereafter.....                                 | 51,50                                 | 55,50                | 70,50                                                                                                                                                                                                                                                                   | 76,00                | 77,00                | 83,00                |
| First-aid assistant.....                        | 48,50                                 | 52,50                | 65,50                                                                                                                                                                                                                                                                   | 71,00                | 72,00                | 78,00                |

|                                                                       | In the Magisterial District of Albany |                      | In the Magisterial Districts of East London, Highveld Ridge, Kuils River, Malmesbury, Moorreesburg, Stellenbosch and Witbank and that portion of the Magisterial District of Wonderboom which falls within a radius of eight kilometres from the post office at Rosslyn |                      | In all other areas   |                      |
|-----------------------------------------------------------------------|---------------------------------------|----------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|----------------------|----------------------|
|                                                                       | (a)<br>Per week<br>R                  | (b)<br>Per week<br>R | (a)<br>Per week<br>R                                                                                                                                                                                                                                                    | (b)<br>Per week<br>R | (a)<br>Per week<br>R | (b)<br>Per week<br>R |
| First-aid attendant .....                                             | 55,00                                 | 59,00                | 75,00                                                                                                                                                                                                                                                                   | 80,50                | 82,00                | 88,00                |
| Foreman .....                                                         | 116,50                                | 120,50               | 157,50                                                                                                                                                                                                                                                                  | 163,00               | 173,00               | 179,00               |
| General worker—                                                       |                                       |                      |                                                                                                                                                                                                                                                                         |                      |                      |                      |
| during the first six months experience with the same employer .....   | 37,50                                 | 41,00                | 51,00                                                                                                                                                                                                                                                                   | 56,00                | 56,00                | 61,00                |
| thereafter .....                                                      | 41,50                                 | 45,45                | 56,50                                                                                                                                                                                                                                                                   | 62,00                | 62,00                | 68,00                |
| Grade I employee—                                                     |                                       |                      |                                                                                                                                                                                                                                                                         |                      |                      |                      |
| during the first six months of experience .....                       | 48,50                                 | 52,50                | 65,50                                                                                                                                                                                                                                                                   | 71,00                | 72,00                | 78,00                |
| during the second six months of experience .....                      | 50,00                                 | 54,00                | 68,00                                                                                                                                                                                                                                                                   | 73,50                | 74,50                | 80,50                |
| thereafter .....                                                      | 51,50                                 | 55,50                | 70,50                                                                                                                                                                                                                                                                   | 76,00                | 77,00                | 83,00                |
| Grade II employee—                                                    |                                       |                      |                                                                                                                                                                                                                                                                         |                      |                      |                      |
| during the first six months of experience .....                       | 45,00                                 | 49,00                | 61,00                                                                                                                                                                                                                                                                   | 66,50                | 67,00                | 73,00                |
| during the second six months of experience .....                      | 46,50                                 | 50,50                | 63,00                                                                                                                                                                                                                                                                   | 68,50                | 69,50                | 75,50                |
| thereafter .....                                                      | 48,50                                 | 52,50                | 65,50                                                                                                                                                                                                                                                                   | 71,00                | 72,00                | 78,00                |
| Grade III employee—                                                   |                                       |                      |                                                                                                                                                                                                                                                                         |                      |                      |                      |
| During the first three months of experience .....                     | 43,00                                 | 47,00                | 58,50                                                                                                                                                                                                                                                                   | 64,00                | 64,50                | 70,50                |
| thereafter .....                                                      | 45,00                                 | 49,00                | 61,00                                                                                                                                                                                                                                                                   | 66,50                | 67,00                | 73,00                |
| Handyman .....                                                        | 60,00                                 | 64,00                | 82,00                                                                                                                                                                                                                                                                   | 87,50                | 89,50                | 95,50                |
| Leading hand .....                                                    | 44,50                                 | 50,50                | 63,50                                                                                                                                                                                                                                                                   | 69,00                | 69,50                | 75,50                |
| Modeller or thrower—                                                  |                                       |                      |                                                                                                                                                                                                                                                                         |                      |                      |                      |
| during the first year of experience .....                             | 45,00                                 | 49,00                | 61,00                                                                                                                                                                                                                                                                   | 66,50                | 67,00                | 73,00                |
| during the second year of experience .....                            | 58,50                                 | 79,50                | 79,50                                                                                                                                                                                                                                                                   | 85,00                | 87,00                | 93,00                |
| during the third year of experience .....                             | 72,00                                 | 98,00                | 98,00                                                                                                                                                                                                                                                                   | 103,50               | 107,50               | 113,50               |
| during the fourth year of experience .....                            | 86,00                                 | 116,00               | 116,00                                                                                                                                                                                                                                                                  | 121,50               | 127,50               | 133,50               |
| during the fifth year of experience .....                             | 99,50                                 | 134,50               | 134,50                                                                                                                                                                                                                                                                  | 140,00               | 148,00               | 154,00               |
| thereafter .....                                                      | 113,00                                | 153,00               | 153,00                                                                                                                                                                                                                                                                  | 158,50               | 168,00               | 174,00               |
| Operator of a mobile hoist with an operational capacity of—           |                                       |                      |                                                                                                                                                                                                                                                                         |                      |                      |                      |
| 900 kg or less .....                                                  | 46,50                                 | 50,50                | 63,50                                                                                                                                                                                                                                                                   | 69,00                | 69,50                | 75,50                |
| more than 900 kg .....                                                | 53,50                                 | 57,50                | 72,50                                                                                                                                                                                                                                                                   | 78,00                | 79,50                | 85,50                |
| Security guard .....                                                  | 51,50                                 | 55,50                | 70,50                                                                                                                                                                                                                                                                   | 76,00                | 77,00                | 83,00                |
| Storeman .....                                                        | Same wage as for a clerk              |                      |                                                                                                                                                                                                                                                                         |                      |                      |                      |
| Supervisor .....                                                      | 81,50                                 | 85,50                | 109,00                                                                                                                                                                                                                                                                  | 114,50               | 119,00               | 125,00               |
| Travelling representative—                                            |                                       |                      |                                                                                                                                                                                                                                                                         |                      |                      |                      |
| during the first year of experience .....                             | 84,00                                 | 88,00                | 114,50                                                                                                                                                                                                                                                                  | 120,00               | 125,50               | 131,50               |
| during the second year of experience .....                            | 92,00                                 | 96,00                | 124,50                                                                                                                                                                                                                                                                  | 130,00               | 136,50               | 142,50               |
| during the third year of experience .....                             | 99,50                                 | 103,50               | 134,50                                                                                                                                                                                                                                                                  | 140,00               | 148,00               | 154,00               |
| during the fourth year of experience .....                            | 106,50                                | 110,50               | 145,00                                                                                                                                                                                                                                                                  | 150,50               | 159,00               | 165,00               |
| thereafter .....                                                      | 114,50                                | 118,50               | 155,00                                                                                                                                                                                                                                                                  | 160,50               | 170,00               | 176,00               |
| Travelling representative's assistant .....                           | 50,00                                 | 54,00                | 68,00                                                                                                                                                                                                                                                                   | 73,50                | 74,50                | 80,50                |
| Watchman .....                                                        | 46,50                                 | 50,50                | 63,50                                                                                                                                                                                                                                                                   | 69,00                | 69,50                | 75,50                |
| Employee not specifically mentioned elsewhere in this subclause ..... | 46,50                                 | 50,50                | 63,50                                                                                                                                                                                                                                                                   | 69,00                | 69,50                | 75,50                |

|                                                                         | In die landdrosdistrik Albanie   |                      | In die landdrosdistrikte Hoëveld-<br>rif, Kuilsrivier, Malmesbury,<br>Moorreesburg, Oos-Londen,<br>Stellenbosch en Witbank en<br>die gedeelte van die landdros-<br>distrik Wonderboom wat binne<br>'n straal van agt kilometer<br>vanaf die Poskantoor van<br>Rosslyn val |                      | In alle ander gebiede |                      |
|-------------------------------------------------------------------------|----------------------------------|----------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|-----------------------|----------------------|
|                                                                         | (a)<br>Per week<br>R             | (b)<br>Per week<br>R | (a)<br>Per week<br>R                                                                                                                                                                                                                                                      | (b)<br>Per week<br>R | (a)<br>Per week<br>R  | (b)<br>Per week<br>R |
| Algemene werker—                                                        |                                  |                      |                                                                                                                                                                                                                                                                           |                      |                       |                      |
| gedurende die eerste ses maande diens by die-<br>selfde werkgewer ..... | 37,50                            | 41,00                | 51,00                                                                                                                                                                                                                                                                     | 56,00                | 56,00                 | 61,00                |
| daarna .....                                                            | 41,50                            | 45,50                | 56,50                                                                                                                                                                                                                                                                     | 62,00                | 62,00                 | 68,00                |
| Ambagsman .....                                                         | 113,50                           | 117,50               | 153,00                                                                                                                                                                                                                                                                    | 158,50               | 168,00                | 174,00               |
| Assistent voorman .....                                                 | 97,50                            | 101,50               | 130,00                                                                                                                                                                                                                                                                    | 135,50               | 142,50                | 148,50               |
| Bediener van 'n mobiele hystoestel met 'n werk-<br>kapasiteit van—      |                                  |                      |                                                                                                                                                                                                                                                                           |                      |                       |                      |
| 900 kg of minder .....                                                  | 46,50                            | 50,50                | 63,50                                                                                                                                                                                                                                                                     | 69,00                | 69,50                 | 75,50                |
| meer as 900 kg .....                                                    | 53,50                            | 57,50                | 72,50                                                                                                                                                                                                                                                                     | 78,00                | 79,50                 | 85,50                |
| Chauffeur .....                                                         | 50,00                            | 54,00                | 68,00                                                                                                                                                                                                                                                                     | 73,50                | 74,50                 | 80,50                |
| Drywer van 'n—                                                          |                                  |                      |                                                                                                                                                                                                                                                                           |                      |                       |                      |
| ligte motorvoertuig .....                                               | 50,00                            | 54,00                | 68,00                                                                                                                                                                                                                                                                     | 73,50                | 74,50                 | 80,50                |
| medium motorvoertuig (gelede) .....                                     | 65,00                            | 69,00                | 88,00                                                                                                                                                                                                                                                                     | 93,50                | 95,00                 | 101,00               |
| medium motorvoertuig (nie-gelede) .....                                 | 62,00                            | 66,00                | 84,00                                                                                                                                                                                                                                                                     | 89,50                | 92,00                 | 98,00                |
| swaar motorvoertuig (gelede) .....                                      | 75,00                            | 79,00                | 102,00                                                                                                                                                                                                                                                                    | 107,50               | 112,00                | 118,00               |
| swaar motorvoertuig (nie-gelede) .....                                  | 72,00                            | 76,00                | 98,00                                                                                                                                                                                                                                                                     | 103,50               | 107,50                | 113,50               |
| ekstra swaar motorvoertuig (gelede) .....                               | 82,50                            | 86,50                | 111,00                                                                                                                                                                                                                                                                    | 116,50               | 123,00                | 129,00               |
| ekstra swaar motorvoertuig (nie-gelede) .....                           | 79,00                            | 83,00                | 107,00                                                                                                                                                                                                                                                                    | 112,50               | 117,50                | 123,50               |
| ultra swaar motorvoertuig .....                                         | 86,00                            | 90,00                | 116,50                                                                                                                                                                                                                                                                    | 122,00               | 128,00                | 134,00               |
| Drywer van 'n interne motorvoertuig .....                               | 55,00                            | 59,00                | 75,00                                                                                                                                                                                                                                                                     | 80,50                | 82,00                 | 88,00                |
| Eerstehulpassistente .....                                              | 48,50                            | 52,50                | 65,50                                                                                                                                                                                                                                                                     | 71,00                | 72,00                 | 78,00                |
| Eerstehulpbediener .....                                                | 55,00                            | 59,00                | 75,00                                                                                                                                                                                                                                                                     | 80,50                | 82,00                 | 88,00                |
| Fabrieksklerk—                                                          |                                  |                      |                                                                                                                                                                                                                                                                           |                      |                       |                      |
| gedurende die eerste ses maande ondervinding                            | 46,50                            | 50,50                | 63,50                                                                                                                                                                                                                                                                     | 69,00                | 69,50                 | 75,50                |
| gedurende die tweede ses maande ondervinding                            | 49,00                            | 53,00                | 67,00                                                                                                                                                                                                                                                                     | 72,50                | 72,50                 | 78,50                |
| daarna .....                                                            | 51,50                            | 55,50                | 70,50                                                                                                                                                                                                                                                                     | 76,00                | 77,00                 | 83,00                |
| Faktotum .....                                                          | 60,00                            | 64,00                | 82,00                                                                                                                                                                                                                                                                     | 87,50                | 89,50                 | 95,50                |
| Ketelbediener .....                                                     | 46,50                            | 50,50                | 63,50                                                                                                                                                                                                                                                                     | 69,00                | 69,50                 | 75,50                |
| Klerk—                                                                  |                                  |                      |                                                                                                                                                                                                                                                                           |                      |                       |                      |
| gedurende die eerste jaar ondervinding .....                            | 53,50                            | 57,50                | 72,50                                                                                                                                                                                                                                                                     | 78,00                | 79,50                 | 85,50                |
| gedurende die tweede jaar ondervinding .....                            | 65,50                            | 69,50                | 88,50                                                                                                                                                                                                                                                                     | 94,00                | 97,00                 | 103,00               |
| gedurende die derde jaar ondervinding .....                             | 77,00                            | 81,00                | 104,50                                                                                                                                                                                                                                                                    | 110,00               | 115,00                | 121,00               |
| daarna .....                                                            | 89,00                            | 93,00                | 120,50                                                                                                                                                                                                                                                                    | 126,00               | 132,50                | 138,50               |
| Magasynman .....                                                        | Dieselfde loon soos vir 'n klerk |                      |                                                                                                                                                                                                                                                                           |                      |                       |                      |
| Modelleerder of handfatsoeneerder—                                      |                                  |                      |                                                                                                                                                                                                                                                                           |                      |                       |                      |
| gedurende die eerste jaar ondervinding .....                            | 45,00                            | 49,00                | 61,00                                                                                                                                                                                                                                                                     | 66,50                | 67,00                 | 73,00                |
| gedurende die tweede jaar ondervinding .....                            | 58,50                            | 62,50                | 79,50                                                                                                                                                                                                                                                                     | 85,00                | 87,00                 | 93,00                |
| gedurende die derde jaar ondervinding .....                             | 72,00                            | 76,00                | 98,00                                                                                                                                                                                                                                                                     | 103,50               | 107,50                | 113,50               |
| gedurende die vierde jaar ondervinding .....                            | 86,00                            | 90,00                | 116,00                                                                                                                                                                                                                                                                    | 121,50               | 127,50                | 133,50               |
| gedurende die vyfde jaar ondervinding .....                             | 99,50                            | 103,50               | 134,50                                                                                                                                                                                                                                                                    | 140,00               | 148,00                | 154,00               |
| daarna .....                                                            | 113,00                           | 117,00               | 153,00                                                                                                                                                                                                                                                                    | 158,50               | 168,00                | 174,00               |
| Onderbaas .....                                                         | 53,50                            | 57,50                | 72,50                                                                                                                                                                                                                                                                     | 78,00                | 79,50                 | 85,50                |
| Reisende verteenwoordiger—                                              |                                  |                      |                                                                                                                                                                                                                                                                           |                      |                       |                      |
| gedurende die eerste jaar ondervinding .....                            | 84,00                            | 88,00                | 114,50                                                                                                                                                                                                                                                                    | 120,00               | 125,50                | 131,50               |
| gedurende die tweede jaar ondervinding .....                            | 92,00                            | 96,00                | 124,50                                                                                                                                                                                                                                                                    | 130,00               | 136,50                | 142,50               |
| gedurende die derde jaar ondervinding .....                             | 99,50                            | 103,50               | 134,50                                                                                                                                                                                                                                                                    | 140,00               | 148,00                | 154,00               |
| gedurende die vierde jaar ondervinding .....                            | 106,50                           | 110,50               | 145,00                                                                                                                                                                                                                                                                    | 150,50               | 159,00                | 165,00               |
| daarna .....                                                            | 114,50                           | 118,50               | 155,00                                                                                                                                                                                                                                                                    | 160,50               | 170,00                | 176,00               |
| Reisende verteenwoordiger se assistent .....                            | 50,00                            | 54,00                | 68,00                                                                                                                                                                                                                                                                     | 73,50                | 74,50                 | 80,50                |
| Sekuriteitswag .....                                                    | 51,50                            | 55,50                | 70,50                                                                                                                                                                                                                                                                     | 76,00                | 77,00                 | 83,00                |
| Spanleier .....                                                         | 44,50                            | 50,50                | 63,50                                                                                                                                                                                                                                                                     | 69,00                | 69,50                 | 75,50                |
| Toesighouer .....                                                       | 81,50                            | 85,50                | 109,00                                                                                                                                                                                                                                                                    | 114,50               | 119,00                | 125,00               |
| Voorman .....                                                           | 116,50                           | 120,50               | 157,50                                                                                                                                                                                                                                                                    | 163,00               | 173,00                | 179,00               |
| Wag .....                                                               | 46,50                            | 50,50                | 63,50                                                                                                                                                                                                                                                                     | 69,00                | 69,50                 | 75,50                |
| Werknemer graad I—                                                      |                                  |                      |                                                                                                                                                                                                                                                                           |                      |                       |                      |
| gedurende die eerste ses maande ondervinding                            | 48,50                            | 52,50                | 65,50                                                                                                                                                                                                                                                                     | 71,00                | 72,00                 | 78,00                |
| gedurende die tweede ses maande ondervinding                            | 50,00                            | 54,00                | 68,00                                                                                                                                                                                                                                                                     | 73,50                | 74,50                 | 80,50                |
| daarna .....                                                            | 51,50                            | 55,50                | 70,50                                                                                                                                                                                                                                                                     | 76,00                | 77,00                 | 83,00                |



|                                                                                       | In die landdrosdistrik Albanie |                      | In die landdrosdistrikte Hoëveld-<br>rif, Kuilsrivier, Malmesbury,<br>Moorreesburg, Oos-Londen,<br>Stellenbosch en Witbank en<br>die gedeelte van die landdros-<br>distrik Wonderboom wat binne<br>'n straal van agt kilometer<br>vanaf die Poskantoor van<br>Rosslyn val |                      | In alle ander gebiede |                      |
|---------------------------------------------------------------------------------------|--------------------------------|----------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|-----------------------|----------------------|
|                                                                                       | (a)<br>Per week<br>R           | (b)<br>Per week<br>R | (a)<br>Per week<br>R                                                                                                                                                                                                                                                      | (b)<br>Per week<br>R | (a)<br>Per week<br>R  | (b)<br>Per week<br>R |
| <b>Werknemer graad II—</b>                                                            |                                |                      |                                                                                                                                                                                                                                                                           |                      |                       |                      |
| gedurende die eerste ses maande ondervinding                                          | 45,00                          | 49,00                | 61,00                                                                                                                                                                                                                                                                     | 66,50                | 67,00                 | 73,00                |
| gedurende die tweede ses maande ondervinding                                          | 46,50                          | 50,50                | 63,00                                                                                                                                                                                                                                                                     | 68,50                | 69,50                 | 75,50                |
| daarna.....                                                                           | 48,50                          | 52,50                | 65,50                                                                                                                                                                                                                                                                     | 71,00                | 72,00                 | 78,00                |
| <b>Werknemer graad III—</b>                                                           |                                |                      |                                                                                                                                                                                                                                                                           |                      |                       |                      |
| gedurende die eerste drie maande ondervinding                                         | 43,00                          | 47,00                | 58,50                                                                                                                                                                                                                                                                     | 64,00                | 64,50                 | 70,50                |
| daarna.....                                                                           | 45,00                          | 49,00                | 61,00                                                                                                                                                                                                                                                                     | 66,50                | 67,00                 | 73,00                |
| <b>Werknemer nie elders in hierdie subklousule uit-<br/>druklik vermeld nie .....</b> | <b>46,50</b>                   | <b>50,50</b>         | <b>63,50</b>                                                                                                                                                                                                                                                              | <b>69,00</b>         | <b>69,50</b>          | <b>75,50</b>         |

- (a) During the first year after this amendment becomes binding.  
(b) Thereafter.

(c) *Casual employees.*—Subject to paragraph (a), an employer shall pay a casual employee for each day or part of a day of employment, other than employment on a public holiday as defined or on a Sunday, not less than the daily wage prescribed for a full-time employee in the same class and area who performs the same class of work for the employer as the casual employee is required to do, plus 15 per cent, or not less than the daily wage actually being paid to such full-time employee, whichever is the greater amount: Provided that—

- (i) for the purposes of this paragraph the expression 'such full-time employee' shall mean the employee of that class to whom the employer is paying the lowest wage;
- (ii) where the employer requires a casual employee—
- (aa) to perform the work of a class of employee for whom wages on a rising scale are prescribed, the expression 'daily wage' shall mean the daily wage prescribed for a qualified employee of that class as calculated in terms of subclause (4);
- (ab) to work for a period of not more than four consecutive hours on any day, his wage as referred to in this paragraph may be reduced by not more than 50 per cent in respect of that day.

(2) *Basis of contract.*—For the purposes of this clause the contract of employment of an employee, other than a casual employee, shall be on a weekly basis and, save as provided in clause 4 (6), he shall be paid in respect of a week not less than the full weekly wage prescribed in subclause (1), read with the definition of 'wage' in clause 2 and with subclause (3), for an employee of his class in the area in which he works, whether he has in that week worked the maximum number of ordinary hours of work or less.

(3) *Differential wage.*—An employer who requires or permits a member of one class of his employees to perform for longer than one hour in the aggregate on any day, either in addition to his own work or in substitution therefor, work of another class for which—

- (a) a wage higher than that of his own class is prescribed in subclause (1), shall pay to such employee in respect of that day not less than the daily wage calculated at the higher rate; or
- (b) a rising scale of wages terminating in a wage higher than that of his own class is prescribed in subclause (1), shall pay to such employee in respect of that day not less than the daily wage calculated on the notch in the rising scale immediately above the wage which the employee was receiving for his ordinary work:

Provided that—

- (i) this subclause shall not apply where the difference between classes in terms of subclause (1) is based on experience;
- (ii) unless expressly otherwise provided in a written contract between an employer and his employee, nothing in this determination shall be so construed as to preclude an employer from requiring his employee to perform work of another class for which the same or a lower wage is prescribed than that prescribed for such employee.

- (a) Gedurende die eerste jaar nadat hierdie wysiging van krag word.  
(b) Daarna

(c) *Los werknemers.*—Behoudens paragraaf (a), moet 'n werkgever aan sy los werknemer vir elke dag of gedeelte van 'n dag diens, uitgesonderd diens op 'n openbare vakansiedag, soos omskryf, of op 'n Sondag, minstens die dagloon voorgeskryf vir 'n voltydse werknemer in dieselfde klas en gebied wat vir die werkgever dieselfde klas werk verrig as dié wat van die los werknemer vereis word, plus 15 persent betaal of nie minder nie as die werklike dagloon wat aan sodanige voltydse werknemer betaal word, welke bedrag ook die hoogste is: Met dien verstande dat—

- (i) vir die toepassing van hierdie paragraaf die uitdrukking 'sodanige voltydse werknemer' die werknemer van die betrokke klas aan wie die werkgever die laagste loon betaal, beteken;
- (ii) waar die werkgever van die los werknemer vereis om—
- (aa) die werk te verrig van 'n klas werknemer vir wie 'n loon teen 'n stygende skaal voorgeskryf word, die uitdrukking 'dagloon' die dagloon vir 'n gekwalifiseerde werknemer van daardie klas, soos bereken ingevolge subklousule (4), beteken;
- (ab) vir 'n tydperk van hoogstens vier agtereenvolgende ure op enige dag te werk, sy loon waarna in hierdie paragraaf verwys word, met hoogstens 50 persent ten opsigte van sodanige dag verminder kan word.

(2) *Kontrakgrondslag.*—By die toepassing van hierdie klousule moet die dienskontrak van 'n werknemer, uitgesonderd 'n los werknemer, op 'n weeklikse grondslag berus en, behoudens klousule 4 (6), moet hy ten opsigte van 'n week minstens die volle weekloon betaal word wat by subklousule (1), gelees met die omskrywing van 'loon' in klousule 2 en met subklousule (3), vir 'n werknemer van sy klas in die gebied waarin hy werk, voorgeskryf word, afgesien daarvan of hy in so 'n week die maksimum getal gewone werke of minder, gewerk het.

(3) *Differensiële loon.*—'n Werkgever wat van 'n lid van een klas van sy werknemers vereis of hom toelaat om langer as altesaam een uur op 'n dag of benewens sy eie werk of in die plek daarvan, werk van 'n ander klas te verrig waarvoor of—

- (a) 'n hoër loon as dié van sy eie klas soos by subklousule (1) voorgeskryf word, moet ten opsigte van daardie dag aan sodanige werknemer minstens die dagloon bereken teen die hoër tarief, betaal; of
- (b) 'n stygende loonskaal wat uitloop op 'n hoër loon as dié van sy eie klas soos by subklousule (1) voorgeskryf word, moet ten opsigte van daardie dag aan sodanige werknemer minstens die dagloon bereken op die kerf in die stygende skaal onmiddellik bokant die loon wat die werknemer vir sy gewone werk ontvang het, betaal:

Met dien verstande dat—

- (i) hierdie subklousule nie geld nie wanneer die verskil tussen die klasse ingevolge subklousule (1) op ondervinding berus;
- (ii) tensy daar in 'n skriftelike kontrak tussen 'n werkgever en sy werknemer uitdruklik anders bepaal word, niks in hierdie vasstelling só uitgelê mag word nie dat dié 'n werkgever belet om van sy werknemer te vereis om 'n ander klas werk te verrig waarvoor die voorgeskrewe loon dieselfde of laer is as dié wat vir so 'n werknemer voorgeskryf word.

(4) *Calculation of wages.*—(a) The hourly wage of an employee, other than a casual employee, shall be his weekly wage divided by his weekly ordinary hours of work as defined.

(b) Subject to subclause (1) (b) (ii), the hourly wage of a casual employee shall be the wage payable to him for that day divided by the number of ordinary hours worked by him on such day.

(c) The daily wage of an employee, other than a casual employee, shall be his weekly wage divided by the number of days normally worked by him in a week.

(d) The monthly wage of an employee shall be four and a third times his weekly wage.

(5) *Transport expenses and allowances.*—In addition to paying any other remuneration due to—

(a) an employee who uses his employer's motor vehicle or who is required to travel by train or by any means of conveyance other than his own, his employer shall reimburse him all the reasonable expenses incurred by him in connection with such transport in the performance of his duties, and for the purposes of this subclause the cost of overnight garaging of a motor vehicle shall be deemed to be a transport expense;

(b) an employee who is required to provide a motor vehicle for the performance of his duties, his employer shall pay him for each kilometre travelled in the performance of his duties a transport allowance of not less than—

(i) 23 cents if the engine capacity of the vehicle concerned does not exceed 1 300 cm<sup>3</sup>;

(ii) 29 cents if the engine capacity of such vehicle exceeds 1 300 cm<sup>3</sup> but not 2 500 cm<sup>3</sup>;

(iii) 35 cents if the engine capacity of such vehicle exceeds 2 500 cm<sup>3</sup>.

(6) *Subsistence expenses and allowances.*—In addition to paying any other remuneration due to a travelling representative or a travelling representative's assistant who, on any journey undertaken in the performance of his duties, is absent from his place of residence and his employer's establishment for any period in excess of six consecutive hours, the employer shall—

(a) where such absence does not extend over a night, reimburse him all reasonable expenses incurred by him for meals, tea, coffee or similar beverages;

(b) where such absence extends over one or more nights, reimburse him all actual expenses incurred for accommodation, meals, tea, coffee or similar beverages or pay a subsistence allowance of not less than R25 for each night of absence to the travelling representative and not less than R13 per night to the assistant, whichever is the greater amount:

Provided that for the purposes of this subclause the expression 'night' means the period between 23h00 and 04h00.

(7) *Payment of transport and subsistence expenses and allowances.*—

(a) An employer shall pay any expenses and allowances payable to an employee in terms of subclauses (5) and (6) within seven days of the employee's written claim therefor: Provided that an employee shall submit any such claims within one month of the time at which he has become entitled thereto but shall not submit more than one claim in any one week.

(b) An employer may require his employee to frame any claim so that it shall reflect, in the case of any claim in terms of—

(i) subclause (5) (a), the mode of transport, employed and the transport expenses incurred or the nature of any other expenses for which reimbursement is claimed;

(ii) subclause (5) (b), the distance travelled each day, the points of call and, except in municipal areas, the route followed;

(iii) subclause (6), the time of commencement and ending of each period of absence;

and to enable his employee to comply with such a requirement, the employer shall, before any such journey is undertaken by an employee referred to in subclauses (5) and (6), provide him with a suitable book or forms in or on which to keep the appropriate records: Provided that if an employee is unable to write, his employer shall cause him to be assisted in the framing of his claim.

(8) *Bicycle allowance.*—An employer who requires or permits an employee to use his own bicycle in the performance of his duties shall pay him, in addition to any other remuneration owing to him, an allowance of not less than R2,50 per week or, if he is a casual employee, not less than 50 cents per day.

(4) *Loonberekening.*—(a) Die uurloon van 'n werknemer, uitgesonderd 'n los werknemer, is sy weekloon gedeel deur sy weeklikse gewone werkure soos omskryf.

(b) Behoudens subklousule (1) (b) (ii), is die uurloon van 'n los werknemer die loon wat aan hom vir daardie dag betaalbaar is, gedeel deur die getal gewone werkure deur hom op daardie dag gewerk.

(c) Die dagloon van 'n werknemer, uitgesonderd 'n los werknemer, is sy weekloon gedeel deur die getal dae waarop hy gewoonlik in 'n week werk.

(d) Die maandloon van 'n werknemer is vier en 'n derde maal sy weekloon.

(5) *Vervoeruitgawes en -toelaes.*—Benewens die betaling van enige ander besoldiging verskuldig aan—

(a) 'n werknemer wat van sy werkgever se motorvoertuig gebruik maak of van wie vereis word om per trein of met enige ander vervoermiddel as sy eie te reis, moet sy werkgever hom vergoed vir alle redelike uitgawes wat hy by die uitvoering van sy pligte in verband met sodanige vervoer aangegaan het, en by die toepassing van hierdie subklousule word die koste verbonde aan die stalling van 'n motorvoertuig oornag, geag 'n vervoeruitgawe te wees;

(b) 'n werknemer van wie vereis word om 'n motorvoertuig vir die uitvoering van sy pligte te verskaf, moet sy werkgever hom vir elke kilometer wat hy by die uitvoering van sy pligte afgelê het, 'n vervoertoeleae betaal van minstens—

(i) waar die enjinkapasiteit van die betrokke voertuig hoogstens 1 300 cm<sup>3</sup> is: 23 sent;

(ii) waar die enjinkapasiteit van sodanige voertuig meer as 1 300 cm<sup>3</sup> maar hoogstens 2 500 cm<sup>3</sup> is: 29 sent;

(iii) waar die enjinkapasiteit van sodanige voertuig meer as 2 500 cm<sup>3</sup> is: 35 sent.

(6) *Onderhoudsuitgawes en -toelaes.*—Benewens die betaling van enige ander besoldiging verskuldig aan 'n reisende verteenwoordiger of 'n reisende verteenwoordiger se assistent, wat op enige reis wat hy by die uitvoering van sy pligte onderneem, vir 'n langer tydperk as ses agtereenvolgende ure van sy woonplek en sy werkgever se bedryfsinrigting afwesig is, moet sy werkgever—

(a) hom vergoed vir alle redelike uitgawes wat hy in elke sodanige tydperk van afwesigheid wat nie oor 'n nag strek nie, aan etes, tee, koffie of soortgelyke drankie vir homself aangegaan het;

(b) hom vergoed vir alle werklike uitgawes wat hy in elke sodanige tydperk van afwesigheid wat oor een of meer nagte strek, aan verblyf, etes, tee, koffie of soortgelyke drankie wat hy vir homself aangegaan het, of 'n onderhoudstoelaag betaal van minstens R25,00 vir elke nag van afwesigheid aan die reisende verteenwoordiger en minstens R13,00 per nag aan die assistent, watter bedrag ook al die grootste is:

Met dien verstande dat by die toepassing van hierdie subklousule die uitdrukking 'nag' die tydperk tussen 23h00 en 04h00 beteken.

(7) *Betaling van vervoer- en onderhoudsuitgawes en -toelaes.*—

(a) 'n Werkgever moet alle toelaes en uitgawes wat ingevolge subklousules (5) en (6) aan 'n werknemer betaalbaar is, binne sewe dae nadat die werknemer dit skriftelik geëis het, aan hom betaal: Met dien verstande dat 'n werknemer elke sodanige eis binne een maand vanaf die tydstop waarop hy daarop geregtig geword het, moet indien maar dat hy nie meer as een eis in 'n week mag indien nie.

(b) 'n Werkgever kan van sy werknemer vereis om elke eis so op te stel dat dit weergee, in die geval van 'n eis ingevolge—

(i) subklousule (5) (a), die soort vervoer en die vervoerkoste of die aard van alle ander uitgawes waarvoor hy vergoeding eis;

(ii) subklousule (5) (b), die afstand wat hy elke dag afgelê het, die plekke wat besoek is en, uitgesonderd in munisipale gebiede, die roete wat gevolg is;

(iii) subklousule (6), die tyd waarop elke tydperk van afwesigheid begin en geëindig het;

en ten einde aan so 'n vereiste te kan voldoen, moet die werkgever, voordat enige sodanige reis deur 'n werknemer bedoel in subklousules (5) en (6) onderneem word, aan hom 'n geskikte boek of vorms verskaf waarin of waarop gepaste aantekeninge gehou kan word: Met dien verstande dat indien die werknemer nie in staat is om te skryf nie, die werkgever sal toesien dat hy hulp kry om sy eis op te stel.

(8) *Fietstoelaes.*—'n Werkgever wat van 'n werknemer vereis of hom toelaat om by die uitvoering van sy pligte sy eie fiets te gebruik, moet hom, benewens enige ander besoldiging aan hom verskuldig, 'n toelaes van minstens R2,50 per week of, as hy 'n los werknemer is, minstens 50 sent per dag betaal.



**4. PAYMENT OF REMUNERATION**

(1) *Employees, other than casual employees.*—Save as provided in clauses 3 (7) and 6 (4), any amount due to an employee, other than a casual employee, shall be paid weekly, fortnightly or monthly in cash, or, with the consent of the employee, by cheque during his ordinary hours of work, or within 15 minutes thereafter on the casual pay-day of the establishment for such employee (or in the case of a shift worker or an employee employed in a continuous activity at a time agreed upon between such employee and his employer, which time shall be during the usual office hours of the establishment but not later than 24 hours after the usual pay-day) or on termination of employment if this takes place before the usual pay-day, and such amount shall be contained in a sealed envelope or container on which shall be recorded or which shall be accompanied by a statement showing—

- (a) the employer's name;
- (b) the employee's name or his number on the pay-roll and his class;
- (c) the period in respect of which payment is made;
- (d) the number of ordinary hours of work worked by the employee in that period;
- (e) the number of overtime hours worked by the employee in that period;
- (f) the number of hours worked by the employee on a Sunday or a public holiday as defined;
- (g) the employee's wage;
- (h) details of any other remuneration arising out of the employee's employment;
- (i) details of any deductions made; and
- (j) the net amount paid to the employee;

and such envelope or container on which these particulars are recorded or such statement shall become the property of the employee: Provided that—

- (i) the particulars prescribed above may be recorded on such envelope or container or in such statement in code, which code shall be fully set out and explained in an accompanying notice or in a notice that is posted up in a conspicuous place in the establishment, accessible to all employees affected thereby;
- (ii) at the employee's written request the amount due to him may be paid into his building society or bank account by his employer who shall hand to him the relevant receipt together with the aforementioned statement;
- (iii) the information relating to paragraphs (d), (e) and (f) need not be furnished in respect of an employee who is excluded from the hours of work provisions by virtue of clause 5 (7) (a).

(2) *Casual employees.*—An employer shall pay the remuneration due to a casual employee in cash on termination of his employment, but at least once a week.

(3) *Premiums.*—Subject to the provisions of any other Act, no payment by or on behalf of an employee shall be accepted by an employer, either directly or indirectly, in respect of the employment or training of that employee.

(4) *Purchase of goods.*—An employer shall not require his employee to purchase any goods from him or from any shop, place or person nominated by him.

(5) *Accommodation, meals or rations.*—Subject to the provisions of any other Act, an employer shall not require his employee to accept accommodation, meals or rations from him or from any person or at any place nominated by him.

(6) *Deductions.*—An employer shall not levy any fines against his employee or make any deductions from his employee's remuneration other than the following:

- (a) With the written consent of the employee, a deduction for any holiday, sick, medical, insurance, savings, provident or pension fund, or in respect of subscriptions to a trade union or subscriptions to an employee's recreational or social club if such club is on the employer's premises;
- (b) except where otherwise provided in this determination, whenever an employee is absent from work, other than on the instructions or at the request of his employer, a deduction proportionate to the period of his absence and calculated on the basis of the wage which such employee was receiving in respect of his ordinary hours of work at the time of such absence;
- (c) a deduction of any amount which an employer by law or order of any competent court is required or permitted make;

**4. BETALING VAN BESOLDIGING**

(1) *Werknemers, uitgesonderd los werknemers.*—Behoudens klousules 3 (7) en 6 (4), moet enige bedrag verskuldig aan 'n werknemer, uitgesonderd 'n los werknemer, weekliks, tweewekliks of maandeliks in kontant betaal word met die toestemming van die werknemer per tjek gedurende sy gewone werkure, of binne 15 minute daarna op die gewone betaaldag van die bedryfsinrigting vir sodanige werknemer (of in die geval van 'n skofwerker of 'n werknemer wat in 'n aanenlopende bedrywigheid werksaam is, op 'n tyd waarvoor sodanige werknemer en sy werkgever ooreengekom het en wat gedurende die gewone kantoorure van die bedryfsinrigting moet wees, maar nie later nie as 24 uur na die gewone betaaldag) of by diensbeëindiging, as dit voor die gewone betaaldag geskied, en sodanige bedrag moet in 'n verseëelde koevert of houer wees waarop of wat vergesel gaan van 'n staat waarop gemeld word:

- (a) Die werkgever se naam;
- (b) die werknemer se naam of sy nommer op die betaalstaat en sy klas;
- (c) die tydperk waarvoor die betaling geskied;
- (d) die getal gewone werkure wat die werknemer gedurende daardie tydperk gewerk het;
- (e) die getal ure wat die werknemer gedurende daardie tyd oortyd gewerk het;
- (f) die getal ure wat die werknemer op 'n Sondag of 'n openbare vakansiedag, soos omskryf, gewerk het;
- (g) die werknemer se loon;
- (h) besonderhede van enige ander besoldiging wat uit die werknemer se diens voortspruit;
- (i) besonderhede van enige bedrag wat afgetrek is; en
- (j) die netto bedrag wat aan die werknemer betaal word;

en sodanige koevert of houer waarop hierdie inligting aangeteken is of sodanige staat word die eiendom van die werknemer: Met dien verstande dat—

- (i) die besonderhede hierbo voorgeskryf, in kodevorm op die koevert of houer of staat opgeteken kan word en dat sodanige kode volledig uiteengesit en verduidelik moet word in 'n bygaande kennisgewing of 'n kennisgewing wat opgeplak gehou moet word op 'n opvallende plek in die bedryfsinrigting wat toeganklik is vir alle werknemers wat by die saak betrokke is;
- (ii) met die skriftelike toestemming van 'n werknemer, die bedrag aan hom verskuldig, gestort kan word in sy bouvereniging- of bankrekening deur die werkgever wat die betrokke kwitansie, tesame met voornoemde staat, aan hom moet oorhandig;
- (iii) die inligting met betrekking tot paragrawe (d), (e) en (f) nie verstrekkend hoeft te word nie ten opsigte van 'n werknemer wat ingevolge klousule 5 (7) (a) van die werkure bepalings uitgesluit is.

(2) *Los werknemers.*—'n Werkgever moet die besoldiging wat aan 'n los werknemer verskuldig is, by die beëindiging van sy diens in kontant aan hom betaal, maar minstens een maal per week.

(3) *Premies.*—Behoudens die bepalings van enige ander wet, mag geen bedrag regstreeks of onregstreeks deur 'n werkgever van of ten behoeve van 'n werknemer aangeneem word vir die indiensneming of opleiding van daardie werknemer nie.

(4) *Koop van goedere.*—'n Werkgever mag nie van sy werknemer vereis om enige goedere van hom of van enige winkel, plek of persoon deur hom aangewys, te koop nie.

(5) *Huisvesting, etes of rantsoene.*—Behoudens die bepalings van enige ander wet mag 'n werkgever nie sy werknemer vereis om huisvesting, etes of rantsoene van enigiemand anders of op dinge plek deur hom aangewys, aan te neem nie.

(6) *Aftekings.*—'n Werkgever mag sy werknemer geen boetes oplê of enige bedrae van sy werknemer se besoldiging aftrek nie, uitgesonderd die volgende:

- (a) Met die skriftelike toestemming van die werknemer, 'n bedrag vir 'n vakansie-, siektebystands-, mediese hulp-, versekerings-, spaar-, voorsorg- of pensioenfonds of vir ledegeld van 'n vakvereniging of ledegeld vir 'n werknemer se ontspannings- of sosiale klub indien sodanige klub op die perseel van die werkgever is;
- (b) behoudens andersluidende bepalings in hierdie vasstelling, telkens wanneer 'n werknemer om 'n ander rede as die toedoen van sy werkgever van sy werk afwesig is, 'n bedrag eweredig aan die tydperk van sy afwesigheid en bereken op die grondslag van die loon wat sodanige werknemer ten tyde van sodanige afwesigheid ten opsigte van sy gewone werkure ontvang het;
- (c) enige bedrag wat 'n werkgever volgens wet of kragtens of ingevolge 'n bevel van 'n bevoegde hof moet of kan aftrek;



- (d) whenever an employee is required by law or agrees to accept accommodation, meals or rations from his employer, a deduction not exceeding the following amounts:

|                                                | Per week | Per month |
|------------------------------------------------|----------|-----------|
|                                                | R        | R         |
| (i) Accommodation.....                         | 1,50     | 6,50      |
| (ii) Meals and/or rations .....                | 3,00     | 13,00     |
| (iii) Accommodation, meals and/or rations..... | 4,50     | 19,50;    |

- (e) whenever the ordinary hours of work are reduced because of short-time, a deduction not exceeding the amount of the employee's (other than a casual employee's) hourly wage in respect of each hour of such reduction: Provided that—
- such deduction shall not exceed one third of the employee's weekly wage, irrespective of the number of hours by which the ordinary hours work are thus reduced;
  - no deduction shall be made in the case of short-time arising out of a slackness of trade or shortage of raw materials or railway trucks, unless the employer has given his employee notice on the previous work-day of his intention to reduce the ordinary hours of work;
  - no deduction shall be made in the case of short-time owing to the vagaries of the weather or a breakdown of plant or machinery or a breakdown or threatened breakdown of buildings, in respect of the first hour not worked, unless the employer has given his employee notice on the previous day that no work will be available;
- (f) with the written consent of an employee, a deduction of any amount which the employer has paid or has undertaken to pay to—
- any banking institution, building society, insurance business, registered financial institution, local authority or the State in respect of a payment on a loan granted to such employee to acquire a dwelling;
  - any organisation or body in respect of the rent of a dwelling or accommodation in a hostel occupied by such employee if such dwelling or hostel is provided through the instrumentality of such organisation or body wholly or partly from funds advanced for that purpose by the State or a body referred to in paragraph (i);
- (g) with the written consent of the employee, a deduction in one or more instalments of any amount loaned or advanced to him by the employer: Provided that such deduction shall not exceed one third of the total remuneration due to the employee on the pay-day concerned: Provided further that no such deduction shall be made in respect of any period during which the employee's wage is reduced in terms of paragraph (e).

##### 5. ORDINARY HOURS OF WORK, OVERTIME AND PAYMENT FOR OVERTIME

(1) *Ordinary hours of work.*—An employer shall not require or permit an employee to work more ordinary hours of work than, in the case of—

- a casual employee in an establishment in which the employees normally work on—
  - not more than five days in a week, nine and a quarter on any day;
  - more than five days in a week, eight and a half on any day;
- a security guard and a watchman—
  - 60 in any week from Monday to Saturday, inclusive; and
  - subject to subparagraph (i), in the case of an employee who normally works on—
    - not more than five days in a week, 12 on any day;
    - more than five days in a week, 10 on any day;
- a shift worker—
  - 46 in any week from Monday to Saturday, inclusive; and
  - subject to subparagraph (i), nine and a quarter on any day;
- any other employee—
  - 46 in any week from Monday to Saturday, inclusive; and
  - subject to subparagraph (i), in the case of an employee who normally works on—
    - not more than five days in a week, nine and a quarter on any day;
    - more than five days in a week, eight on any day, unless the hours on one day do not exceed five, in which case the hours on any of the other days may be extended to eight and a half.

- (d) wanneer daar volgens wet van 'n werknemer vereis word of wanneer hy daartoe instem om huisvesting, etes of rantsoene, van sy werkgever aan te neem, 'n bedrag van hoogstens:

|                                               | Per week | Per maand |
|-----------------------------------------------|----------|-----------|
|                                               | R        | R         |
| (i) Huisvesting .....                         | 1,50     | 6,50      |
| (ii) Etes en/of rantsoene .....               | 3,00     | 13,00     |
| (iii) Huisvesting, etes en/of rantsoene ..... | 4,50     | 19,50;    |

- (e) wanneer die gewone werkure weens korttyd word, 'n bedrag van hoogstens die werknemer, uitgesonderd 'n los werknemer, se uurloon vir elke uur van sodanige vermindering: Met dien verstande dat—
- sodanige aftrekking hoogstens een derde van die werknemer se weekloon is, ongeag die gatal ure waarmee die gewone werkure aldus verminder word;
  - geen aftrekking ten opsigte van korttyd wat deur 'n handelslapse of 'n tekort aan grondstowwe of spoorweg-trokke ontstaan, geskied nie tensy die werkgever sy werknemer op die vorige werkdag kennis gegee het van sy voorname om die gewone werkure te verminder;
  - geen aftrekking ten opsigte van korttyd geskied nie vir die eerste uur waarin daar nie gewerk word nie weens gure weer of 'n onklaarraking van die installasie of masjinerie of weens die feit dat die geboue onbruikbaar is of dreig om dit te word, tensy die werkgever sy werknemer op die vorige dag kennis gegee het dat daar geen werk sal wees nie;
- (f) met die skriftelike toestemming van 'n werknemer, enige bedrag wat 'n werkgever betaal het of onderneem het om te betaal aan—
- enige bankinstelling, bouvereniging, versekeringsonderneming, geregistreerde finansiële instelling, plaaslike owerheid of die Staat ten opsigte van 'n lening aan sodanige werknemer toegestaan om 'n woning te bekom;
  - enige organisasie of liggaam ten opsigte van die huur van 'n woning of akkommodasie in 'n hostel deur sodanige werknemer geokkupeer as sodanige woning of hostel voorsien is deur bemiddeling van sodanige organisasie of liggaam geheel of gedeeltelik uit fondse voorgeskiet vir daardie doel deur die Staat of 'n liggaam bedoel in subparagraaf (i);
- (g) met die skriftelike toestemming van 'n werknemer, 'n aftrekking, in een of meer paaiemente, van enige bedrag wat die werkgever aan hom geleen of voorgeskiet het: Met dien verstande dat sodanige aftrekking hoogstens een derde van die totale besoldiging is wat op betrokke betaaldag aan die werknemer verskuldig is: Met dien verstande voorts dat geen sodanige aftrekking gemaak mag word vir enige tydperk waartydens die werknemer se loon ingevolge paragraaf (e) verminder is nie.

##### 5. GEWONE WERKURE, OORTYD- EN BETALING VIR OORTYDWERK

(1) *Gewone werkure.*—'n Werkgever mag nie van 'n werknemer vereis of hom toelaat om meer gewone werkure te werk nie as, in die geval van—

- 'n los werknemer in 'n bedryfsinrigting waarin die werknemers gewoonlik werk op—
  - nie meer as vyf dae per week nie, nege en 'n kwart op enige dag;
  - meer as vyf dae per week, agt en 'n half op enige dag;
- 'n sekuriteitswag of 'n wag—
  - 60 per week van Maandag tot en met Saterdag; en
  - behoudens subparagraaf (i), in die geval van 'n werknemer wat normaalweg op—
    - nie meer as vyf dae per week werk nie, 12 op enige dag;
    - meer as vyf dae per week werk, 10 op enige dag;
- 'n skofwerker—
  - 46 per week vanaf Maandag tot en met Saterdag; en
  - behoudens subparagraaf (i), nege en 'n kwart op enige dag;
- enige ander werknemer—
  - 46 per week vanaf Maandag tot en met Saterdag; en
  - behoudens subparagraaf (i), in die geval van 'n werknemer wat normaalweg op—
    - nie meer as vyf dae per week werk nie, nege en 'n kwart op 'n dag;
    - meer as vyf dae per week werk, agt op enige dag, tensy die ure op eendag hoogstens vyf is, in welke geval die ure op enigeen van die ander dae tot agt en 'n half verleng kan word.

(2) *Meal intervals.*—An employer shall not require or permit an employee to work for more than five hours continuously without a meal interval of not less than one hour, during which interval such employee shall not be required or permitted so perform any work, and such interval shall not form part of the ordinary hours of work or overtime: Provided that—

- (a) an employer may agree with his employee to reduce the period of such interval to not less than half an hour, and in that event, and after the employer has informed the divisional inspector, Department of Manpower, for his area, in writing of such agreement, the interval may be so reduced;
- (b) periods of work interrupted by intervals of less than one hour, except where proviso (g) or (e) applies, shall be deemed to be continuously;
- (c) if such interval is longer than one hour, except when proviso (g) applies, any period in excess of one and a quarter hours shall be deemed to be time worked;
- (d) only one such interval during the ordinary hours of work of an employee on any day shall not form part of the ordinary hours of work;
- (e) when on any day by reason of overtime worked an employer is required to give an employee a second meal interval, such interval may be reduced to not less than 15 minutes;
- (f) a driver who during such interval does no work other than being or remaining in charge of the vehicle shall for the purposes of this subclause be deemed not to have worked during such interval;
- (g) in the case of an employee who is wholly or mainly engaged in cleaning premises if such interval is longer than three hours, any period in excess of three hours shall be deemed to form part of the ordinary hours of work;
- (h) such interval need not be granted to a boiler attendant or an employee engaged in a continuous activity during his ordinary hours of work on any shift if he is given the opportunity during such hours of having a meal while at his post, unless this is prohibited in terms of any law.

(3) *Rest intervals.*—An employer shall grant to each of his employees a rest interval of not less than 10 minutes as nearly as practicable in the middle of each morning and afternoon work period, or a rest interval of not less than 20 minutes as nearly as practicable in the middle of each morning work period, and during such interval such employee shall not be required or permitted to perform any work, and such interval shall be deemed to form part of the ordinary hours of work of such employee: Provided that an employer who reduces the ordinary hours of work of the afternoon work period by not less than 10 minutes need not grant his employee a rest interval during such period.

(4) *Hours of work to be consecutive.*—Save as provided in subclauses (2) and (3), all hours of work of an employee on any day shall be consecutive.

(5) *Limitation of overtime.*—An employer shall not require or permit an employee to work overtime other than in accordance with an agreement concluded with the employee and provided that the ordinary hours of work are not exceeded by, in the case of—

- (a) a casual employee, three hours on any day;
- (b) a security guard or a watchman, 12 hours in any week; and
- (c) any other employee, 10 hours in any week.

(6) *Payment for overtime.*—(a) An employer shall pay an employee, other than a casual employee or an employee engaged in a continuous activity, who works overtime, at a rate of not less than—

- (i) one and a third times his hourly wage in respect of the total period not exceeding 10 hours in any week;
- (ii) one and a half times his hourly wage in respect of the hours in excess of 10 hours in any week,

so worked by such employee.

(b) An employer shall pay a casual employee who works overtime at a rate of not less than one and a third times his hourly wage in respect of the total period so worked on any day.

(2) *Etenspouse.*—'n Werkgewer mag nie van 'n werknemer vereis of hom toelaat om onafgebroke vir meer as vyf uur sonder 'n etenspouse van minstens een uur te werk nie en gedurende sodanige pouse mag daar nie van sodanige werknemer vereis word of mag hy nie toegelaat word om enige werk te verrig nie, en sodanige pouse maak nie deel van die gewone werkure of oortydure uit nie: Met dien verstande dat—

- (a) 'n werkgewer met sy werknemer ooreen kan kom om die duur van sodanige pouse tot minstens 'n halfuur te verkort, en in so 'n geval en nadat die werkgewer die Afdelingsinspekteur, Departement van Mannekrag, vir sy gebied skriftelik in kennis gestel het van sodanige ooreenkoms, kan die pouse aldus verkort word;
- (b) werktydperke wat onderbreek word deur pouses van minder as een uur, uitgesonderd waar voorbehoudsbepaling (a) of (e) van toepassing is, geag word aaneenlopend te wees;
- (c) as sodanige pouse langer as een uur duur, uitgesonderd waar voorbehoudsbepaling (g) van toepassing is, enige tyd wat een en 'n kwart uur te bowe gaan, geag word werktyd te wees;
- (d) slegs een sodanige pouse gedurende 'n werknemer se gewone werkure op 'n dag nie deel van die gewone werkure mag uitmaak nie;
- (e) wanneer daar, vanweë oortyd wat gewerk is, van 'n werkgewer vereis word om op 'n dag 'n tweede etenspouse aan 'n werknemer toe te staan, sodanige pouse tot minstens 15 minute verkort mag word;
- (f) 'n drywer wat gedurende sodanige pouse geen ander werk verrig as om in beheer van die voertuig te wees of te bly nie, by die toepassing van hierdie subklousule geag word nie gedurende sodanige pouse te gewerk het nie;
- (g) in die geval van 'n werknemer wat uitsluitlik of hoofsaaklik betrokke is by die skoonmaak van persele indien sodanige pouse langer as drie uur is, enige tydperk wat drie uur te bowe gaan, geag word deel van die gewone werkure uit te maak;
- (h) sodanige pouse nie aan 'n ketelbediener of 'n werknemer wat in 'n aaneenlopende bedrywigheid werksaam is, toegestaan hoef te word nie gedurende sy gewone werkure op enige skof nie indien aan hom gedurende sodanige ure geleentheid verskaf word om 'n ete te nuttig terwyl hy op sy pos bly, tensy dit verbied word deur enige bepalings van enige wet.

(3) *Ruspouses.*—'n Werkgewer moet aan elkeen van sy werknemers 'n ruspouse verleen van minstens 10 minute so naby as doenlik aan die middel van elke oggend- en middagwerkperiode, of 'n ruspouse van minstens 20 minute so naby as doenlik aan die middel van elke oggendwerkperiode, en gedurende sodanige pouse mag daar nie van sodanige werknemer vereis en hy mag nie toegelaat word om enige werk te verrig nie, en sodanige pouse moet geag word deel te wees van die gewone werkure van sodanige werknemer: Met dien verstande dat 'n werkgewer wat die gewone werkure van die middagwerkperiode met minstens 10 minute verkort, nie sy werknemer 'n ruspouse gedurende sodanige tydperk hoef te verleen nie.

(4) *Werkure moet agtereenvolgend wees.*—Behoudens subklousules (2) en (3), moet alle werkure van 'n werknemer op elke dag agtereenvolgend wees.

(5) *Beperking van oortydwerk.*—'n Werkgewer mag nie van 'n werknemer vereis of hom toelaat om oortyd te werk nie behalwe ingevolge 'n ooreenkoms wat hy met die werknemer aangegaan het en met dien verstande dat die gewone werkure nie oorskry word nie met, in die geval van—

- (a) 'n los werknemer, drie uur op 'n dag;
- (b) 'n sekuriteitswag of 'n wag, 12 uur in 'n week; en
- (c) enige ander werknemer, 10 uur in 'n week.

(6) *Betaling vir oortydwerk.*—(a) 'n Werkgewer moet 'n werknemer, uitgesonderd 'n los werknemer of 'n werknemer wat in 'n aaneenlopende bedrywigheid werksaam is, wat oortyd werk, betaal teen 'n skaal van minstens—

- (i) een en 'n derde maal sy uurloon ten opsigte van die totale tydperk wat nie 10 uur in enige week oorskry nie;
- (ii) een en 'n half maal sy uurloon ten opsigte van die ure wat 10 ure per week oorskry,

aldus deur sodanige werknemer gewerk.

(b) 'n Werkgewer moet 'n los werknemer wat oortyd werk, betaal teen 'n skaal van minstens een en 'n derde maal sy uurloon ten opsigte van die totale tydperk op enige dag gewerk.



(7) *Savings*.—(a) This clause shall not apply to—

- (i) a travelling representative or a travelling representative's assistant;
- (ii) any other class of employee who receives a regular wage of not less than—
  - (aa) R1 320 per month in the Magisterial District of Albany;
  - (ab) R1 430 per month in the Magisterial District of Highveld Ridge, Malmesbury and Moorreesburg; and
  - (ac) R1 550 per month in the remaining area mentioned in clause 1.

(b) Subclauses (2), (3), (4) and (5) shall not apply to an employee while he is engaged on emergency work.

(c) Subclause (3) shall not apply to a boiler attendant, a chauffeur, a shift worker, a driver or an employee who accompanies such driver.

(d) Subclauses (2) and (3) shall not apply to a security guard, a watchman or an employee engaged in a continuous activity: Provided that if such an employee is allowed a meal interval, the time taken up by such interval shall, for the purposes of subclause (1), be regarded as time worked by him.

**6. ANNUAL LEAVE**

(1) (a) Subject to subclause (2), an employer shall grant to his employee, other than a casual employee, and the employee shall take in respect of each completed period of 12 months of employment with the employer, leave as follows:

- (i) In the case of a travelling representative or a travelling representative's assistant who in the performance of his duties is absent from his place of residence and his employer's establishment on average at least three nights per month during any such period of 12 months' employment, and who normally works on—
  - (aa) not more than five days in a week, 20 consecutive work days;
  - (ab) more than five days in a week, 24 consecutive work days;
- (ii) in the case of a security guard or a watchman whose ordinary hours of work exceed 48 in a week and who normally works on—
  - (aa) not more than five days in a week, 20 consecutive work days;
  - (ab) more than five days in a week, 24 consecutive work days;
- (iii) in the case of a security guard or a watchman whose ordinary hours of work do not exceed 48 in a week, and who normally works on—
  - (aa) not more than five days in a week, 15 consecutive work days;
  - (ab) more than five days in a week, 18 consecutive work days;
- (iv) in the case of any other employee who normally works on—
  - (aa) not more than five days in a week, 15 consecutive work days;
  - (ab) more than five days in a week, 18 consecutive work days.

(b) The employer shall pay the employee in respect of such leave, in the case of an employee referred to in paragraph (a) (i) or (ii), an amount of not less than four times and, in the case of an employee referred to in paragraph (a) (iii) or (iv), an amount of not less than three times the weekly wage which the employee was receiving immediately prior to the date on which the leave commenced: Provided that an employee who before paragraphs (a) (i) and (iii) became binding had become entitled to a longer period of leave than that prescribed shall retain such leave entitlement while employed by the same employer.

(2) The leave prescribed in subclause (1) shall be granted and be taken as the case may be, at a time to be fixed by the employer: Provided that—

- (a) if such leave has not been granted earlier, it shall, save as provided in subclause (3), be granted and be taken so as to commence within four months after the completion of the 12 months of employment to which it relates or, if the employer and employee have agreed thereto in writing before the expiration of the said period of four months, the employer shall grant such leave to the employee and the employee shall take such leave as from a date not later than two months after the expiration of the said period of four months;

(7) *Voorbehoudsbepalings*.—(a) Hierdie klousule is nie van toepassing nie op—

- (i) 'n reisende verteenwoordiger of 'n reisende verteenwoordiger se assistent;
- (ii) enige ander klas werknemer wat gereeld 'n loon ontvang van minstens—
  - (aa) R1 320 per maand in die landdrosdistrik Albanie;
  - (ab) R1 430 per maand in die landdrosdistrikte Hoëveldrif, Malmesbury en Moorreesburg; en
  - (ac) R1 550 per maand in die ander gebiede wat in klousule (1) vermeld word.

(b) Subklousules (2), (3), (4) en (5) is nie op 'n werknemer van toepassing terwyl hy noodwerk verrig nie.

(c) Subklousule (3) is nie van toepassing op 'n chauffeur, 'n drywer, 'n ketelbediener, 'n skofwerker of 'n werknemer wat sodanige drywer vergesel nie.

(d) Subklousules (2) en (3) is nie van toepassing op 'n sekuriteitswag, 'n wag of 'n werknemer wat in 'n aaneenlopende bedrywigheid werksaam is nie: Met dien verstande dat indien so 'n werknemer 'n etenspouse toegestaan is, die tyd in beslag geneem deur sodanige pouse vir die toepassing van subklousule (1) beskou word as tyd wat hy gewerk het.

**6. JAARLIKSE VERLOF**

(1) (a) Behoudens subklousule (2), moet 'n werkgever aan sy werknemer, uitgesonderd 'n los werknemer, ten opsigte van elke voltooide tydperk van 12 maande diens by die werkgever verlof verleen en die werknemer moet die verlof neem, soos volg:

- (i) In die geval van 'n reisende verteenwoordiger of 'n reisende verteenwoordiger se assistent wat by die uitvoering van sy pligte gemiddeld ten minste drie nagte per maand van sy woonplek en sy werkgever se bedryfsinrigting afwesig is, gedurende enige sodanige tydperk van 12 maande en wat gewoonlik op—
  - (aa) nie meer as vyf dae per week werk nie, 20 agtereenvolgende werkdade;
  - (ab) meer as vyf dae per week werk, 24 agtereenvolgende werkdade;
- (ii) in die geval van 'n sekuriteitswag of 'n wag wie se gewone werkure 48 in 'n week oorskry wat gewoonlik op—
  - (aa) nie meer as vyf dae per week werk nie, 20 agtereenvolgende werkdade;
  - (ab) meer as vyf dae per week werk, 24 agtereenvolgende werkdade;
- (iii) in die geval van 'n sekuriteitswag of 'n wag wie se gewone werkure nie 48 in 'n week oorskry nie, wat gewoonlik op—
  - (aa) nie meer as vyf dae per week werk nie, 15 agtereenvolgende werkdade;
  - (ab) meer as vyf dae per week werk, 18 agtereenvolgende werkdade;
- (iv) in die geval van enige ander werknemer, wat gewoonlik op—
  - (aa) nie meer as vyf dae per week werk nie, 15 agtereenvolgende werkdade;
  - (ab) meer as vyf dae per week werk, 18 agtereenvolgende werkdade.

(b) Die werkgever moet die werknemer ten opsigte van sodanige verlof betaal, in die geval van 'n werknemer in paragraaf (a) (i) of (ii) bedoel, 'n bedrag van minstens vier maal en, in die geval van 'n werknemer in paragraaf (a) (iii) of (iv) bedoel, 'n bedrag van minstens drie maal die weekloon wat die werknemer onmiddellik voor die aanvangsdatum van die verlof ontvang het: Met dien verstande dat 'n werknemer wat voordat paragrafe (a) (i) en (iii) in werking getree het, geregtig geword het op 'n langer tydperk jaarlikse verlof as wat daarin voorgeskryf word, die reg op sodanige verlof behou terwyl hy by dieselfde werkgever in diens was.

(2) Die verlof by subklousule (1) voorgeskryf, moet toegestaan en geneem word, na gelang van die geval, op 'n tyd wat die werkgever bepaal: Met dien verstande dat—

- (a) as sodanige verlof nie eerder toegestaan is nie, dit, behoudens subklousule (3), so toegestaan en geneem moet word dat dit binne vier maande begin na voltooiing van die 12 maande diens waarop dit betrekking het of, as die werkgever en sy werknemer voor die verstryking van genoemde tydperk van vier maande skriftelik daartoe ooreengekom het, die werkgever sodanige verlof aan die werknemer moet toestaan en die werknemer die verlof moet neem met ingang van 'n datum nie later nie as twee maande na die verstryking van genoemde tydperk van vier maande;



- (b) the period of leave shall not be concurrent with—
- any period of sick leave in terms of clause 7 or with absence from work owing to incapacity in the circumstances set out in clause 7 (4) (a) or (b), amounting in the aggregate in any period of 12 months to not more than 15 weeks;
  - any period during which the employee is under notice of termination of employment in terms of clause 12; or
  - any period during which the employee is doing military service;
- (c) an employer may set off against such period of leave any days of occasional leave granted on full pay to his employee at such employee's written request during the period of employment to which the annual leave relates.
- (3) (a) At the written request of his employee, an employer may permit the leave to accumulate over a period of not more than 24 months of employment: Provided that—
- the request is made by such employee not later than four months after the expiration of the first period of 12 months of employment to which the leave relates; and
  - the date of receipt of the request is endorsed on the request over his signature by the employer, who shall retain the request at least until after the expiration of the period of leave.
- (b) Subclause (2) shall *mutatis mutandis* apply to the leave referred to in this subclause.
- (4) The remuneration in respect of the leave prescribed in subclause (1), read with subclause (3) and with subclause (8), shall be paid not later than the last workday before the date of commencement of the leave or, at the written request of the employee, not later than the first pay-day after the expiration of the leave.
- (5) An employee whose employment terminates during any period of 12 months of employment before the period of leave prescribed in subclause (1) in respect of that period has accrued and been taken shall, upon such termination and in addition to any other remuneration which may be due to him, be paid in respect of each completed month of such period of employment an amount of not less than, in the case of an employee referred to in—
- subclause (1) (a) (iii) or (iv), one fourth, and
  - subclause (1) (a) (i) and (ii), one third,
- of the weekly wage he was receiving immediately before the date of such termination: Provided that an employer may make a proportionate deduction in respect of any period of occasional leave granted to an employee on full pay at the employee's written request: Provided further that, subject to clause 12 (4), an employee shall not be entitled to any payment by virtue of this subclause if he leaves his employment without having given and served the period of notice prescribed in clause 12, unless—
- the employer has waived such notice or the employee has paid the employer upon termination or prior to termination of service in lieu of notice; or
  - in failing to give and serve such notice he was acting within his legal rights.
- (6) An employee who has become entitled to a period of leave prescribed in subclause (1), read with subclause (3), and whose employment terminates before such leave has been granted and been taken, shall upon such termination be paid the amount he would have received in respect of the leave had the leave been granted to him and taken by him as at the date of the termination.
- (7) For the purposes of this clause—
- the weekly wage at any date of an employee who is engaged on piece-work or commission work is his average weekly remuneration for the preceding 13 weeks or, if a lesser period has been worked, for the number of completed weeks so worked;
  - the expressions 'employment' and 'period of employment' shall be deemed to include—
    - any period in respect of which an employer pays an employee or an employee pays an employer in lieu of notice in terms of clause 12;
    - any period amounting in the aggregate in any period of 12 months, to not more than 15 weeks, during which an employee is absent—
      - on leave in terms of this clause;
      - sick leave in terms of clause 7 or owing to incapacity in the circumstances set out in clause 7 (4) (a) or (b);
      - at the instance of his employer; and

- (b) die tydperk van verlof nie mag saamval nie met enige tydperk—
- wat 'n werknemer afwesig is met siekteverlof ingevolge klousule 7 of weens ongeskiktheid in die omstandighede uiteengesit in klousule 7 (4) (a) of (b), en wat altesaam hoogstens 15 weke in 'n tydperk van 12 maande behoort;
  - waartydens die werknemer onder kennisgewing van diensbeëindiging ingevolge klousule 12 is; of
  - waarin 'n werknemer vir militêre diens afwesig is;
- (c) 'n werkgewer al die dae geleentheidsverlof wat op die skriftelike versoek van sy werknemer met volle besoldiging aan hom toegestaan is gedurende die tydperk van diens waarop die jaarlikse verlof betrekking het, van sodanige verloftydperk kan aftrek.
- (3) (a) Op die skriftelike versoek van sy werknemer kan 'n werkgewer toelaat dat die verlof oor 'n tydperk van hoogstens 24 maande diens ooploop: Met dien verstande dat—
- sodanige werknemer so 'n versoek rig binne vier maande na verstryking van die eerste tydperk van 12 maande diens waarop die verlof betrekking het; en
  - die werkgewer die datum van ontvangs van sodanige versoek daarop aanbring en dit onderteken en die versoek tot minstens na verstryking van die verloftydperk bewaar.
- (b) Subklousule (2) is *mutatis mutandis* van toepassing op die verlof in hierdie subklousule bedoel.
- (4) Die besoldiging ten opsigte van die verlof voorgeskryf by subklousule (1), gelees met subklousule (3) en met subklousule (8), moet nie later nie as op die laaste werkdag voor die aanvangsdatum van die verlof of, op die skriftelike versoek van die werknemer, nie later nie as op die eerste betaaldag na verstryking van die verlof, betaal word.
- (5) Aan 'n werknemer wie se diens gedurende enige dienstermyn van 12 maande eindig voordat die verloftydperk voorgeskryf by subklousule (1) ten opsigte van so 'n termyn opgeloopt het en geneem is, moet daar by sodanige diensbeëindiging, benewens enige ander besoldiging wat aan hom verskuld is, vir elke voltooië maand van sodanige dienstermyn 'n bedrag betaal word van minstens, in die geval van, 'n werknemer in—
- subklousule (1) (a) (iii) of (iv) bedoel, een kwart, en
  - subklousule (1) (a) (i) of (ii) bedoel, een derde
- van die weekloon wat hy onmiddellik voor die datum van sodanige diensbeëindiging ontvang het: Met dien verstande dat 'n werkgewer ten opsigte van al die dae geleentheidsverlof wat op die skriftelike versoek van sy werknemer met volle besoldiging aan hom toegestaan is, 'n eweredige bedrag kan aftrek: Met dien verstande voorts dat 'n werknemer op geen besoldiging uit hoofde van hierdie subklousule geregtig is nie indien hy sy diens verlaat sonder om die kennis te gee en die kennisgewingstermyn uit te dien wat by klousule 12 voorgeskryf word, tensy—
- die werkgewer van sodanige kennisgewing afgesien het of tensy die werknemer sy werkgewer betaal het in plaas daarvan om aldus kennis te gee; of
  - hy versuim het om sodanige kennis te gee of gedurende die tydperk te werk, hy binne sy wetlike regte gehandel het.
- (6) 'n Werknemer wat geregtig geword het op 'n tydperk van verlof voorgeskryf by subklousule (1), gelees met subklousule (3), en wie se diens eindig voordat sodanige verlof toegestaan en geneem is, moet by sodanige diensbeëindiging die bedrag betaal word wat hy ten opsigte van die verlof sou ontvang het as die verlof op die datum van diensbeëindiging aan hom toegestaan en deur hom geneem is.
- (7) By die toepassing van hierdie klousule—
- is die weekloon van 'n werknemer wat op stukwerk of kommissiewerk in diens is, op enige datum sy gemiddelde weeklikse besoldiging vir die voorafgaande 13 weke, of indien 'n korter tydperk gewerk is, vir die getal voltooië weke wat aldus gewerk is;
  - word die uitdrukkings 'diens' en 'dienstermyn' geag te omvat—
    - enige tydperk ten opsigte waarvan 'n werkgewer 'n werknemer betaal of 'n werknemer 'n werkgewer betaal in plaas van kennis te gee ingevolge klousule 12;
    - enige tydperk van altesaam hoogstens 15 weke in enige tydperk van 12 maande wat 'n werknemer afwesig is—
      - met verlof ingevolge hierdie klousule;
      - met siekteverlof ingevolge klousule 7 of weens ongeskiktheid in die omstandighede uiteengesit in klousule 7 (4) (a) of (b);
      - met die toedoen van sy werkgewer; en

- (iii) any period during which an employee is absent while in military service: Provided that an employee shall not be entitled to claim as employment, in any period of 12 months' employment, more than four months of such service;

and employment shall be deemed to commence, in the case of—

- (aa) an employee who, before this amendment became binding, had become entitled to a period of annual leave in terms of any law, on the date on which he last became entitled to leave under that law;
- (ab) an employee who was in employment before this amendment became binding and to whom any law providing for annual leave applied but who had not yet become entitled to a period of leave in terms thereof, on the date on which such employment commenced;
- (ac) any other employee, on the date on which such employee entered his employer's service or on the date on which this amendment became binding, whichever is the later.

(8) (a) Notwithstanding anything to the contrary contained in this clause, an employer may for the purposes of annual leave, at any time, but not more than once in any period of 12 months, close his establishment for 21 consecutive days or suspend an activity for 21 consecutive days and in that case he shall remunerate his employee in terms of subclause (1) or paragraph (c) hereof, as the case may be.

(b) Whenever a public holiday as defined falls on a day which would otherwise be a workday for an employee and such public holiday falls within the closed or suspension period referred to in paragraph (a), another workday shall be added to the said closed or suspension period as a further period of leave and the employee shall be paid an amount of not less than his daily wage in respect of each such day added.

(c) An employee who, at the date on which an establishment or activity in which he is employed is closed or suspended, is not entitled to the full period of annual leave prescribed in subclause (1) shall, in respect of any leave due to him, be paid by his employer on the basis set out in subclause (5), and for the purposes of annual leave thereafter his employment shall be deemed to commence on the date of such closing of the establishment or suspension of the activity.

## 7. SICK LEAVE

(1) Subject to subclause (2), an employer shall grant to his employee, other than a casual employee, who is absent from work through incapacity in the case of—

- (a) an employee who normally works on not more than five days per week, not less than 30 workdays, and
- (b) any other employee, not less than 36 workdays.

sick leave in the aggregate during each cycle of 36 consecutive months of employment with him, and shall pay the employee in respect of any period of absence in terms of this subclause not less than the wage he would have received had he worked during such period: Provided that—

- (i) in the first cycle of 36 months of employment an employee shall not be entitled to sick leave on full pay at a rate of more than, in the case of an employee who works on not more than five days in any week, one workday of each completed period of five weeks of employment and, in the case of any other employee, one workday in respect of each completed month of employment;
- (ii) where, in such first cycle of employment with the same employer an employee is absent owing to incapacity for a period in excess of any sick leave accrued at the time of such incapacity, he shall be entitled to be paid in respect of only such leave as has so accrued but his employer shall, if he has not previously done so, at the expiration of the said cycle of employment or on termination of employment before such expiration, pay him in respect of such excess period of absence owing to incapacity at the wage rate to which he was entitled at the commencement of such incapacity to the extent to which sick leave accrued at such expiration or termination had not been taken;
- (iii) where an employer is by any law required to pay fees for hospital or medical treatment in respect of an employee, and pays such fees, the amount so paid may be set off against the payment due in respect of absence owing to incapacity in terms of this clause;

- (iii) enige tydperk wat 'n werknemer afwesig is vir militêre diens: Met dien verstande dat 'n werknemer nie daarop geregtig is om in enige tydperk van 12 maande diens meer as vier maande van sodanige afwesigheid as diens te eis nie;

en word diens geag te begin, in die geval van—

- (aa) 'n werknemer wat, voordat hierdie wysiging van krag geword het, kragtens enige wet op 'n tydperk van jaarlikse verlof geregtig geword het, op die datum waarop hy laas kragtens daardie wet op verlof geregtig geword het;
- (ab) 'n werknemer wat, voordat hierdie wysiging van krag geword het, in diens was en op wie enige wet wat vir jaarlikse verlof voorsiening maak van toepassing was maar wat nog nie daarkragtens op 'n tydperk van verlof geregtig geword het nie, op die aanvangsdatum van sodanige diens;
- (ac) enige ander werknemer, op die datum waarop sodanige werknemer by sy werkgever in diens getree het of op die datum waarop hierdie wysiging van krag geword het, en wel op die jongste van die twee datums.

(8) (a) Ondanks andersluitende bepalings in hierdie klousule, kan 'n werkgever vir die doel van jaarlikse verlof te eniger tyd, maar hoogstens een maal in 'n tydperk van 12 maande, sy bedryfsinrigting vir 21 agtereenvolgende dae sluit, of 'n aktiwiteit vir 21 agtereenvolgende dae staak en in daardie geval moet hy sy werknemer kragtens subklousule (1) of paragraaf (c) hiervan, na gelang van die geval, besoldig.

(b) Wanneer 'n openbare vakansiedag, soos omskryf, op 'n dag val wat andersins vir die werknemer 'n werksdag sou gewees het en wat binne die geslote of stakingstydperk bedoel in paragraaf (a) val, moet nog 'n werksdag by die genoemde geslote of stakingstydperk gevoeg word as 'n verdere verloftyd en die werknemer moet 'n bedrag van minstens sy dagloon betaal word ten opsigte van elke sodanige dag bygevoeg.

(c) 'n Werknemer wat op die datum waarop 'n bedryfsinrigting of 'n aktiwiteit waarin hy werksaam is, sluit of gestaak word, nie geregtig is nie op die volle tydperk van die jaarlikse verlof voorgeskryf by subklousule (1), moet, ten opsigte van enige verlof wat aan hom verskuldig is, deur sy werkgever betaal word op die grondslag in subklousule (5) vermeld, en vir die doel van jaarlikse verlof daarna word sy diens geag te begin op die datum waarop die bedryfsinrigting of aktiwiteit aldus sluit of gestaak word.

## 7. SIEKTEVERLOF

(1) Behoudens subklousule (2), moet 'n werkgever aan sy werknemer, uitgesonderd 'n los werknemer, wat weens ongeskiktheid van die werk afwesig is, siekteverlof toestaan van, in die geval van—

- (a) 'n werknemer wat normaalweg hoogstens vyf dae per week werk, minstens 30 werkdae, en
- (b) enige ander werknemer, minstens 36 werkdae

gedurende elke tydkring van 36 agtereenvolgende maande diens by hom, en moet hy die werknemer ten opsigte van enige tydperk van afwesigheid ingevolge hierdie subklousule minstens die loon betaal wat hy sou ontvang het as hy gedurende sodanige tydperk gewerk het: Met dien verstande dat—

- (i) 'n werknemer gedurende die eerste tydkring van 36 agtereenvolgende maande diens nie op meer siekteverlof met volle besoldiging geregtig is nie as, in die geval van 'n werknemer wat nie op meer as vyf dae per week werk nie, een werkdag ten opsigte van elke voltooide tydperk van vyf weke diens en, in die geval van enige ander werknemer, een werkdag ten opsigte van elke voltooide maand diens;
- (ii) wanneer 'n werknemer gedurende sodanige eerste tydkring by dieselfde werkgever weens ongeskiktheid vir 'n langer tydperk afwesig is as die siekteverlof wat hom ten tyde van sodanige ongeskiktheid toekom, hy geregtig is op besoldiging vir slegs die siekteverlof wat hom dan toekom, maar sy werkgever moet, as hy dit nie reeds gedoen het nie, by verstryking van gemelde dienstydkring of by diensbeëindiging voor sodanige verstryking, hom ten opsigte van sodanige langer tydperk van afwesigheid weens ongeskiktheid uitbetaal teen die loon waarop die werknemer by die aanvang van die ongeskiktheid geregtig was, vir sover die siekteverlof wat hom ten tyde van sodanige verstryking of beëindiging toekom, nog nie geneem is nie;
- (iii) wanneer 'n werkgever ingevolge enige wet gelde vir mediese of hospitaalbehandeling ten opsigte van 'n werknemer moet betaal en sodanige gelde wel betaal, die bedrag wat aldus betaal is, afgetrek kan word van die bedrag wat ingevolge hierdie klousule ten opsigte van afwesigheid weens ongeskiktheid verskuldig is;



(iv) payment for any period of absence on sick leave in terms of this clause to an employee who is employed on piece-work or commission work shall be at the rate of not less than the employee's average remuneration for the 13 weeks preceding the commencement of the sick leave or, if a lesser period has been worked, for the number of completed weeks worked.

(2) An employer may, as a condition precedent to the payment by him of any amount claimed in terms of this clause by an employee in respect of any absence from work—

- (a) for more than two consecutive workdays; or
- (b) on the workday immediately preceding or the workday immediately succeeding a Sunday or a public holiday as defined,

require the employee to produce a certificate signed by a registered medical practitioner stating the nature and duration of the employee's incapacity: Provided that when an employee has, during any period of up to eight weeks, received payment in terms of this clause on two or more occasions without producing such a certificate, his employer shall during the period of eight weeks immediately succeeding the last such occasion not be bound to pay the said amount to the employee in respect of any absence from work unless he produces such a certificate.

(3) For the purposes of this clause the expression—

- (a) 'employment' shall be deemed to include—
  - (i) any period amounting in the aggregate, in any cycle of 36 months, to not more than 30 weeks, during which an employee is absent—
    - (aa) on leave in terms of clause 6;
    - (ab) at the instance of his employer;
    - (ac) on sick leave in terms of subclause (1) or owing to incapacity in the circumstances set out in subclause (4);
  - (ii) any period during which an employee is absent on military service: Provided that an employee shall not be entitled to claim as employment, in any one period of 12 months employment, more than four months of such service; and
  - (iii) any period of employment which an employee has had with the same employer immediately before the date on which this determination became binding, and any sick leave on full pay granted to such an employee during such period shall be deemed to have been granted under this determination;
- (b) 'incapacity' means inability to work owing to any sickness or injury, other than sickness or injury caused by an employee's own misconduct: Provided that any such inability to work, caused by an accident or a scheduled disease as defined in section 2 of the Workmen's Compensation Act, 1941 (Act 30 of 1941), shall only be regarded as incapacity during any period in respect of which no disablement payment is payable in terms of that Act.

(4) *Savings.*—This clause shall not apply—

- (a) to an employee at whose written request an employer makes contributions, at least equal to those made by the employee, to any fund or organisation nominated by the employee, which fund or organisation guarantees to the employee, in the event of his incapacity in the circumstances set out in this clause, the payment to him of an amount not less than the wage payable in terms of subclause (1);
- (b) in respect of any period of incapacity of an employee in respect of which the employer is required by any other law to pay the employee his full wage.

## 8. PUBLIC HOLIDAYS AND SUNDAYS

(1) *Compensation for work on a public holiday.*—(a) Whenever an employee, other than a casual employee, does not work on a public holiday as defined and such day falls on a day which otherwise is an ordinary workday for the employee, his employer shall pay him in respect of that day an amount which shall be not less than the wage payable to him in respect of the time (excluding overtime) ordinarily worked by him on that day of the week.

(iv) die loon wat aan 'n werknemer wat op stukwerk of kommissiewerk in diens is, vir 'n tydperk van afwesigheid met siekteverlof ingevolge hierdie klousule betaal moet word, bereken moet word op die grondslag van minstens sy gemiddelde besoldiging vir die 13 weke wat die aanvang van sy siekteverlof voorafgaan of indien 'n korter tydperk gewerk is, vir die aantal voltooide weke wat gewerk is.

(2) 'n Werkgewer kan, as 'n opskortende voorwaarde vir die betaling deur hom van 'n opdrag wat 'n werknemer kragtens hierdie klousule eis ten opsigte van enige afwesigheid van sy werk—

- (a) vir langer as twee agtereenvolgende werkdade, of
- (b) op die werkdag onmiddellik voor of die werkdag onmiddellik na 'n Sondag of 'n openbare vakansiedag, soos omskryf,

van die werknemer vereis om 'n sertifikaat voor te lê wat deur 'n geregistreerde mediese praktisyn onderteken is en waarin die aard en duur van die werknemer se ongesiktheid vermeld word: Met dien verstande dat, wanneer 'n werknemer gedurende enige tydperk van hoogstens agt weke by twee of meer geleenthede besoldiging ingevolge hierdie klousule ontvang het sonder om so 'n sertifikaat voor te lê, sy werkgewer gedurende die tydperk van agt weke onmiddellik na die laaste sodanige geleentheid nie gebind hoef te wees om bedoelde bedrag ten opsigte van enige afwesigheid van werk aan die werknemer te betaal nie tensy hy so 'n sertifikaat voorlê.

(3) By die toepassing van hierdie klousule—

- (a) word die uitdrukking 'diens' geag te omvat—
  - (i) enige tydperk van altesaam hoogstens 30 weke in enige tydkring van 36 maande wat 'n werknemer afwesig is—
    - (aa) met verlof ingevolge klousule 6;
    - (ab) met die toedoen van sy werkgewer;
    - (ac) met siekteverlof ingevolge subklousule (1) of weens ongesiktheid weens omstandighede uiteengesit in subklousule (4);
  - (ii) enige tydperk wat 'n werknemer afwesig is vir militêre diens: Met dien verstande dat 'n werknemer nie geregtig is om in enige tydperk van 12 maande diens meer as vier maande van sodanige afwesigheid as diens te eis nie;
  - (iii) enige tydperk van diens by dieselfde werkgewer onmiddellik voor die datum waarop hierdie wysiging van krag geword het en alle siekteverlof wat met volle besoldiging aan so 'n werknemer gedurende sodanige tydperk toegestaan is, word geag ingevolge hierdie vasstelling toegestaan te gewees het;
- (b) beteken 'ongesiktheid', die onvermoë om te werk weens siekte of besering, behalwe siekte of besering wat deur 'n werknemer se eie wangedrag veroorsaak is: Met dien verstande dat sodanige onvermoë om te werk wat veroorsaak is deur 'n ongeval of vergoedingspligtige siekte soos omskryf in artikel 2 van die Ongevallewet, 1941 (Wet 30 van 1941), as ongesiktheid beskou word slegs gedurende enige tydperk ten opsigte waarvan geen betaling vir arbeidsongesiktheid ingevolge daardie wet betaalbaar is nie.

(4) *Voorbehoudsbepalings.*—Hierdie klousule is nie van toepassing nie—

- (a) op 'n werknemer op wie se skriftelike versoek 'n werkgewer bydraes wat minstens gelyk is aan dié van die werknemer, betaal aan 'n fonds of organisasie wat deur die werknemer aangewys is, welke fonds of organisasie in die geval van ongesiktheid in die omstandighede in hierdie klousule uiteengesit, aan die werknemer die bestaling waarborg van 'n bedrag nie minder is nie as die loon betaalbaar ingevolge subklousule (1);
- (b) ten opsigte van 'n tydperk van ongesiktheid van 'n werknemer ten opsigte waarvan daar kragtens 'n ander wet van die werkgewer vereis word om die werknemer sy volle loon te betaal.

## 8. OPENBARE VAKANSIEDAE EN SONDAE

(1) *Vergoeding vir werk op 'n openbare vakansiedag.*—(a) Wanneer 'n werknemer uitgesonderd 'n los werknemer, nie op 'n openbare vakansiedag, soos omskryf, werk nie, en sodanige dag op 'n dag val wat vir hom andersins 'n gewone werkdag is, moet sy werkgewer hom ten opsigte van daardie dag 'n bedrag betaal wat nie minder is nie as die loon aan hom betaalbaar ten opsigte van die tyd (uitgesonderd oortyd) wat hy gewoonlik op daardie dag van die week werk.



(b) Whenever an employee, other than a casual employee, works on a public holiday as defined and such day falls on a day which otherwise is an ordinary workday for the employee, his employer shall pay him in respect of that day an amount equal to at least the amount which he would have had to pay him in terms of paragraph (a) had the employee not worked on that day, plus—

- (i) an amount calculated at a rate of not less than his wage rate in respect of the whole time worked by him on that day or an amount equal to at least the wage payable to him in respect of the time (excluding overtime) ordinarily worked by him on that day of the week, whichever amount is the greater; or
- (ii) an amount calculated at a rate of not less than one third of his wage rate in respect of the whole time worked by him on that day and grant to him, within seven days of such day, one day's leave and pay him in respect of such leave an amount of not less than the wage payable to him in respect of the time (excluding overtime) ordinarily worked by him on that day of the week.

(c) Whenever an employee, other than a casual employee, works on a public holiday as defined and such day falls on a day which otherwise is not an ordinary workday for the employee, his employer shall pay him in respect of that day an amount which shall not be less than the wage payable to him in respect of the time (excluding overtime) ordinarily worked by him on a workday, plus—

- (i) an amount calculated at a rate of not less than his wage rate in respect of the whole time worked by him on such day or an amount equal to at least the wage payable to him in respect of the time (excluding overtime) ordinarily worked by him on a workday, whichever amount is the greater; or
- (ii) an amount calculated at a rate of not less than one third of his wage rate in respect of the whole time worked by him on such day, and grant to him, within seven days of such day, one day's leave and pay him in respect of such leave an amount of not less than the wage payable to him in respect of the time (excluding overtime) ordinarily worked by him on a workday.

(d) Whenever an employee, other than a casual employee, works on a public holiday as defined and such day falls on a Sunday, he shall be remunerated for such work on the basis set out in subclause (2).

(2) *Compensation for work on a Sunday.*—Subject to subclause (1) (d), whenever an employee, other than a casual employee or an employee employed in a continuous activity, works on a Sunday, his employer shall pay him—

- (a) if he so works for not more than four hours, an amount of not less than the wage payable in respect of the time (excluding overtime) ordinarily worked by him on a week-day; or
- (b) if he so works for longer than four hours, an amount which shall not be less than either an amount calculated at a rate of double his wage in respect of the whole time worked by him on such Sunday, or an amount equal to at least double the wage payable to him in respect of the time (excluding overtime) ordinarily worked by him on a week-day; whichever amount is the greater; or
- (c) an amount calculated at a rate of not less than one and a third times his wage in respect of the whole time worked by him on such Sunday and grant him, within seven days of such Sunday, one day's leave and pay him in respect of such leave an amount of not less than the wage payable to him in respect of the time (excluding overtime) ordinarily worked by him on that day of the week.

(3) *Compensation to a casual employee for work on a public holiday or a Sunday.*—Whenever a casual employee works on a public holiday as defined or on a Sunday, his employer shall pay him in respect of that day an amount calculated at a rate of not less than double his hourly wage in respect of the full time worked by him on that day: Provided that for the purposes of this subclause a casual employee in an establishment in which the employees normally works on—

- (a) not more than five days in a week shall be deemed to have worked at least nine and a quarter hours on that day; and
- (b) more than five days in a week shall be deemed to have worked at least eight and a half hours on that day.

(4) *Compensation for work partly on a public holiday or a Sunday.*—Whenever an employee works for a period which falls—

- (a) partly on a public holiday as defined or a Sunday and partly on any other day; or
- (b) partly on a public holiday as defined and partly on a Sunday

(b) Wanneer 'n werknemer, uitgesonderd 'n los werknemer, op 'n openbare vakansiedag, soos omskryf, werk en sodanige dag op 'n dag val wat vir hom andersins 'n gewone werkdag is, moet sy werkgever hom ten opsigte van daardie dag 'n bedrag betaal minstens gelyk aan die bedrag wat hy ingevolge paragraaf (a) aan die werknemer sou moes betaal het as die werknemer nie op daardie dag gewerk het nie, plus—

- (i) 'n bedrag bereken teen minstens sy loonskaal ten opsigte van die volle tyd wat hy op daardie dag werk of 'n bedrag minstens gelyk aan die loon aan hom betaalbaar ten opsigte van die tyd (uitgesonderd oortyd) wat hy gewoonlik op daardie dag van die week werk, watter bedrag ook al die grootste is; of
- (ii) 'n bedrag bereken teen 'n skaal van minstens een derde van sy loonskaal ten opsigte van die volle tyd wat hy op daardie dag werk en aan hom, binne sewe dae na daardie dag, een dag verlof toestaan en ten opsigte van sodanige verlof 'n bedrag aan hom betaal wat nie minder is nie as die loon aan hom betaalbaar ten opsigte van die tyd (uitgesonderd oortyd) wat hy gewoonlik op daardie dag van die week werk.

(c) Wanneer 'n werknemer, uitgesonderd 'n los werknemer, op 'n openbare vakansiedag, soos omskryf, werk en sodanige dag op 'n dag, behalwe 'n Sondag, val wat nie vir hom andersins 'n gewone werkdag is nie, moet die werkgever hom ten opsigte van daardie dag 'n bedrag betaal wat nie minder is nie as die loon aan hom betaalbaar ten opsigte van die tyd (uitgesonderd oortyd) wat hy gewoonlik op 'n werkdag werk, plus—

- (i) 'n bedrag bereken teen 'n skaal van minstens sy loon ten opsigte van die volle tyd wat hy op daardie dag werk of 'n bedrag gelyk aan minstens die loon aan hom betaalbaar ten opsigte van die tyd (uitgesonderd oortyd) wat hy gewoonlik op 'n werkdag werk, watter bedrag ook al die grootste is; of
- (ii) 'n bedrag bereken teen 'n skaal van minstens een derde van sy loon ten opsigte van die volle tyd wat hy op daardie dag werk, en aan hom, binne sewe dae na daardie dag, een dag verlof toestaan en ten opsigte van sodanige verlof 'n bedrag aan hom betaal wat nie minder is nie as die loon aan hom betaalbaar ten opsigte van die tyd (uitgesonderd oortyd) wat hy gewoonlik op 'n werkdag werk.

(d) Wanneer 'n werknemer, uitgesonderd 'n los werknemer, op 'n openbare vakansiedag, soos omskryf, werk en dié dag op 'n Sondag val, moet hy vir sodanige werk vergoed word op die basis in subklousule (2) uiteengesit.

(2) *Vergoeding vir werk op 'n Sondag.*—Behoudens subklousule (1) (d), wanneer 'n werknemer, uitgesonderd 'n los werknemer of 'n werknemer wat in 'n aaneenlopendebedrywigheid werksaam is, op 'n Sondag werk, moet sy werkgever hom—

- (a) indien hy hoogstens vier uur gewerk het, 'n bedrag betaal wat nie minder is nie as die loon betaalbaar ten opsigte van die tyd (uitgesonderd oortyd) wat hy gewoonlik op 'n weekdag werk; of
- (b) indien hy langer as vier uur gewerk het, 'n bedrag betaal wat nie minder is nie as of 'n bedrag teen 'n skaal van dubbel sy loon ten opsigte van die volle tyd wat hy op daardie Sondag werk, of 'n bedrag gelyk aan minstens dubbel die loon aan hom betaalbaar ten opsigte van die tyd (uitgesonderd oortyd) wat hy gewoonlik op 'n weekdag werk, watter bedrag ookal die grootste is; of
- (c) 'n bedrag betaal bereken teen 'n skaal van minstens een en een derde maal sy loon ten opsigte van die volle tyd wat hy op daardie Sondag werk en aan hom, binne sewe dae na daardie Sondag, een dag verlof toestaan ten opsigte van sodanige verlof hom 'n bedrag betaal wat nie minder is nie as die loon aan hom betaalbaar ten opsigte van die tyd (uitgesonderd oortyd) wat hy gewoonlik op daardie dag van die week werk.

(3) *Vergoeding aan 'n los werknemer vir werk op 'n openbare vakansiedag of 'n Sondag.*—Wanneer 'n los werknemer op 'n openbare vakansiedag, soos omskryf, of 'n Sondag werk moet sy werkgever hom ten opsigte van daardie dag 'n bedrag betaal, bereken teen 'n koers van minstens dubbel sy uurloon vir die volle tyd wat hy op daardie dag gewerk het: Met dien verstande dat vir die doeleindes van hierdie subklousule 'n los werknemer in 'n bedryfsinrigting waarin die werknemers gewoonlik werk op—

- (a) hoogstens vyf dae per week, geag word minstens nege en 'n kwart uur op daardie dag te gewerk het; en
- (b) meer as vyf dae per week, geag word minstens agt en half uur op daardie dag te gewerk het.

(4) *Vergoeding vir werk gedeeltelik op 'n openbare vakansiedag of Sondag.*—Wanneer 'n werknemer vir 'n tydperk werk wat—

- (a) gedeeltelik op 'n openbare vakansiedag, soos omskryf, of 'n Sondag en gedeeltelik op enige ander dag val; of
- (b) gedeeltelik op 'n openbare vakansiedag, soos omskryf, en gedeeltelik op 'n Sondag val,

the whole period shall for the purposes of calculating the compensation payable to such employee be deemed to have been worked on the day on which the major portion of that period falls.

(5) *Remuneration*.—Payable in terms of this clause to an employee, other than a casual employee, shall be paid to him not later than the payday next succeeding the day in respect of which such remuneration is payable. A casual employee shall be remunerated as set out in clause 4 (2).

(6) *Savings*.—Subclauses (1) (b) to (d), (2) and (4) shall not apply to an employee referred to in clause 5 (7) (a).

## 9. PIECE-WORK AND COMMISSION WORK

(1) *Piece-work*.—(a) An employer may when engaging an employee or after at least one week's notice if the employee is already in his employ, introduce any piece-work system and, save as provided in clause 4 (6), such employer shall pay his employee, who is employed on such piece-work system, remuneration at the rates applicable under such system: Provided that, irrespective of the quantity of work done, the employer shall pay such employee not less than, in the case of—

(i) an employee, other than a casual employee, in respect of each week in which piece-work is performed, the amount which the employer would have been required to pay such employee for that week had he been remunerated on the basis of time worked;

(ii) a casual employee, in respect of each day on which piece-work is performed, the amount which the employer would have been required to pay such employee for that day had he been remunerated on the basis of time worked.

(b) An employer shall keep posted up in a conspicuous place in his establishment a schedule of the rates referred to in paragraph (a), or he may in lieu thereof supply each employee with a letter signed by him, or on his behalf, setting out the said rates.

(c) An employer who intends to cancel or amend any piece-work system in operation or the rates applicable thereunder, shall give his employee not less than one month's notice of such intention: Provided that an employer and his employee may agree on a longer period of notice, in which case the employer shall give notice for a period not shorter than that agreed upon.

(d) Notwithstanding anything to the contrary in this clause, an employer shall not be required to give a casual employee notice of his intention to introduce any piece-work system or to cancel or amend it.

(2) *Commission work*.—(a) An employee who by agreement with his employer undertakes commission work shall be supplied by his employer, before such work is commenced, with a true copy of the agreement or a statement setting out the terms of the agreement, which shall include—

(i) the wage payable to the employee, which shall be not less than the wage prescribed in clause 3 (1) for an employee of his class and experience, the rate of the commission and the conditions of entitlement thereto;

(ii) the day of the week or month on which commission earned is due and payable;

(iii) the area in which the employee is required or permitted to work; and

(iv) the day of payment of commission earned by the employee before termination of the contract of employment: Provided that such day of payment shall be not later than the last workday of the month succeeding the month during which employment was terminated.

(b) An employer shall not require or permit an employee to undertake any work for him on the basis of commission only. Any amount payable to an employee as commission under an agreement entered into in terms of paragraph (a) shall be aside from and in addition to the wage stipulated therein.

(c) Save as provided in clause 4 (6), the employer shall pay his employee remuneration at not less than the rate agreed upon between them: Provided that, irrespective of the commission earned by the employee, his remuneration in respect of any period shall be not less than the wage referred to in paragraph (a).

(d) The employee's remuneration shall be paid on the day stipulated in the agreement entered into in terms of paragraph (a), and the provisions of clause 4 (1) shall not apply in respect of such payment.

word daar by die berekening van sy vergoeding geag dat die hele tydperk wat hy gewerk het, op die dag val waarop die grootste gedeelte van die tydperk val.

(5) *Beloning*.—Die beloning wat ingevolge hierdie klousule aan 'n werknemer, uitgesonderd 'n los werknemer, betaalbaar is, moet aan hom uitbetaal word nie later nie as die eersvolgende betaaldag na die dag ten opsigte waarvan die beloning betaalbaar is. 'n Los werknemer moet uitbetaal word soos in klousule 4 (2) bepaal.

(6) *Voorbehoudsbepaling*.—Subklousule (1) (b) tot (d), (2) en (4) is nie van toepassing nie op 'n werknemer in klousule 5 (7) (a) vermeld.

## 9. STUKWERK EN KOMMISSIEWERK

(1) *Stukwerk*.—(a) 'n Werkgewer kan wanneer hy 'n werknemer in diens neem of indien die werknemer reeds in sy diens is, nadat hy minstens een week vooraf aan sy werknemer kennis gegee het, enige stukwerkstelsel invoer, en sodanige werkgewer moet, behoudens klousule 4 (6), sy werknemer wat volgens sodanige stukwerkstelsel werk, besoldig teen die tariewe wat ooreenkomstig sodanige stelsel van toepassing is: Met dien verstande dat die werkgewer, ongeag die hoeveelheid werk wat verrig is, sodanige werknemer moet betaal, in die geval van—

(i) 'n werknemer, uitgesonderd 'n los werknemer, vir elke week waarin stukwerk verrig word, minstens die bedrag wat die werkgewer die werknemer vir daardie week sou moes betaal het as hy hom 'n tydloon betaal het,

(ii) 'n los werknemer, vir elke dag waarop stukwerk verrig word, minstens die bedrag wat die werkgewer sodanige werknemer vir daardie dag sou moes betaal het as hy hom 'n tydloon betaal het.

(b) 'n Werkgewer moet 'n lys van die tariewe in paragraaf (a) bedoel, op 'n opvallende plek in sy bedryfsinrigting opgeplak hou of hy kan in plaas daarvan elke werknemer voorsien van 'n brief wat deur of namens hom onderteken is waarin genoemde tariewe uiteengesit is.

(c) 'n Werkgewer wat voornemens is om 'n bestaande stukwerkstelsel of die besoldiging wat daarvolgens van toepassing is, af te skaf of te wysig, moet aan sy werknemer minstens een maand kennis van sodanige voorneme gee: Met dien verstande dat 'n werkgewer en sy werknemer oor 'n langer kennisgewingstermyn ooreen kan kom, en in so 'n geval mag die werkgewer nie vir 'n korter termyn as dié waaroor daar oorgeengekom is kennis gee nie.

(d) Ondanks andersluidende bepalings in hierdie klousule, is 'n werkgewer nie verplig om 'n los werknemer kennis te gee van sy voorneme om 'n stukwerkstelsel in te voer of af te skaf of te wysig nie.

(2) *Kommissiewerk*.—(a) 'n Werknemer wat volgens 'n ooreenkoms met sy werkgewer kommissiewerk onderneem, moet, voordat sodanige werk begin, deur sy werkgewer voorsien word van 'n juiste kopie van die ooreenkoms of 'n verklaring wat die bepalings van die ooreenkoms bevat en wat moet insluit—

(i) die loon aan die werknemer betaalbaar, wat nie laer mag wees nie as dié wat by klousule 3 (1) vir 'n werknemer van sy klas en ondervinding voorgeskryf word, asook die kommissietarief en die voorwaardes waarop hy die reg daarop verkry;

(ii) die dag van die week of maand waarop die verdiende kommissie verskuldig en betaalbaar is;

(iii) die gebied waarin daar van die werknemer vereis word of hy toegelaat word om te werk; en

(iv) die dag waarop die kommissie wat deur die werknemer verdien is, voor die beëindiging van die dienskontrak betaal moet word: Met dien verstande dat sodanige betaaldag nie later nie as die laaste werkdag moet wees van die maand wat volg op die maand waarin die diens beëindig is.

(b) 'n Werkgewer mag nie 'n werknemer toelaat of van hom vereis om werk slegs op 'n kommissiebasis te onderneem nie. 'n Bedrag wat as kommissie aan 'n werknemer betaalbaar is volgens 'n ooreenkoms aangegaan ingevolge paragraaf (a) is afgesien van en bykomend by die loon daarin vermeld.

(c) Behoudens klousule 4 (6), moet 'n werkgewer sy werknemer minstens die besoldiging betaal waaroor hulle ooreengekom het: Met dien verstande dat afgesien van die kommissie wat die werknemer verdien het, sy besoldiging vir enige tydperk minstens die loon waarna in paragraaf (a) verwys word, sal wees.

(d) Die besoldiging van die werknemer moet betaal word op die dag genoem in die ooreenkoms aangegaan ingevolge paragraaf (a) en klousule 4 (1) is nie op sodanige betaling van toepassing nie.



(e) An employer or an employee who intends to cancel or to negotiate for an alteration to an agreement in regard to commission work shall give written notice of such intention, and the period of such notice shall be not less than that required to terminate the contract of employment of such employee in terms of clause 12.

#### 10. PROHIBITION OF EMPLOYMENT

An employer shall not—

- (1) employ any person under the age of 15 years;
- (2) require or permit any pregnant female employee to work during the period commencing four weeks prior to the expected date of her confinement and ending eight weeks after the date of her confinement.

#### 11. UNIFORMS, OVERALLS AND PROTECTIVE CLOTHING

An employer shall supply and maintain in serviceable and clean condition, free of charge, any gumboots, cap, uniform, overall or other protective clothing which he requires his employee to wear or which by any law he is required to provide for his employee, and any such article shall remain the property of the employer: Provided that an employer may require an employee to wash or to wash and iron any such article in the employee's own time, in which event the employer shall pay the employee an allowance of not less than R1,00 per week for each week in respect of which he is required to wear the article.

#### 12. TERMINATION OF CONTRACT OF EMPLOYMENT

(1) An employer or his employee, other than a casual employee, who wishes to terminate the contract of employment, shall give—

- (a) during the first four weeks of employment, not less than one workday's; and
- (b) after the first four weeks of employment, not less than one week's

notice in termination of contract, which shall be in writing except when given by an employee who is unable to write, or an employer or employee may terminate the contract without notice by paying the employee or paying the employer, as the case may be, in lieu of such notice not less than in the case of—

- (i) one workday's notice, the daily wage; and
- (ii) one week's notice, the weekly wage,

the employee is receiving at the time of such termination: Provided that this shall not effect—

- (aa) the right of an employer or his employee to terminate the contract without notice for any cause recognised by law as sufficient;
- (ab) any written agreement between an employer and his employee which provides for a period of notice of equal duration on both sides and for longer than that prescribed in this clause;
- (ac) the operation of any forfeitures or penalties which are by law applicable in respect of an employee who deserts:

Provided further that where the wage of an employee at the date of termination has been reduced by deductions in respect of short-time, the expression 'is receiving at the time of such termination' shall, when an employer pays an employee in lieu of notice, be deemed to mean 'would have received at the time of such termination had no deduction been made in respect of short-time'.

(2) Where there is an agreement in terms of proviso (ab) to subclause (1), the payment in lieu of notice shall be commensurate with the period of notice agreed upon.

(3) The notice prescribed in subclause (1) shall be given on any work day: Provided that the period of notice shall not run concurrently with nor shall notice be given or payment in lieu of notice be permitted during an employee's absence—

- (a) on leave granted in terms of clause 6 or on sick leave granted in terms of clause 7 or owing to incapacity or in the circumstances set out in clause 7 (4) (a) or (b) where such absence amounts in the aggregate to not more than 15 weeks in any period of 12 consecutive months of employment with the same employer; and
- (b) on military service, except where an employee otherwise requested and his employer agrees thereto in writing.

(e) 'n Werkgewer of 'n werknemer wat voornemens is om 'n ooreenkoms in verband met kommissiewerk op te sê of oor 'n wysiging daarvan te onderhandel, moet skriftelik kennis van sodanige voorneme gee, en die termyn van sodanige kennisgewing mag nie korter wees as dié wat by klousule 12 vir die beëindiging van die dienskontrak van sodanige werknemer vereis word nie.

#### 10. VERBOD OP INDIENSNEMING

'n Werkgewer mag nie—

- (1) iemand onder die ouderdom van 15 jaar in diens neem nie;
- (2) van 'n swanger werknemer vereis of haar toelaat om te werk gedurende die tydperk wat vier weke voor die verwagte datum van haar bevalling begin en agt weke na die bevallingsdatum eindig nie.

#### 11. UNIFORMS, OORPAKKE EN BESKERMENDE KLERE

'n Werkgewer moet enige uniform, oorpak, rubberstewels, pet of ander beskermende klere wat hy van sy werknemer vereis om te dra of wat hy ingevolge enige wet verplig is om aan sy werknemer te verskaf, gratis verskaf en in 'n bruikbare en sindelike toestand hou; en enige sodanige artikel bly die eiendom van die werkgewer: Met dien verstande dat 'n werkgewer van 'n werknemer kan vereis om sodanige artikel te was of te was en stryk in die werknemer se eie tyd, in welke geval die werkgewer sodanige werknemer 'n toelae moet betaal van minstens R1,00 per week vir elke week ten opsigte waarvan daarvan die werknemer vereis word om sodanige artikel te dra.

#### 12. BEËINDIGING VAN DIENSKONTRAK

(1) 'n Werkgewer of sy werknemer, uitgesonderd 'n los werknemer, wat die dienskontrak wil beëindig, moet—

- (a) gedurende die eerste vier weke diens, minstens een werkdag kennis, en
- (b) na die eerste vier weke diens, minstens een week kennis van die beëindiging van die kontrak gee, wat skriftelik gedoen moet word uitgesonderd in die geval van 'n werknemer wat nie kan skryf nie, of 'n werkgewer of 'n werknemer kan die kontrak sonder kennisgewing beëindig deur, in plaas van sodanige kennisgewing, aan die werknemer of die werkgewer, na gelang van die geval, te betaal, in die geval van—
  - (i) een werkdag kennisgewing, minstens die dagloon, en
  - (ii) een week kennisgewing, minstens die weekloon

wat die werknemer ten tyde van sodanige beëindiging ontvang: Met dien verstande dat—

- (aa) die reg van die werkgewer of sy werknemer om die kontrak op regsgeldige grond sonder kennisgewing te beëindig;
- (ab) 'n skriftelike ooreenkoms tussen die werkgewer en sy werknemer waarin voorsiening gemaak word vir 'n kennisgewingstermyn wat vir beide partye ewe lank is en langer is as dié wat in hierdie klousule voorgeskryf word;
- (ac) die werking van 'n verbeuring of boete wat volgens wet van toepassing is op 'n werknemer wat dros;

nie hierdeur geraak word nie: Met dien verstande voorts dat, indien die loon van sy werknemer op die datum van die beëindiging verminder is deur aftrekkings ten opsigte van korttyd en die werkgewer hom betaal in plaas van kennis te gee, die uitdrukking 'ten tyde van sodanige beëindiging ontvang' geag word te beteken 'ten tyde van sodanige beëindiging sou ontvang het as geen bedrag weens korttyd afgetrek was nie'.

(2) Indien daar 'n ooreenkoms ingevolge voorbehoudsbepaling (ab) van subklousule (1) bestaan, moet die betaling in plaas van kennisgewing eweredig wees aan die kennisgewingstermyn waaroor daar ooreengekom is.

(3) Die kennisgewing by subklousule (1) voorgeskryf, moet op 'n werkdag geskied: Met dien verstande dat die kennisgewingstermyn nie mag saamval nie met, en betaling in plaas van kennisgewing nie gemaak mag word nie ten opsigte van 'n tydperk wat saamval met 'n werknemer se afwesigheid—

- (a) met verlof ingevolge klousule 6 of siekteverlof ooreenkomstig klousule 7 of afwesigheid weens ongeskiktheid in die omstandighede uiteengesit in klousule 7 (4) (a) of (b), waar sodanige afwesigheid altesaam hoogstens 15 weke in enige tydperk van 12 agtereenvolgende maande diens by dieselfde werkgewer beloop; en
- (b) vir militêre diens, behalwe waar die werknemer anders versoek en die werkgewer skriftelik daartoe instem.



(4) Unless an employer has waived the notice prescribed in subclause (1) or an employee leaves his employment without having given and served such notice or without having paid his employer in lieu of notice and in so doing the employee was acting within his legal rights, the employer may appropriate to himself, from any moneys which he owes to such employee by virtue of any provision of this determination, an amount of not more than that which the employee would have had to pay him in lieu of notice: Provided that where an employer has so appropriated an amount in lieu of notice the employee shall be deemed to have paid the employer to that extent in lieu of notice.

### 13. CERTIFICATE OF SERVICE

Except where an employee deserts or where the employee is a casual employee, the employer shall, upon termination of any contract of employment, furnish the employee with a certificate of service substantially in the following form, showing the full names of the employer and of the employee, the class of the employee, the date of commencement and the date of termination of the contract and the wage of the employee on the date of such termination.

#### CERTIFICATE OF SERVICE

I.....  
 carrying on trade in the Ceramics Industry at .....  
 hereby certify that..... Identity No. ....  
 was employed by me from the..... day of ..... 19.....  
 to the..... day of ..... 19.....  
 as(\*).....

At the termination of employment this employee's wage was R .....

Signature of employer of authorised representative .....

Date .....

(\*) State class in which employee was wholly or mainly engaged, e.g. clerk, Grade I employee, general worker.

### 14. LOG-BOOK

(1) An employer shall provide his driver with a log-book as nearly as practicable in the following form:

#### DAILY LOG

Name of Employer.....  
 Name of driver.....  
 Date..... Registration number of vehicle.....  
 Time of starting work.....  
 Time of finishing work.....  
 Number of hours worked.....  
 Meal intervals from..... to.....  
 Particulars of any accident or delay.....

Name(s) of employee(s) accompanying driver.....

Signature of driver.....

Date .....

(2) Every driver shall, in the log-book referred to in subclause (1), keep a daily log in duplicate in respect of each day's work and shall within 24 hours of the completion of the work to which it relates deliver a copy thereof to his employer.

(3) The employer shall retain the copy of the daily log which, in terms of subclause (2), has been delivered to him for a period of at least three years subsequent to such delivery.

### 15. ATTENDANCE REGISTER

(1) An employer shall provide in his establishment an attendance register substantially in the following form, in which he shall record in ink or indelible pencil the name and class of each of his employees, and if an employee is unable to write his employer shall on his behalf for each day worked and on that day make the necessary entries in respect of items (i) to (vi) inclusive of subclause (3) (a) and sign such entries.

(4) Tensy 'n werkgever van die kennisgewing wat in subklousule (1) voorgeskryf is, afgesien het of 'n werknemer verlaat sy diens sonder om kennis te gee en uit te dien of sonder om sy werkgever te betaal in plaas van kennis te gee en deur sodanige optrede hy binne sy wetlike regte gehandel het, mag 'n werkgever uit enige geld wat hy sodanige werknemer uit hoofde van enige bepaling van hierdie vasstelling skuld, hom 'n bedrag toeëien van hoogstens dit wat die werknemer hom sou moes betaal het in plaas van kennis te gee: Met dien verstande dat wanneer die werkgever hom aldus 'n bedrag toeëien het in plaas van kennisgewing, geag word dat die werknemer die werkgever in dié mate betaal het in plaas van kennis te gee.

### 13. DIENSSERTIFIKAAT

Behalwe waar 'n werknemer dros of waar die werknemer 'n los werknemer is, moet die werkgever by beëindiging van enige dienskontrak die werknemer van 'n dienssertifikaat voorsien wat wesenlik onderstaande vorm het en waarin die volle name van die werkgever en die werknemer, die klas van werknemer, die aanvangsdatum en die datum van beëindiging van die kontrak en die loon van die werknemer op die datum van sodanige beëindiging vermeld word.

#### DIENSSERTIFIKAAT

Ek.....  
 wat die Keramieknywerheid beoefen te.....  
 verklaar hierby dat..... identiteitsnommer.....  
 in my diens was vanaf die..... dag van ..... 19.....  
 tot die..... dag van ..... 19..... as (\*).....  
 By diensbeëindiging was hierdie werknemer se loon R.....

Handtekening van werkgever of gemagtigde verteenwoordiger .....

Datum .....

\* Meld die klas waarin die werknemer uitsluitlik of hoofsaaklik in diens was, bv. klerk, werknemer graad I, algemene werker.

### 14. LOGBOEK

(1) 'n Werkgever moet sy drywer voorsien van 'n logboek wat so na as moontlik die volgende vorm het:

#### DAAGLIKSE LOG

Naam van die werkgever.....  
 Naam van drywer..... registrasienommer van voertuig.....  
 Datum.....  
 Tyd waarop werk begin word.....  
 Tyd waarop werk beëindig word.....  
 Aantal ure gewerk.....  
 Etenspouse van..... tot.....  
 Besonderhede van 'n ongeluk of vertraging.....

Naam(Name) van werknemer(s) wat drywer vergesel.....

Handtekening van drywer.....

Datum .....

(2) Elke drywer moet in die logboek bedoel in subklousule (1), 'n daaglikse log in tweevoud hou ten opsigte van elke dag se werk en moet binne 24 uur na voltooiing van werk waarop dit betrekking het, 'n kopie daarvan aan sy werkgever lewer.

(3) Die werkgever moet die kopie van die daaglikse log wat kragtens subklousule (2) aan hom gelewer is, vir 'n tydperk van minstens drie jaar na sodanige lewering bewaar.

### 15. PRESENSIEREGISTER

(1) 'n Werkgever moet in sy bedryfsinrigting 'n presensieregister wat wesenlik die onderstaande vorm het, voorsien, waarin hy in ink of inktlood die naam en klas van elk van sy werknemers moet aanteken, en indien sodanige werknemer nie in staat is om te skryf nie, moet sy werkgever namens hom vir elke dag se werk gewerk en op daardie dag die vereiste inskrywings ten opsigte van punte (i) tot en met (vi) van subklousule (3) (a) maak, en sodanige inskrywings onderteken.

## ATTENDANCE REGISTER

| (Name of employee)   |             |                                |                    |    |     |    |     |    |                        | (Class of employee) |     |                       |           |           |             |                                                                                  |              |  |
|----------------------|-------------|--------------------------------|--------------------|----|-----|----|-----|----|------------------------|---------------------|-----|-----------------------|-----------|-----------|-------------|----------------------------------------------------------------------------------|--------------|--|
| Date and day of week |             | Entries to be made by employee |                    |    |     |    |     |    |                        |                     |     | Remarks (if any)      |           |           |             |                                                                                  |              |  |
| Year.....            | Month.....  | Time of commencing work        | Intervals off work |    |     |    |     |    | Time of finishing work | Overtime worked     |     | Total number of hours |           | Signature | By employee | By employee, if employee was absent; reason for his (must be signed by employee) | By inspektor |  |
| Date                 | Day of week |                                | Off                | On | Off | On | Off | On |                        | On                  | Off | Each day              | Each week |           |             |                                                                                  |              |  |
| 1                    |             |                                |                    |    |     |    |     |    |                        |                     |     |                       |           |           |             |                                                                                  |              |  |
| 2                    |             |                                |                    |    |     |    |     |    |                        |                     |     |                       |           |           |             |                                                                                  |              |  |
| 3                    |             |                                |                    |    |     |    |     |    |                        |                     |     |                       |           |           |             |                                                                                  |              |  |
| 4                    |             |                                |                    |    |     |    |     |    |                        |                     |     |                       |           |           |             |                                                                                  |              |  |
| 5                    |             |                                |                    |    |     |    |     |    |                        |                     |     |                       |           |           |             |                                                                                  |              |  |
| 6                    |             |                                |                    |    |     |    |     |    |                        |                     |     |                       |           |           |             |                                                                                  |              |  |
| 7                    |             |                                |                    |    |     |    |     |    |                        |                     |     |                       |           |           |             |                                                                                  |              |  |
| 8                    |             |                                |                    |    |     |    |     |    |                        |                     |     |                       |           |           |             |                                                                                  |              |  |
| 9                    |             |                                |                    |    |     |    |     |    |                        |                     |     |                       |           |           |             |                                                                                  |              |  |
| 10                   |             |                                |                    |    |     |    |     |    |                        |                     |     |                       |           |           |             |                                                                                  |              |  |
| 11                   |             |                                |                    |    |     |    |     |    |                        |                     |     |                       |           |           |             |                                                                                  |              |  |
| 12                   |             |                                |                    |    |     |    |     |    |                        |                     |     |                       |           |           |             |                                                                                  |              |  |
| 13                   |             |                                |                    |    |     |    |     |    |                        |                     |     |                       |           |           |             |                                                                                  |              |  |
| 14                   |             |                                |                    |    |     |    |     |    |                        |                     |     |                       |           |           |             |                                                                                  |              |  |
| 15                   |             |                                |                    |    |     |    |     |    |                        |                     |     |                       |           |           |             |                                                                                  |              |  |
| 16                   |             |                                |                    |    |     |    |     |    |                        |                     |     |                       |           |           |             |                                                                                  |              |  |
| 17                   |             |                                |                    |    |     |    |     |    |                        |                     |     |                       |           |           |             |                                                                                  |              |  |
| 18                   |             |                                |                    |    |     |    |     |    |                        |                     |     |                       |           |           |             |                                                                                  |              |  |
| 19                   |             |                                |                    |    |     |    |     |    |                        |                     |     |                       |           |           |             |                                                                                  |              |  |
| 20                   |             |                                |                    |    |     |    |     |    |                        |                     |     |                       |           |           |             |                                                                                  |              |  |
| 21                   |             |                                |                    |    |     |    |     |    |                        |                     |     |                       |           |           |             |                                                                                  |              |  |
| 22                   |             |                                |                    |    |     |    |     |    |                        |                     |     |                       |           |           |             |                                                                                  |              |  |
| 23                   |             |                                |                    |    |     |    |     |    |                        |                     |     |                       |           |           |             |                                                                                  |              |  |
| 24                   |             |                                |                    |    |     |    |     |    |                        |                     |     |                       |           |           |             |                                                                                  |              |  |
| 25                   |             |                                |                    |    |     |    |     |    |                        |                     |     |                       |           |           |             |                                                                                  |              |  |
| 26                   |             |                                |                    |    |     |    |     |    |                        |                     |     |                       |           |           |             |                                                                                  |              |  |
| 27                   |             |                                |                    |    |     |    |     |    |                        |                     |     |                       |           |           |             |                                                                                  |              |  |
| 28                   |             |                                |                    |    |     |    |     |    |                        |                     |     |                       |           |           |             |                                                                                  |              |  |
| 29                   |             |                                |                    |    |     |    |     |    |                        |                     |     |                       |           |           |             |                                                                                  |              |  |
| 30                   |             |                                |                    |    |     |    |     |    |                        |                     |     |                       |           |           |             |                                                                                  |              |  |
| 31                   |             |                                |                    |    |     |    |     |    |                        |                     |     |                       |           |           |             |                                                                                  |              |  |

*Note.*—Under heading 'off' and 'On' in column referring to 'intervals off work' insert time when interval commences and time when work is resumed. An employee is deemed to be at work for any interval in his work if the employee is not free to leave the establishment for the whole of the interval.

**BYWONINGSREGISTER**

| (Naam van werknemer)  |              |                                             |                     |     |    |     |    |     |                               | (Klas van werknemer) |    |                         |           |              |                |                                                                                             |                 |  |  |
|-----------------------|--------------|---------------------------------------------|---------------------|-----|----|-----|----|-----|-------------------------------|----------------------|----|-------------------------|-----------|--------------|----------------|---------------------------------------------------------------------------------------------|-----------------|--|--|
| Datum en dag van week |              | Inskrywings moet deur werknemer gemaak word |                     |     |    |     |    |     |                               |                      |    | Opmerkings (as daar is) |           |              |                |                                                                                             |                 |  |  |
| Jaar .....            | Maand .....  | Tyd waarop werk begin word                  | Pouses van diens af |     |    |     |    |     | Tyd waarop werk beëindig word | Oortyd gewerk        |    | Totale getal ure gewerk |           | Handtekening | Deur werknemer | Deur werkgewer as werknemer afwesig is; rede daarvoor (moet deur werkgewer onderteken word) | Deur inspekteur |  |  |
| Datum                 | Dag van week |                                             | Af                  | Aan | Af | Aan | Af | Aan |                               | Aan                  | Af | Elke dag                | Elke week |              |                |                                                                                             |                 |  |  |
| 1                     |              |                                             |                     |     |    |     |    |     |                               |                      |    |                         |           |              |                |                                                                                             |                 |  |  |
| 2                     |              |                                             |                     |     |    |     |    |     |                               |                      |    |                         |           |              |                |                                                                                             |                 |  |  |
| 3                     |              |                                             |                     |     |    |     |    |     |                               |                      |    |                         |           |              |                |                                                                                             |                 |  |  |
| 4                     |              |                                             |                     |     |    |     |    |     |                               |                      |    |                         |           |              |                |                                                                                             |                 |  |  |
| 5                     |              |                                             |                     |     |    |     |    |     |                               |                      |    |                         |           |              |                |                                                                                             |                 |  |  |
| 6                     |              |                                             |                     |     |    |     |    |     |                               |                      |    |                         |           |              |                |                                                                                             |                 |  |  |
| 7                     |              |                                             |                     |     |    |     |    |     |                               |                      |    |                         |           |              |                |                                                                                             |                 |  |  |
| 8                     |              |                                             |                     |     |    |     |    |     |                               |                      |    |                         |           |              |                |                                                                                             |                 |  |  |
| 9                     |              |                                             |                     |     |    |     |    |     |                               |                      |    |                         |           |              |                |                                                                                             |                 |  |  |
| 10                    |              |                                             |                     |     |    |     |    |     |                               |                      |    |                         |           |              |                |                                                                                             |                 |  |  |
| 11                    |              |                                             |                     |     |    |     |    |     |                               |                      |    |                         |           |              |                |                                                                                             |                 |  |  |
| 12                    |              |                                             |                     |     |    |     |    |     |                               |                      |    |                         |           |              |                |                                                                                             |                 |  |  |
| 13                    |              |                                             |                     |     |    |     |    |     |                               |                      |    |                         |           |              |                |                                                                                             |                 |  |  |
| 14                    |              |                                             |                     |     |    |     |    |     |                               |                      |    |                         |           |              |                |                                                                                             |                 |  |  |
| 15                    |              |                                             |                     |     |    |     |    |     |                               |                      |    |                         |           |              |                |                                                                                             |                 |  |  |
| 16                    |              |                                             |                     |     |    |     |    |     |                               |                      |    |                         |           |              |                |                                                                                             |                 |  |  |
| 17                    |              |                                             |                     |     |    |     |    |     |                               |                      |    |                         |           |              |                |                                                                                             |                 |  |  |
| 18                    |              |                                             |                     |     |    |     |    |     |                               |                      |    |                         |           |              |                |                                                                                             |                 |  |  |
| 19                    |              |                                             |                     |     |    |     |    |     |                               |                      |    |                         |           |              |                |                                                                                             |                 |  |  |
| 20                    |              |                                             |                     |     |    |     |    |     |                               |                      |    |                         |           |              |                |                                                                                             |                 |  |  |
| 21                    |              |                                             |                     |     |    |     |    |     |                               |                      |    |                         |           |              |                |                                                                                             |                 |  |  |
| 22                    |              |                                             |                     |     |    |     |    |     |                               |                      |    |                         |           |              |                |                                                                                             |                 |  |  |
| 23                    |              |                                             |                     |     |    |     |    |     |                               |                      |    |                         |           |              |                |                                                                                             |                 |  |  |
| 24                    |              |                                             |                     |     |    |     |    |     |                               |                      |    |                         |           |              |                |                                                                                             |                 |  |  |
| 25                    |              |                                             |                     |     |    |     |    |     |                               |                      |    |                         |           |              |                |                                                                                             |                 |  |  |
| 26                    |              |                                             |                     |     |    |     |    |     |                               |                      |    |                         |           |              |                |                                                                                             |                 |  |  |
| 27                    |              |                                             |                     |     |    |     |    |     |                               |                      |    |                         |           |              |                |                                                                                             |                 |  |  |
| 28                    |              |                                             |                     |     |    |     |    |     |                               |                      |    |                         |           |              |                |                                                                                             |                 |  |  |
| 29                    |              |                                             |                     |     |    |     |    |     |                               |                      |    |                         |           |              |                |                                                                                             |                 |  |  |
| 30                    |              |                                             |                     |     |    |     |    |     |                               |                      |    |                         |           |              |                |                                                                                             |                 |  |  |
| 31                    |              |                                             |                     |     |    |     |    |     |                               |                      |    |                         |           |              |                |                                                                                             |                 |  |  |

*Nota.*—Onder opskrif 'Aan' en 'Af' in kolom 'Pouses van diens af', voeg in tyd wanneer pouse begin en tyd wanneer werk hervat word. 'n Werknemer word geag by die werk te wees vir enige pouse in sy werk indien dit die werknemer nie vrystaan om die bedryfsinrigting vir die hele pouse te verlaat nie.



(2) An employer may, instead of an attendance register, provide a semi-automatic time recorder together with the necessary cards, which shall be as nearly as practicable in the following form, and supply to each employee such a card indicating the name of number of the employee and the date of termination of the week in respect of which it is to be used.

No. .... Name and class of employee .....  
Week ended ..... 19 .....

| Day            | In    | Out   | In    | Out   | Total |
|----------------|-------|-------|-------|-------|-------|
| Sunday.....    | ..h.. | ..h.. | ..h.. | ..h.. | ..h.. |
| Monday.....    | ..h.. | ..h.. | ..h.. | ..h.. | ..h.. |
| Tuesday.....   | ..h.. | ..h.. | ..h.. | ..h.. | ..h.. |
| Wednesday..... | ..h.. | ..h.. | ..h.. | ..h.. | ..h.. |
| Thursday.....  | ..h.. | ..h.. | ..h.. | ..h.. | ..h.. |
| Friday.....    | ..h.. | ..h.. | ..h.. | ..h.. | ..h.. |
| Saturday.....  | ..h.. | ..h.. | ..h.. | ..h.. | ..h.. |

(3) Unless prevented from doing so by unavoidable cause, an employee shall in respect of each day worked by him and on that day—

(a) record in ink or indelible pencil in such attendance register referred to in subclause (1):

- (i) The day of the week;
- (ii) the time he commenced work;
- (iii) the time of commencement and termination of all meal or other intervals which are not reckonable as ordinary hours of work;
- (iv) the time of finishing work for the day;
- (v) the time of commencement and termination of overtime worked for the day;
- (vi) the total number of hours worked for the day; and
- (vii) his signature;

(b) in an establishment where a semi-automatic time recorder is provided, make an entry by means of such recorder on a card supplied in terms of subclause (2) to show the following:

- (i) The time he commenced work;
- (ii) the time of commencement and termination of all meal or other intervals which are not reckonable as ordinary hours of work; and
- (iii) the time of finishing work for the day.

(4) An employer shall retain the attendance register referred to in subclause (1) or the cards referred to in subclause (2), as the case may be, for a period of not less than three years after the date of the last entry therein or thereon.

(5) This clause shall not apply to—

- (a) an employee who is excluded from the hours of work provisions by virtue of clause 5 (7) (a);
- (b) a driver and an employee accompanying such driver."

(2) 'n Werkgewer kan in plaas van 'n presensieregister, 'n halfoutomatiese tydregistreerder met die nodige kaarte wat sover doenlik onderstaande vorm moet hê, beskikbaar stel en elkeen van sy werknemers van so 'n kaart met die naam en nommer van die werknemer asook die datum van die einde van die week waarvoor die kaart gebruik moet word, voorsien.

No. .... Naam en klas van werknemer .....  
Week geëindig ..... 19 .....

| Dag            | In    | Uit   | In    | Uit   | Totaal |
|----------------|-------|-------|-------|-------|--------|
| Sondag.....    | ..h.. | ..h.. | ..h.. | ..h.. | ..h..  |
| Maandag.....   | ..h.. | ..h.. | ..h.. | ..h.. | ..h..  |
| Dinsdag.....   | ..h.. | ..h.. | ..h.. | ..h.. | ..h..  |
| Woensdag.....  | ..h.. | ..h.. | ..h.. | ..h.. | ..h..  |
| Donderdag..... | ..h.. | ..h.. | ..h.. | ..h.. | ..h..  |
| Vrydag.....    | ..h.. | ..h.. | ..h.. | ..h.. | ..h..  |
| Saterdag.....  | ..h.. | ..h.. | ..h.. | ..h.. | ..h..  |

(3) Tensy hy deur onvermydelike oorsaak verhinder word om dit te doen, moet elke werknemer ten opsigte van elke dag wat hy gewerk het en wel op dié dag—

(a) in ink of inktlood in sodanige bywoningsregister bedoel in subklousule (1) aanteken:

- (i) Die dag van die week;
- (ii) die tyd waarop hy begin werk het;
- (iii) die tyd waarop alle etens- en ander pouses wat nie as gewone werkure gereken word nie, begin en geëindig het;
- (iv) die tyd waarop werk vir die dag beëindig is;
- (v) die tyd waarop oortyd gewerk vir die dag begin en beëindig is;
- (vi) die totale aantal ure gewerk vir die dag; en
- (vii) sy handtekening;

(b) in 'n bedryfsinrigting waar 'n halfoutomatiese tydregistreerder voorsien word, in 'n inskrywing maak deur middel van die registreerder op 'n kaart wat ingevolge subklousule (2) voorsien is en wat die volgende moet toon:

- (i) Die tyd waarop hy begin werk het;
- (ii) die tyd waarop alle etens- of ander pouses wat nie as gewone werkure gereken word nie, begin en geëindig het; en
- (iii) die tyd waarop werk vir die dag beëindig is.

(4) 'n Werkgewer moet die presensieregister in subklousule (1) bedoel, of die kaarte in subklousule (2) bedoel, na gelang van die geval, vir 'n tydperk van minstens drie jaar na die datum van die laaste inskrywing daarin of daarop bewaar.

(5) Hierdie klousule is nie van toepassing nie op—

- (a) 'n werknemer wat uit hoofde van klousule 5 (7) (a) van die werkeurebepalings uitgesluit word, en
- (b) 'n drywer en 'n werknemer wat sodanige drywer vergesel."

No. R. 1256

12 June 1987

**CORRECTION NOTICE**

LABOUR RELATIONS ACT, 1956

TYRE AND RUBBER MANUFACTURING INDUSTRY, EASTERN PROVINCE

The following correction to Government Notice R. 635 appearing in *Government Gazette* 10672 of 27 March 1987 is hereby published for general information:

In the English text of the Schedule, substitute the expression "5 per cent or 10 per cent" for the expression "5 per cent of 10 per cent" where it appears at the end of clause 3 (5).

No. R. 1256

12 Junie 1987

**VERBETERINGSKENNISGEWING**

WET OP ARBEIDSVERHOUDINGE, 1956

BUTTEBAND- EN RUBBERNYWERHEID, OOSTELIKE PROVINSIE

Die volgende verbetering van Goewermentskennisgewing R. 635 wat in *Staatskoerant* 10672 van 27 Maart 1987 verskyn, word hierby vir algemene inligting gepubliseer:

In die Engelse teks van die Bylae, vervang die uitdrukking "5 per cent of 10 per cent" deur die uitdrukking "5 per cent or 10 per cent" waar dit aan die einde van klousule 3 (5) voorkom.

No. R. 1270

12 June 1987

## MANPOWER TRAINING ACT, 1981

## MANPOWER TRAINING COMMITTEE FOR THE HAIRDRESSING INDUSTRY, THE CAPE.—AMENDMENT OF CONDITIONS OF APPRENTICESHIP

I, Pieter Christiaan du Plessis, Minister of Manpower and of Public Works acting in terms of section 13 of the Manpower Training Act, 1981 hereby—

- (a) amend, with effect from the third Monday after the date of publication of this notice, Government Notice R. 1160 of 15 June 1984 by the substitution for clause 3 (1) of the conditions relating to wages of the following:

## “3 WAGES

- (1) An employer shall pay an apprentice at not less than the rates specified below:

|                   | <i>Per week</i> |
|-------------------|-----------------|
| First year .....  | R40,15          |
| Second year ..... | R48,53          |
| Third year .....  | R58,15”; and    |

- (b) determine that the conditions relating to wages set out in paragraph (a) shall, with effect from the third Monday after the date of publication of this notice, also apply to apprentices who are employed in any trade which is or was a designated trade in the Industry and area in respect of which the Committee was established.

P. T. C. DU PLESSIS,

Minister of Manpower and of Public Works.

No. R. 1271

12 June 1987

## MANPOWER TRAINING ACT, 1981

## NATIONAL MANPOWER TRAINING COMMITTEE FOR THE MOTOR INDUSTRY.—AMENDMENT OF CONDITIONS OF APPRENTICESHIP

I, Pieter Theunis Christiaan du Plessis, Minister of Manpower and of Public Works, acting in terms of section 13 of the Manpower Training Act, 1981, hereby—

- (a) amend, with effect from the third Monday after the date of publication of this notice, Government Notice R. 1461 of 16 July 1982, as amended by Government Notices R. 252 of 11 February 1983, R. 1696 of 10 August 1984 and R. 703 of 4 April 1985, by the substitution for clause 3 of the Conditions of the following:

## “3 WAGES

- (1) An employer shall remunerate an apprentice weekly at not less than the rates specified below:

|                           |         |
|---------------------------|---------|
| (a) in three-year trades: | R       |
| First year .....          | 88,20   |
| Second year .....         | 113,85  |
| Third year .....          | 152,55  |
| (b) in four-year trades:  | R       |
| First year .....          | 88,20   |
| Second year .....         | 99,90   |
| Third year .....          | 113,85  |
| Fourth year .....         | 152,55: |

Provided that an apprentice whose period of apprenticeship has been extended in terms of clause 8 (2) (c) shall, with effect from the day following the date of termination of his third or fourth year of apprenticeship, as the case may be, be paid not less than R152,55 per week.

No. R. 1270

12 June 1987

## WET OP MANNEKRAGOPLEIDING, 1981

## MANNEKRAGOPLEIDINGSKOMITEE VIR DIE HAARKAPPERSBEDRYF, DIE KAAP.—WYSIGING VAN LEERVOORWAARDES

Ek, Pieter Christiaan du Plessis, Minister van Mannekrag en van Openbare Werke handelende kragtens artikel 13 van die Wet op Mannekragopleiding, 1981—

- (a) wysig hierby, met ingang van die derde Maandag na die datum van publikasie van hierdie kennisgewing, Goewermentskennisgewing R. 1160 van 15 Junie 1984 deur klousule 3 (1) van die leervooraardes met betrekking tot lone, deur die volgende te vervang:

## “3 LONE

- (1) 'n Werkgewer moet 'n vakleerling besoldig teen minstens die skale hieronder uiteengesit:

|                   | <i>Per week</i> |
|-------------------|-----------------|
| Eerste jaar ..... | R40,15          |
| Tweede jaar ..... | R48,53          |
| Derde jaar .....  | R58,15”; en     |

- (b) bepaal hierby dat die leervooraardes met betrekking tot lone in paragraaf (a) uiteengesit, met ingang van die derde Maandag na die datum van publikasie van hierdie kennisgewing, ook van toepassing is op vakleerlinge wat in diens is in 'n ambag wat 'n aangewese ambag is of was in die Bedryf en gebied waarvoor die Komitee ingestel is.

P. T. C. DU PLESSIS,

Minister van Mannekrag en van Openbare Werke.

No. R. 1271

12 Junie 1987

## WET OP MANNEKRAGOPLEIDING, 1981

## NASIONALE MANNEKRAGOPLEIDINGSKOMITEE VIR DIE MOTORNYWERHEID.—WYSIGING VAN LEERVOORWAARDES

Ek, Pieter Theunis Christiaan du Plessis, Minister van Mannekrag en van Openbare Werke, handelende kragtens artikel 13 van die Wet op Mannekragopleiding, 1981—

- (a) wysig hierby, met ingang van die derde Maandag na die datum van publikasie van hierdie kennisgewing, Goewermentskennisgewing R. 1461 van 16 Julie 1982, soos gewysig by Goewermentskennisgewings R. 252 van 11 Februarie 1983, R. 1696 van 10 Augustus 1984 en R. 703 van 4 April 1985, deur klousule 3 van die Leervooraardes deur die volgende te vervang:

## “3 LONE

- (1) 'n Werkgewer moet 'n vakleerling weekliks besoldig teen minstens die skale hieronder uiteengesit:

|                         |         |
|-------------------------|---------|
| (a) in driejaarambagte: | R       |
| Eerste jaar .....       | 88,20   |
| Tweede jaar .....       | 113,85  |
| Derde jaar .....        | 152,55  |
| (b) in vierjaarambagte: | R       |
| Eerste jaar .....       | 88,20   |
| Tweede jaar .....       | 99,90   |
| Derde jaar .....        | 113,85  |
| Vierde jaar .....       | 152,55: |

Met dien verstande dat 'n vakleerling wie se leertyd ingevolge klousule 8 (2) (c) verleng is, met ingang van die dag na die datum waarop die derde of vierde jaar van sy leertyd, na gelang van die geval, verstryk het, minstens R152,55 per week betaal moet word.

- (2) If an employer and a prospective major apprentice agree, before entering into a contract of apprenticeship, upon a higher rate of remuneration than that prescribed in this clause then such higher rate shall be incorporated in the contract and shall be paid to the apprentice.
- (3) An employer shall increase the remuneration prescribed in subclause (1) in respect of every apprentice who possesses or obtains any of the educational qualifications scheduled below, or equivalents, by an amount not less than that indicated in the following Schedule. The amounts so payable shall not be cumulative but shall be payable in respect of only one, i.e. the highest, certificate or diploma obtained. Any amount to which an apprentice is entitled in terms of this subclause shall, if the certificate or diploma is obtained during his apprenticeship, be payable as from the date of issue thereof: Provided that no employer shall be required to increase the wage of an apprentice in terms of this subclause, plus the wage prescribed in subclause (1), to an amount in excess of the wage payable to a journeyman in terms of an industrial council agreement for the Motor Industry applicable to the relative trade and area: Provided further that nothing in this subclause shall operate to reduce the amount which an employer was required to pay an apprentice in respect of educational qualifications prior to the date of coming into operation of these Conditions.

## SCHEDULE

| Educational qualifications obtained prior to or during apprenticeship                                      | Per week |
|------------------------------------------------------------------------------------------------------------|----------|
| <b>Group I</b>                                                                                             |          |
| (i) National Technical Certificate, Part I (N1), with the relevant trade theory                            | R8,80    |
| (ii) Standard 9 Certificate (non-technical field of study) with Mathematics                                |          |
| (iii) Standard 10, Senior or Matriculation Certificate (non-technical field of study) without Mathematics  |          |
| (iv) A pass in the relevant trade theory at National Technical Certificate, Part II (N2), level            |          |
| <b>Group II</b>                                                                                            |          |
| (i) Standard 10, Senior or Matriculation Certificate (non-technical field of study) with Mathematics       | R11,00   |
| (ii) Standard 8 Certificate (technical field of study) with Workshop Practice                              |          |
| <b>Group III</b>                                                                                           |          |
| (i) Standard 9 Certificate (technical field of study) without Workshop Practice                            | R13,10   |
| (ii) National Technical Certificate, Part II (N2), with the relevant trade theory                          |          |
| (iii) National Technical Certificate, Part III (N3), without the relevant trade theory                     |          |
| <b>Group IV</b>                                                                                            |          |
| (i) Standard 9 Certificate (technical field of study) with Workshop Practice                               | R15,10   |
| (ii) Standard 10, Senior or Matriculation Certificate (technical field of study) without Workshop Practice |          |

- (2) Indien 'n werkgewer en 'n voornemende meerderjarige vakleerling, voordat hulle 'n leerkontrak aangaan, ooreenkom dat 'n loon teen 'n hoër skaal betaal word as die loon wat by hierdie klousule voorgeskryf word, moet sodanige hoër loon in die kontrak gemeld en aan die vakleerling betaal word.
- (3) 'n Werkgewer moet die besoldiging voorgeskryf by subklousule (1), ten opsigte van elke vakleerling wat enige van die opvoedkundige kwalifikasies in die Bylae hieronder vermeld, of gelykwaardige kwalifikasies, besit of verwerf, verhoog met minstens die bedrag in die Bylae hieronder aangegee. Die bedrae aldus betaalbaar, is nie kumulatief nie maar is betaalbaar ten opsigte van slegs een, te wete die hoogste, sertifikaat of diploma wat verwerf is. Enige bedrag waarop 'n vakleerling ingevolge hierdie subklousule geregtig is, moet, indien die sertifikaat of diploma gedurende sy leertyd verwerf word, betaal word vanaf die datum van uitreiking daarvan: Met dien verstande dat daar van geen werkgewer vereis word nie om 'n vakleerling se loon ingevolge hierdie subklousule, plus die loon by subklousule (1) voorgeskryf, te verhoog tot 'n bedrag hoër as die loon wat aan 'n vakman betaalbaar is ingevolge 'n nywerheidsraadooreenkoms vir die Motormywerheid wat op die betrokke ambag en gebied van toepassing is: Met dien verstande voorts dat niks in hierdie subklousule vervat, die uitwerking mag hê dat die bedrag wat 'n werkgewer voor die datum van inwerkingtreding van hierdie Leervoorwaardes aan 'n vakleerling ten opsigte van opvoedkundige kwalifikasies moes betaal, verlaag word nie.

## BYLAE

| Opvoedkundige kwalifikasies verwerf voor of gedurende vakleerlingskap                                       | Per week |
|-------------------------------------------------------------------------------------------------------------|----------|
| <b>Groep I</b>                                                                                              |          |
| (i) Nasionale Tegnieëse Sertifikaat, Deel I (NI), met die betrokke ambagsteorie                             | R8,80    |
| (ii) Standerd 9-sertifikaat (nie-tegniese studierigting) met Wiskunde                                       |          |
| (iii) Standerd 10, Senior of Matrikulasiesertifikaat (nie-tegniese studierigting) sonder Wiskunde           |          |
| (iv) Geslaag in die betrokke ambagsteorie op die peil van die Nasionale Tegnieëse Sertifikaat, Deel II (N2) |          |
| <b>Groep II</b>                                                                                             |          |
| (i) Standerd 10-, Senior of Matrikulasiesertifikaat (nie-tegniese studierigting) met Wiskunde               | R11,00   |
| (ii) Standerd 8-sertifikaat (tegniese studierigting) met Werkwinkelpraktik                                  |          |
| <b>Groep III</b>                                                                                            |          |
| (i) Standerd 9-sertifikaat (tegniese studierigting) sonder Werkwinkelpraktik                                | R13,10   |
| (ii) Nasionale Tegnieëse Sertifikaat, Deel II (N2), met die betrokke ambagsteorie                           |          |
| (iii) Nasionale Tegnieëse Sertifikaat, Deel III (N3), sonder die betrokke ambagsteorie                      |          |
| <b>Groep IV</b>                                                                                             |          |
| (i) Standerd 9-sertifikaat (tegniese studierigting) met Werkwinkelpraktik                                   | R15,10   |
| (ii) Standerd 10-, Senior of Matrikulasiesertifikaat (tegniese studierigting) sonder Werkwinkelpraktik      |          |



| Educational qualifications obtained prior to or during apprenticeship                                                                                                                                                                                                          | Per week | Opvoedkundige kwalifikasies verwerf voor of gedurende vakleerlingskap                                                                                                                                                                                                | Per week |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|
| <b>Group IV</b><br>(iii) Matriculation Certificate with university concession, with Natural Sciences (Physics and Chemistry) or Mathematics<br>(iv) National Technical Certificate, Part III (N3), with the relevant trade theory at N2 level<br>(v) Four subjects at T1 level | R15,10   | <b>Groep IV</b><br>(iii) Matrikulasiesertifikaat, met univiersiteitstoelating, met Natuurwetenskappe (Natuur- en Skeikunde) of Wiskunde<br>(iv) Nasionale Tegniese Sertifikaat, Deel III (N3), met die betrokke ambagsteorie op N2-peil<br>(v) Vier vakke op T1-peil | R15,10   |
| <b>Group V</b><br>(i) Standard 10, Senior or Matriculation Certificate (technical field of study) with Workshop Practice<br>(ii) National Technical Certificate, Part IV (N4)<br>(iii) Four subjects at T2 level                                                               | R17,20   | <b>Groep V</b><br>(i) Standaard 10-, Senior of Matrikulasiesertifikaat (tegniese studierigting) met Werkwinkelpraktijk<br>(ii) Nasionale Tegniese Sertifikaat, Deel IV (N4)<br>(iii) Vier vakke op T2-peil                                                           | R17,20   |
| <b>Group VI</b><br>(i) National Technical Certificate, Part V (N5)<br>(ii) Four subjects at T3 level                                                                                                                                                                           | R19,20   | <b>Groep VI</b><br>(i) Nasionale Tegniese Sertifikaat, Deel V (N5)<br>(ii) Vier vakke op T3-peil                                                                                                                                                                     | R19,20   |
| <b>Group VII</b><br>(i) National Diploma (in Engineering)<br>(ii) National Technical Certificate, Part VI (N6)<br>(iii) National Certificate for Technicians                                                                                                                   | R21,30   | <b>Groep VII</b><br>(i) Nasionale Diploma (in Ingenieurswese)<br>(ii) Nasionale Tegniese Sertifikaat, Deel VI (N6)<br>(iii) Nasionale Sertifikaat vir Tegnici                                                                                                        | R21,30   |
| <b>Group VIII</b><br>(i) National Diploma for Technicians<br>(ii) National Higher Diploma (in Engineering)<br>(iii) National Technical Diploma<br>(iv) National Higher Certificate for Technicians                                                                             | R23,40   | <b>Groep VIII</b><br>(i) Nasionale Diploma vir Tegnici<br>(ii) Nasionale Hoër Diploma (in Ingenieurswese)<br>(iii) Nasionale Tegniese Diploma<br>(iv) Nasionale Hoër Sertifikaat vir Tegnici                                                                         | R23,40   |

(b) determine that the Conditions set out in paragraph (a) above shall, with effect from the third Monday after the date of publication of this notice, also apply to apprentices who are employed in any trade which is or was a designated trade in the Industry and area for which the Committee was established.

P. T. C. DU PLESSIS,  
Minister of Manpower and of Public Works.

**No. R. 1279** **12 June 1987**

#### LABOUR RELATIONS ACT, 1956

##### LIQUOR AND CATERING TRADE, PIETERMARITZBURG.—RENEWAL OF MAIN 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. 485 of 16 March 1984 and R. 914 of 26 April 1985, to be effective from 1 July 1987 and for the period ending 30 September 1987.

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

**No. R. 1291** **12 June 1987**

#### LABOUR RELATIONS ACT, 1956

##### ELECTRICAL INDUSTRY (NATAL).—EXTENSION OF SICK PAY FUND 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) (i) of the Labour Relations Act, 1956, extend the periods fixed in Government Notices R. 992 of 23 May 1986, R. 1334 of 27 June 1986 and R. 2069 of 26 September 1986, by a further period ending 30 June 1989.

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

(b) bepaal hierby dat die Leervoordes in paragraaf (a) hierbo uiteengesit, met ingang van die derde Maandag na die datum van publikasie van hierdie kennisgewing ook van toepassing is op vakleerlinge wat in diens is in enige ambag wat 'n aangewese ambag is of was in die Nywerheid en gebied waarvoor die Komitee ingestel is.

P. T. C. DU PLESSIS,  
Minister van Mannekrag en van Openbare Werke.

**No. R. 1279** **12 Junie 1987**

#### WET OP ARBEIDSVERHOUDINGE, 1956

##### DRANK- EN SPYSENIERINGSBEDRYF, PIETERMARITZBURG.—HERNUWING VAN HOOFOOREENKOMS

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. 485 van 16 Maart 1984 en R. 914 van 26 April 1985, van krag is vanaf 1 Julie 1987 en vir die tydperk wat op 30 September 1987 eindig.

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

**No. 1291** **12 Junie 1987**

#### WET OP ARBEIDSVERHOUDINGE, 1956

##### ELEKTROTEGNIÛSE NYWERHEID (NATAL).—VERLENGING VAN SIEKTEBYSTANDSFONDSOOREENKOMS

Ek, Mattheus Willem Johannes le Roux, Direkteur: Mannekrag, behoorlik daartoe gemagtig deur die Minister van Mannekrag, verleng hierby, kragtens artikel 48 (4) (a) (i) van die Wet op Arbeidsverhoudinge, 1956, die tydperke vasgestel in Goewermentskennisgewings R. 992 van 23 Mei 1986, R. 1334 van 27 Junie 1986 en R. 2069 van 26 September 1986, met 'n verdere tydperk wat op 30 Junie 1989 eindig.

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

No. R. 1292

12 June 1987

## LABOUR RELATIONS ACT, 1956

## ELECTRICAL INDUSTRY (NATAL).—EXTENSION OF MEDICAL AID FUND 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) (i) of the Labour Relations Act, 1956, extend the periods fixed in Government Notices R. 994 of 25 May 1986, R. 1335 of 27 June 1986 and R. 2068 of 26 September 1986 by a further period ending 30 June 1989.

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

No. R. 1293

12 June 1987

## LABOUR RELATIONS ACT, 1956

## CANVAS AND ROPEWORKING INDUSTRY CAPE.—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 31 December 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 31 December 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 and the areas specified in clause 1 of the Amending Agreement.

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

## SCHEDULE

## INDUSTRIAL COUNCIL FOR THE CANVAS AND ROPEWORKING INDUSTRY (CAPE)

## AGREEMENT

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

## Cape Canvas and Ropeworking Association

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

## S.A. Canvas and Ropeworkers' Union (Cape)

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

being the parties to the Industrial Council for the Canvas and Ropeworking Industry (Cape),

No. R. 1292

12 Junie 1987

## WET OP ARBEIDSVERHOUDINGE, 1956

## ELEKTROTEGNIJSE NYWERHEID (NATAL).—VERLENGING VAN MEDIESE HULPFONDSOOREENKOMS

Ek, Mattheus Willem Johannes le Roux, Direkteur: Mannekrag, behoorlik daartoe gemagtig deur die Minister van Mannekrag, verleng hierby, kragtens artikel 48 (4) (a) (i) van die Wet op Arbeidsverhoudinge, 1956, die tydperke vasgestel in Goewermentskennisgewings R. 994 van 25 Mei 1986, R. 1335 van 27 Junie 1986 en R. 2068 van 26 September 1986, met 'n verdere tydperk wat op 30 Junie 1989 eindig.

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

No. R. 1293

12 Junie 1987

## WET OP ARBEIDSVERHOUDINGE, 1956

## SEILDOEK- EN TOUWERKNYWERHEID (KAAP).—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 31 Desember 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 31 Desember 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 SEILDOEK- EN TOUWERKNYWERHEID (KAAP)

## OOREENKOMS

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

## Cape Canvas and Ropeworking Association

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

## S.A. Canvas and Ropeworkers' Union (Cape)

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

wat die partye is by die Nywerheidsraad vir die Seildoek- en touwerknwywerheid (Kaap),

to amend the Main Agreement published under the Government Notice R. 484 of 11 March 1983 as renewed and amended by Government Notices R. 1934 and R. 1935 of 31 August 1984, R. 42 of 4 January 1985 and R. 708 and R. 709 of 18 April 1986.

### 1. AREA AND SCOPE OF APPLICATION OF AGREEMENT

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

- (a) in the municipal area of Cape Town as it existed on 23 August 1968;
- (b) by all members of the employers' organisation who are engaged in the Canvas and Ropeworking Industry and by all members of the trade union who are employed in the said Industry.

(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 clause 4 of the Agreement published under Government Notice R. 484 of 11 March 1983.

### 2. CLAUSE 3.—DEFINITIONS

(1) Insert the following at the end of the definition "Category I employee":

"(aab) assisting a Category IV employee by carrying tools, measuring and fitting brackets for window blinds;"

(2) Insert the following at the end of the definition "Category II employee":

- "(xi) cutting pre-marked canvas patches;
- (xii) operating a radial arm saw;
- (xiii) assembling frames by means of an air-operated screwdriver;"

(3) Insert the following at the end of the definition "Category IV employee":

- "(o) assembling fishing rods and gaffs from components;
- (p) repairing fishing rods;"

### 3. CLAUSE 4.—WAGES

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

"(a) *Employees, other than casual employees:*

| Category                             | Up to the last pay-week in June 1987 | From the first pay-week in July 1987 |
|--------------------------------------|--------------------------------------|--------------------------------------|
| I.....                               | R 75,20                              | R 78,96                              |
| II—                                  |                                      |                                      |
| first six months of experience ..... | 84,45                                | 88,67                                |
| thereafter .....                     | 93,68                                | 98,36                                |
| III—                                 |                                      |                                      |
| first six months of experience ..... | 97,65                                | 102,53                               |
| thereafter .....                     | 102,92                               | 108,07                               |
| IV—                                  |                                      |                                      |
| first six months of experience ..... | 110,84                               | 116,38                               |
| thereafter .....                     | 122,03                               | 128,13                               |
| V—                                   |                                      |                                      |
| first six months of experience ..... | 135,89                               | 142,68                               |
| thereafter .....                     | 149,75                               | 157,24                               |
| VI .....                             | 187,35                               | 196,72"                              |

(2) Substitute the following for subclause (2):

"(2) *Minimum increase.*—Should and employee at the date of coming into operation of this Agreement be in receipt for a wage higher than that prescribed for work of his class, such higher wage shall be increased by the following amounts:

| Category | Up to the last pay-week in June 1987 | From the first pay-week in July 1987 |
|----------|--------------------------------------|--------------------------------------|
| I.....   | R 6,84                               | R 3,76                               |

om die Hoofooreenkoms, gepubliseer by Goewermmentskennisgewing R. 484 van 11 Maart 1983, soos hernieu en gewysig by Goewermmentskennisgewings R. 1934 en R. 1935 van 31 Augustus 1984, R. 42 van 4 Januarie 1985 en R. 708 en R. 709 van 18 April 1986, te wysig.

### 1. GEBIED EN TOEPASSINGSBESTEK VAN OOREENKOMS

(1) Hierdie Ooreenkoms moet nagekom word—

- (a) in die munisipale gebied van Kaapstad soos dit op 23 Augustus 1968 bestaan het;
- (b) deur alle lede van die werkgewersorganisasie wat by die Seildoeken- en Touwerknwyerheid betrokke is, en deur alle lede van die vakvereniging wat in genoemde Nywerheid in diens is.

(2) Ondanks subklousule (1) is hierdie Ooreenkoms van toepassing slegs ten opsigte van werknemers vir wie lone voorgeskryf word in klousule 4 van die Ooreenkoms gepubliseer by Goewermmentskennisgewing R. 484 van 11 Maart 1983.

### 2. KLOUSULE 3.—WOORDOMSKRYWING

(1) Voeg die volgende in aan die einde van die omskrywing "werknemer kategorie I":

"(aab) 'n werknemer kategorie IV behulpsaam wees deur gereedskap rond te dra, en klampe vir vensterblindings te meet en te monteer;"

(2) Voeg die volgende in aan die einde van die omskrywing "werknemer kategorie II":

- "(xi) voorafgemerkte seildoekklappe sny;
- (xii) 'n radiaalarmsaag bedien;
- (xiii) rame met 'n lugdrukskroewedraaier monteer;"

(3) Voeg die volgende in aan die einde van die omskrywing "werknemer kategorie IV":

- "(o) visstokke en vishake uit komponente monteer;
- (p) visstokke herstel;"

### 3. KLOUSULE 4.—LONE

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

"(a) *Werknemers, uitgesonderd los werknemers:*

| Kategorie                           | Tot die laaste betaal-week in Junie 1987 | Vanaf die eerste betaal-week in Julie 1987 |
|-------------------------------------|------------------------------------------|--------------------------------------------|
| I.....                              | R 75,20                                  | R 78,96                                    |
| II—                                 |                                          |                                            |
| eerste ses maande ondervinding..... | 84,45                                    | 88,67                                      |
| daarna.....                         | 93,68                                    | 98,36                                      |
| III—                                |                                          |                                            |
| eerste ses maande ondervinding..... | 97,65                                    | 102,53                                     |
| daarna.....                         | 102,92                                   | 108,07                                     |
| IV—                                 |                                          |                                            |
| eerste ses maande ondervinding..... | 110,84                                   | 116,38                                     |
| daarna.....                         | 122,03                                   | 128,13                                     |
| V—                                  |                                          |                                            |
| eerste ses maande ondervinding..... | 135,89                                   | 142,68                                     |
| daarna.....                         | 149,75                                   | 157,24                                     |
| VI .....                            | 187,35                                   | 196,72"                                    |

(2) Vervang subklousule (2) deur die volgende:

(2) *Minimum verhoging.*—Indien 'n werknemer op die datum van inwerkingtreding van hierdie Ooreenkoms 'n hoër loon ontvang as dié wat vir werk van sy klas voorgeskryf word, moet sodanige hoër loon met die volgende bedrae verhoog word:

| Kategorie | Tot die laaste betaal-week in Junie 1987 | Vanaf die eerste betaal-week in Julie 1987 |
|-----------|------------------------------------------|--------------------------------------------|
| I.....    | R 6,84                                   | R 3,76                                     |



| Category                             | Up to the last pay-week in June 1987 | From the first pay-week in July 1987 |
|--------------------------------------|--------------------------------------|--------------------------------------|
|                                      | R                                    | R                                    |
| II—                                  |                                      |                                      |
| first six months of experience ..... | 7,68                                 | 4,22                                 |
| thereafter .....                     | 8,52                                 | 4,68                                 |
| III—                                 |                                      |                                      |
| first six months of experience ..... | 8,88                                 | 4,88                                 |
| thereafter .....                     | 9,36                                 | 5,15                                 |
| IV—                                  |                                      |                                      |
| first six months of experience ..... | 10,08                                | 5,54                                 |
| thereafter .....                     | 11,09                                | 6,10                                 |
| V—                                   |                                      |                                      |
| first six months of experience ..... | 12,35                                | 6,79                                 |
| thereafter .....                     | 13,61                                | 7,49                                 |
| VI .....                             | 17,03                                | 9,37                                 |

Signed at Cape Town, on behalf of the parties, this 16th day of January 1987.

**M. D. B. GOLDMAN,**  
Chairman.

**J. HEEGER,**  
Vice-Chairman.

**K. BARNES,**  
Acting Secretary.

| Kategorie                           | Tot die laaste betaal-week in Junie 1987 | Vanaf die eerste betaal-week in Julie 1987 |
|-------------------------------------|------------------------------------------|--------------------------------------------|
|                                     | R                                        | R                                          |
| II—                                 |                                          |                                            |
| eerste ses maande ondervinding..... | 7,68                                     | 4,22                                       |
| daarna.....                         | 8,52                                     | 4,68                                       |
| III—                                |                                          |                                            |
| eerste ses maande ondervinding..... | 8,88                                     | 4,88                                       |
| daarna.....                         | 9,36                                     | 5,15                                       |
| IV—                                 |                                          |                                            |
| eerste ses maande ondervinding..... | 10,08                                    | 5,54                                       |
| daarna.....                         | 11,09                                    | 6,10                                       |
| V—                                  |                                          |                                            |
| eerste ses maande ondervinding..... | 12,35                                    | 6,79                                       |
| daarna.....                         | 13,61                                    | 7,49                                       |
| VI .....                            | 17,03                                    | 9,37                                       |

Namens die partye op hede die 16de dag van Januarie 1987 te Kaapstad onderteken.

**M. D. B. GOLDMAN,**  
Voorsitter.

**J. HEEGER,**  
Ondervoorsitter.

**K. BARNES,**  
Waarnemende Sekretaris.

## DEPARTMENT OF POSTS AND TELECOMMUNICATIONS

No. R. 1283

12 June 1987

### CORRECTION TO GOVERNMENT NOTICE.—AMENDMENT OF THE TARIFF FOR TELECOMMUNICATION SERVICES

The following corrections to Government Notice R. 1200 of 1987 appearing in *Government Gazette* 10753 of 29 May 1987, are hereby published:

#### 1.0 ENGLISH TEXT

1.1 The item number following item 21.15 must read "21.16" i.s.o. "21.16".

1.2 In the table under item 37.0 amend "Belguim" to "Belgium".

#### 2.0 AFRIKAANS TEXT

2.1 The wording against item 15.1.1 must read as follows: "Wysig '120,00' tot '180,00'".

2.2 In the table under item 38.1 amend "Nederlanse, Koninkryk van die" to "Nederlande, Koninkryk van die".

2.3 The item number following item 38.2 must read "39.1" i.s.o. "39.2".

## DEPARTEMENT VAN POS- EN TELEKOMMUNIKASIEWESE

No. R. 1283

12 Junie 1987

### VERBETERING VAN GOEWERMENSKENNISGEWING.—WYSIGING VAN DIE TARIEFLYS VIR TELEKOMMUNIKASIEDIENSTE

Die volgende verbeterings van Goewermenskennisgewing R. 1200 van 1987 wat in *Staatskoerant* 10753 van 29 Mei 1987 verskyn, word hierby gepubliseer:

#### 1.0 ENGELSE TEKS

1.1 Die itemnommer wat na item 21.15 volg moet "21.16" i.p.v. "21.16" lees.

1.2 In die tabel onder item 37.0 wysig "Belguim" tot "Belgium".

#### 2.0 AFRIKAANSE TEKS

2.1 Die bewoording teenoor item 15.1.1 moet soos volg lees: "Wysig '120,00' tot '180,00'".

2.2 In die tabel onder item 38.1 wysig "Nederlanse, Koninkryk van die" tot "Nederlande, Koninkryk van die".

2.3 Die itemnommer wat na item 38.2 volg moet "39.1" i.p.v. "39.2" lees.

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Ons leef  daarvan.

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# IMPORTANT!!

## Placing of languages:

### **Government Gazettes**

1. Notice is hereby given that the interchange of languages in the *Government Gazette* will be effected annually from the first issue in October.
2. For the period 1 October 1986 to 30 September 1987, English is to be placed FIRST.
3. This arrangement is in conformity with Gazettes containing Acts of Parliament etc. where the language sequence remains constant throughout the sitting of Parliament.
4. ***It is therefore expected of you, the advertiser, to see that your copy is in accordance with the above-mentioned arrangement in order to avoid unnecessary style changes and editing to correspond with the correct style.***



# BELANGRIK!!

## Plasing van tale:

### **Staatskoerante**

1. Hiermee word bekendgemaak dat die omruil van tale in die *Staatskoerant* jaarliks geskied met die eerste uitgawe in Oktober.
2. Vir die tydperk 1 Oktober 1986 tot 30 September 1987 word Engels EERSTE geplaas.
3. Hierdie reëling is in ooreenstemming 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.***

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